



NEVADA LEGISLATURE JOINT INTERIM STANDING COMMITTEE ON GOVERNMENT AFFAIRS

(*Nevada Revised Statutes* [NRS] [218E.320](#))

DRAFT MINUTES

February 22, 2024

The second meeting of the Joint Interim Standing Committee on Government Affairs for the 2023–2024 Interim was held on Thursday, February 22, 2024, at 12:30 p.m. in Room 4401, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Committee's [meeting page](#). The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Selena Torres, Chair
Senator Edgar Flores, Vice Chair
Assemblyman Reuben D'Silva
Assemblyman Richard McArthur

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Skip Daly
Senator Ira Hansen
Assemblyman Gregory Koenig

COMMITTEE MEMBER ABSENT:

Assemblyman Max Carter

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jered McDonald, Chief Principal Policy Analyst, Research Division
Jennifer Ruedy, Deputy Research Director, Research Division
Maria Velazquez, Research Policy Assistant, Research Division
Heidi Chlarson, Chief Deputy Legislative Counsel, Legal Division

DRAFT

*Items taken out of sequence during the meeting have been placed in agenda order.
[Indicate a summary of comments.]*

AGENDA ITEM I—CALL TO ORDER

Chair Torres:

[Chair Torres called the meeting to order and welcomed members, presenters, and the public to the second meeting of the Joint Interim Standing Committee on Government Affairs. She also covered meeting guidelines and housekeeping information.]

AGENDA ITEM II—PUBLIC COMMENT

Chair Torres:

[Chair Torres reviewed public comment guidelines.]

[Chair Torres called for public comment; however, no testimony was presented in person or by phone.]

Chair Torres:

We are going to take the agenda out of order, because Sheriff McMahon from the Las Vegas Metropolitan Police Department (LVMPD) has requested to present earlier. We will begin with a presentation from the LVMPD. Sheriff and team when you are ready.

AGENDA ITEM III—OVERVIEW OF PUBLIC RECORDS LAWS

[This agenda item was taken out of order.]

Chair Torres:

We can open Item III, which is an overview of public records law. We do have two separate presentations.

I want to thank Dr. Conrad in Northern Nevada. I apologize, I know you have been sitting for quite a while, I appreciate your patience so we can hear from you. We will begin with Mr. Clark, Principal with the National Conference of State Legislatures (NCSL) who will give an overview of public record laws. When you are ready, please begin.

A. WILLIAM CLARK, PROGRAM PRINCIPAL, NCSL

Mr. Clark:

Good afternoon, Chair and Members of the Committee. Today, I am going to give a general overview of public records laws across states. I will be covering a wide range of topics, going over general components. Talking about practices, I am happy to focus on those after the hearing if you have questions or want me to do more extensive research, I am happy to do that. (Agenda Item III A)

This topic falls within my portfolio because I focus on legislative information technology (IT) and legislative oversight issues, so this is a neat fit for those issue areas. I am going to be talking to you about the entities that are covered by public records laws, the applicability to local governments and government in general, the types of records that are covered, who can make requests, what fees can be charged, the types of exceptions that exist, penalties for noncompliance, timelines for responding to requests, and a couple examples of

body-worn camera (BWC) requirements in other states. As a quick disclosure, I am not an attorney, and the information I provide today should not be considered legal advice.

At a high level, every state has a public records law. Without exception, most of them are based off the Federal Freedom of Information Act and have similar components. They are generally applicable across state and local governments, including all three branches of government, typically. Then, they fall into local governments, either explicitly or implicitly. There are similarities between the different state laws. A lot of the clear distinctions you will see between state laws are the structure of statutes. As you know, Nevada has a clear structure for its statutes, and other states do as well. Some have similarities, but sometimes you will see the structure of the information will be the major distinction; but there are a lot of similar components. The other thing that sets states apart, are the various exemptions. The exceptions to public records laws are really what create those distinctions between the different states. At a high level too, specifically with public bodies to officers, in terms of applicability. For example, with the State Legislature, there might be different requirements and rules for a Legislator versus a department within a Legislature; that can trickle through to other branches of government as well.

In terms of local government applicability in general, the state laws apply to local governments. In general, you are looking at exceptions to the law, not to which local governments are covered. States cover this area in different ways. With Arizona and Nebraska, very clear explicit call outs to local governments, being that the state records law applies to them—so, any county, city, town, school district, political subdivision, for example, in Arizona. There are other states that have different methods of the applicability for local government. For example, in Minnesota, they say all government data is covered by the law. Then they go into what a government entity is that is covered, which includes political subdivisions, and it defines political subdivisions, which then gets down to that county, that statutory home rule charter city. In general, across states there is that local government applicability. Sometimes there will be specific provisions that call out, for example, a committee of a school board will be covered; so they will explicitly say that, and sometimes that is determined in case law, when it is not explicit in state statute.

Across states, there are many practices. This is where I get into the different provisions and statutes; I am happy to go back after the hearing and talk about the number of states that fit these different bullet points. I would say the majority of states typically do not have requirements of citizenship for who may request records. A lot of state records laws will say any "person" is allowed to request records. There are many states that have no distinction as to whom may request, which then implies that anyone can request records. However, there are states that require a requester to be a United States citizen or be a citizen of that state.

A wide variation in fees, especially now that we are reaching the digital age. Previously, fees were set by the number of pages included in a request, that was back when all records were either paper or microfilm, so it may be five cents per page—some of those fees are still set. Now a lot of records laws are moving towards understanding that the fees that can be charged should reflect the amount of time that goes into fulfilling the requests. In general, most states require fees or allow agencies to charge fees for records requests; those can vary by the type of record. For example, a motor vehicle accident report might have a different fee than a registry for a deed. Some states have clear fee schedules while other states have fees that are scattered throughout their statute. A particular document might have a specific fee attached to it; there are exceptions and flexibility is granted in a lot of laws. Some states specifically state that additional costs can apply if there are extraordinary expenditures of time that are required. Sometimes, when those provisions are in statute,

there is also another provision that says the entity is responsible for providing a summary or an explanation of why there is going to be that extra fee.

Just like every state has a public records law, every public records law has exemptions. While the philosophy of information and government being public is more dominant across states, there clearly are necessary reasons for exemptions. The most common exemptions reflect protection of personal information. Think about the Health Insurance Portability and Accountability Act (HIPAA), various federal requirements, and various other provisions for respecting individual privacy and individual information—social security numbers, potentially other identifiers of individuals—some of the most common provisions for exemptions. Exemptions in state laws can either be very general or very specific, depending on the state and the type of exemption. Another thing to think about with other state's laws—and it seems like this is also applicable here in Nevada—is that they are living, breathing, ever-changing types of laws. These are often impacted by court decisions if a requester, or another individual on behalf of a requester, brings that to the State Supreme Court. That can change the implementation or interpretation of public records laws. Of course, statutes and constitutions also change over time, as we see these laws do change across states. This is an ever-changing environment that reflects the will of lawmakers and the interpretation of the courts.

There are a particularly wide range of penalties for noncompliance. This is an area where there is more diversity across the states. Some states allow only for injunctive relief in courts. If an individual requester is unhappy with the response they get from an entity, oftentimes their only recourse will be to take that instance to court, where the entity might have a civil penalty—if the court rules in favor of the requester—along with reasonable attorney fees; that is fairly common. Some states on one side of the spectrum do not mention penalties for noncompliance. While on the other, there are explicit criminal and civil enforcement provisions that can apply. Oftentimes the language says “willful” in terms of not complying with the requests. Some states have penalties related to specific types of records; one example is in Colorado and that is with criminal records, specifically with their criminal records law. Some states have an open records ombudsman to assist with disputes. About one-quarter to one-fifth of all states have an ombudsman, and that individual or office can then help if there is a dispute between a requester and an entity—and hopefully mediate that—if the requester is unhappy with the response, or if the entity itself disagrees with the necessity of complying with the request.

Variation in timelines—some states do not specify a timeline for responding to requests. Some states require requests to be addressed in a “timely manner.” Some states define what a timely manner is, others do not. Some states have specific timelines that can vary based on the type of the request. This can be for the acknowledgment of the request, and it can also be for complying with the request. Some states, for example, have a requirement that an entity must acknowledge a request within 10 days, versus returning that request within 25 days; that varies across states as well. Regarding fees, some states have exemptions for difficult or time-consuming requests. There will be provisions where an entity—if they do take that route—will have to provide some sort of explanation or estimate, of why it is going to take excessive time.

Rounding up my presentation, I wanted to provide examples of state body worn camera (BWC) requirements; because the funding for BWC systems across states is still a relatively new phenomenon with federal funding in the last five years, different states prioritizing this. We do have a list of states that currently require BWC systems for law enforcement agencies; I wanted to provide these three examples. Generally, states that have BWC requirements, typically consider them public records. There are exemptions for release of those records, but there are states that lean towards them not being records, so the

exemptions are for when those can be disclosed. California and Florida both consider them open records. In California, a law enforcement agency can delay release of the records during an investigation. The caveat of when there is an investigation going on—that is a common characteristic of public records laws with BWCs. In California, an agency may blur/distort images to protect the privacy of depicted subjects—again, that is “may.” They may limit release if privacy cannot be protected via at redaction. Florida has more exemptions to that; they are considered public records. However, there is a large provision that if the recordings take place in a private residence or another arena where someone can reasonably expect privacy, then those recordings are exempt from being a public record. There is also quite a bit of leeway for courts to determine whether or not to disclose a recording; that is a fairly common component across states that have specific laws related to BWC recordings.

There are several exemptions based on specific circumstances beyond those two; for example, recordings involving minors, things like that. North Carolina is a unique case; they passed a law in 2016, that determined that BWC recordings are not defined as public or personnel records; they are the opposite of the other two states in that regard. In that case, there are certain persons that can request those records, typically the person who is involved in the recording or their representative, depending on the circumstances recordings may be released by court order. I will end with a resource we have, in case you wanted to access the 50 state public records laws. We have a web page with links to those in case you are interested in a specific state.

I appreciate you having me here today, and I am happy to answer any questions you may have.

Chair Torres:

Are there any questions in Northern Nevada? Senator Daly.

Senator Daly:

Thank you for the overview, it is always interesting to see what happens in other states. How much do you know about Nevada's public records law, or is it from the general perspective? Do you have any idea how Nevada does it?

Mr. Clark:

I have been reading up on Nevada's law in preparation for the hearing, but would not consider myself an expert.

Chair Daly:

I do not know the other state's laws. I know ours well, but not the other states, so I was curious.

Chair Torres:

Thank you, Senator Daly. It is always good to hear from you. Members, any questions in Southern Nevada? Vice Chair Flores.

Vice Chair Flores:

Every time I engage in this conversation outside of the State; one of the topics is what activates or what triggers the camera. One of the concerns any time somebody from the

legal community or the general community is upset about something not being captured, it is a question of the responsibility falling on the officer to turn it on. Whether or not that was a mistake, if they forgot to turn it on—sometimes, it automatically stays on. I wanted to know if you had any data on that or if in the conversations you have been having at the national level, has that particular topic come about. I am curious to see through your lens; if you have any feedback on that, and what is triggering the actual camera to come on?

Mr. Clark:

I have not worked with that issue in particular, but I do have colleagues that work in this area. I would be happy to follow up with you and get you in touch with them.

Chair Torres:

The ombudsman, what does that look like in other states? I do not know that you can give me that information right now, but can you give me an overview of what the ombudsman for public information looks like in other states and how that is used? I am interested because it was a question that I asked some of the law enforcement agencies. Right now, they are in complete control of whether or not they accept or deny a public information request. How does this change that model?

Mr. Clark:

I am happy to continue that conversation with you after the hearing, I have a list of states that I can share; each ombudsman's office is going to be structured differently. There are different ombudsmen for different topic areas in some instances—like with these public records request—it is a unique office, so it is going to vary by state. But in general, there is that shared philosophy of it being a mediation, and the idea is to resolve that issue without necessarily taking it to a legal route and trying to comply with the law. I would be happy to follow up with you after the hearing.

Chair Torres:

Thank you, I look forward to it. Thank you for joining us today. We appreciate it, and we look forward to continuing to work with you as we have further questions and need more research.

B. ROBERT CONRAD, PH.D., SECRETARY, NEVADA OPEN GOVERNMENT COALITION (NOGC)

Chair Torres:

We invite Dr. Robert Conrad, the Secretary of NOGC. Thank you for joining us, I appreciate your patience as we get through these hearings. We have had a lot of guests that have different commitments today.

Dr. Conrad:

I am on the NOGC, a Board Member of the Nevada Press Association, and editor and publisher of *Thisisreno.com*, which is a news source for the Greater Reno area. Today, I am speaking on behalf of NOGC. The nonpartisan coalition is comprised of journalists, attorneys, academics, members of nonprofit organizations, and open government advocates. Each group and our Board Members regularly interface with government entities, whether they are local school districts or State of Nevada agencies. Each is profoundly concerned with how these agencies are handling their responsibility as stewards of public

resources. (Agenda Item III B) [Due to copyright issues, the handout is on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or <https://www.leg.state.nv.us/Division/Research/About/Contact>.]

I am going to discuss the realities of trying to get public records from government agencies. Public records are the gateway to see how taxpayer resources are being spent or managed. Public records-based news reporting has regularly uncovered government practices that agencies would prefer to remain in the dark; I have numerous examples. Public records are vital to counteracting the one-sided narrative so prominently advanced by government agencies. These agencies craft and maintain a singular positive image of their activities. I welcome you to follow almost any government agency on social media to see what I mean; public records, however, tell the rest of the story. One example is Tesla selling its tax credits to Metro-Goldwyn-Mayer (MGM). That story was published on *This is Reno* in 2016, it was the result of very difficult effort trying to get public records from the Nevada Governor's Office of Economic Development (GOED). It all started because GOED refused to answer questions about transferable tax credits. The source for those answers, however, were in the public records, but it was not until after arguing with the agency, hiring legal counsel, and waiting for months that GOED finally produced the records I requested. Because of that story—which was picked up by national media—an audit was requested of Tesla's deal with the State. Transferable tax credits have since received more scrutiny by this Body since that time. State law is very clear that government records are presumed to be open to the public. It is more common, however, that local government agencies put up numerous barriers to public records requesters. Some agencies hire law firms to deny public records requests and fight court battles. It is a severe problem, and it is contrary to the Nevada Public Records Act and associated case law, which mandates any exceptions to disclose records must be viewed extremely narrowly. It is not just a problem for the news media, citizens often cannot get records they may need for insurance purposes, legal reasons, or simply to verify basic information. Nonprofits, attorneys, environmental organizations, and many others face barriers to getting government records. Even elected officials such as yourselves are denied access to records about the very people they are meant to oversee.

In my role with *This is Reno*, I currently have pending litigation against the Reno Police Department (RPD) and two cases against the Washoe County Sheriff's Office (WCSO). Each of these cases was filed for two reasons, one is that the agencies frequently refuse to answer even the simplest of questions to fact check or verify information. The other reason is these agencies improperly responded to public records requests with excessive redactions, months and months of delays, or simply refusing to release the records at all.

One of my cases against RPD was decided in the Nevada State Court last year. As mentioned earlier today, the Court ruled on two significant issues. One is that law enforcement agencies, such as RPD, cannot deny or close public records requests by claiming that all open investigations are automatically private. Despite prevailing on this issue, RPD and WCSO still deny any records until an investigation is completely closed merely by citing the longstanding *Donrey of Nevada, Inc. v. Bradshaw* decision. The Reno City Attorney recently said in court—despite this ruling—that if an investigation is open, they will not release records. That is not what *Donrey* says. In fact, it said law enforcement—essentially—must have a good reason to keep an open investigation private; my case against RPD confirmed that. The second issue in the case against RPD was whether officer faces could be redacted from BWC footage. *This is Reno*, with support from the NOGC, the Nevada Press Association, and others, argued that BWC redaction should be limited. George Floyd's killing at the hands of Minneapolis Police was cited as a key reason

for making BWC footage accessible. Unfortunately, the Nevada Supreme Court found the Nevada Peace Officers' Bill of Rights trumped the Nevada Public Records Act. That Bill of Rights says that unless a law enforcement officer expressly permits his photograph to be released to the public, law enforcement agencies do not have to produce those images. Here is what that looks like, that means officer faces are routinely redacted from BWC footage. When BWCs were rolled out to the public at great taxpayer expense, the promise was that they would encourage better officer behavior, increase transparency, and foster accountability. The reality today is far different. In this image, I would like to call attention to the fact that even though that court ruling said law enforcement agencies can redact officers' faces, what you are seeing here is redactions of the faces of medics who are not employed by the WCSO. What is happening now is that taxpayers are paying for extreme levels of redactions. Officers are also bypassing transparency by signaling to one another to turn off their cameras. They are muting audio to avoid disclosing what they are talking about, and agencies are requesting excessive fees before BWC footage is released. This is a problem across the country and one that needs to be addressed. *ProPublica*, last year, reported that BWC footage frequently contradicts police narratives, and had Minneapolis Officer Derek Chauvin's history of behavior—which was documented on his own BWC—had that been addressed, George Floyd would still be alive. *ProPublica* said the footage was left in the control of a department where impunity reigned. *ProPublica* also quoted an attorney saying that Chauvin should have been fired in 2017.

I will close with one last example. As you may know, the Clark County School District (CCSD) denied a records request for school police BWC footage. The American Civil Liberties Union (ACLU) of Nevada sued to get those records. Sure enough, after an extensive court battle what was revealed is that the School District lied about what had actually occurred during an incident with students, officers were caught lying, and taxpayers footed the bill for the District's records denial. They continue to challenge that, according to this article in yesterday's Las Vegas Sun. The Executive Director of the ACLU said it was clear the District lied, and police officers fabricated a reason to stop and accost children. I suspect these kinds of situations happen far more often than any of us get to know about. I hope the points today are clear, government agencies consistently go to great lengths to avoid making records public. Citizens and decision makers, such as yourselves, remain in the dark when Nevada's Public Records Laws are routinely abused around the State. It is an uphill battle because to date, the only remedy is to file costly public records lawsuits and those take years to resolve. What is perhaps most offensive is that taxpayers pay for this. Government attorneys have far more time and greater resources to battle records cases even on flimsy grounds; I believe they do this because they can. Case law frequently shows those agencies are going to lose in court, but attorneys and agency managers let expenses pile up anyway. In short, there is no incentive for government agencies to follow the letter and the spirit of public records laws, so they do not. It is our hope that legislative action is taken to disincentivize abuses of the Nevada Public Records Act. We look forward to working with you in the future so these issues can be fixed. I am happy to take any questions.

Chair Torres:

Thank you, Dr. Conrad for your presentation. I will go to Northern Nevada and see if there are any questions.

Senator Daly:

A lot of what the gentleman is talking about, I have experienced in records requests. I had to take the Washoe County School District (WCSD) to court, and we won. I know people have anxiety about the 130 plus exemptions that are listed—I remember the bill—there is probably another 100 plus in regulation. I do not know if you are aware of that as well, but

at the same time efforts have been put out by organizations to get information on what a retiree under the Public Employees Retirement System is getting, have gone too far. In other words, public employees did not sign up for that stuff; you may have a different opinion on that. I agree with you that—and I can give one example—I was in a rural county—I think it was Eureka—and I stopped and asked for information at the County Clerk's office. The lady's response to me was "Who are you?" I said, "I am John Q Public. No, my name is Skip Daly." She said, "Well, what do you want it for?" I restrained myself and told her, although my first thought was none of your damn business; so, I understand the things that you go through on what public records requests are. We do need to fix things, but we have to balance it against the other concerns people have and the redacting of the faces. They should redact the faces; you should be able to see the badge number though.

Dr. Conrad:

Across the country, most BWC footage is not redacted. You can go on *YouTube*, look at any jurisdiction and you will find BWC footage of police activities where there are no redactions of officers' faces. I field complaints from out of state media outlets wondering why Nevada does it this way. Unfortunately, I have to tell them it is partly my fault.

Chair Torres:

Senator Daly, do you have any additional questions or follow-ups?

Senator Daly:

No, we could go on for hours about it, but I am good.

Chair Torres:

You have all day, that is why I do these meetings in the afternoon. Members, any questions in Southern Nevada? Vice Chair Flores.

Vice Chair Flores:

Thank you for your presentation, I really do appreciate it. Every session we have this conversation, and I am saying that as somebody who has not been here long. Before I was even considering running, folks were talking about this. We are always having this balancing act with what is an abuse and folks out there who are trying to make it impossible for small jurisdictions to operate local government, versus what are we hiding from the public and where do we navigate that. With our smaller jurisdictions, I am assuming you have probably been involved in—at some point—conversations with them either in a lawsuit and/or requesting information. One of the complaints I often hear is, anybody who wants to push that line towards transparency versus non. They will make the argument that you are on the side of absolute transparency, and you are not reasonable—and I know that is not true, by the way, I am not making that accusation—but could you give insight into what you have seen in other states? Particularly, when it comes to the issue of self-proclaimed vigilantes—or whatever you call them—where they are being disruptive with local government. Then, that gets put on social media for the purpose of causing tension and giving themselves likes and challenging different local jurisdictions; I have had local jurisdictions show me evidence. I know our small jurisdictions got hit by popular youtubers who do that, and they cited that as an example. I am curious to know what you have seen; you have been involved in this and in the trenches more than most humans in this room. How do you respond to that and where do you draw the line of reason?

Dr. Conrad:

I believe you are referring to The First Amendment Auditors; I personally have not had any experience with them. I know there are some in the Reno-Carson area, I cannot speak for them, but I believe what they are trying to do is ultimately educate government employees about what is and is not open access to government facilities. That is not my area of expertise, so I am hesitant to comment more on that, but in many cases around the country, those First Amendment Auditors often prevail in court when ultimately, what they have done is being tested. Typically, it is a government employee—like the Senator mentioned—asking questions with respect to the Nevada Public Records Act, are invasive and inappropriate. It does not matter why you are requesting a record or who you are, those records are open to the public. I am hesitant to speak on the First Amendment Auditors. I do not know any, I have never witnessed any, but I believe their intent is to push the boundaries of what is acceptable to videotape, for instance, in a government facility.

Vice Chair Flores:

I meant it as a softball question because I understand that it is a few humans who do that. The idea that the floodgates are going to open, and people are going to test the limits of what a Freedom of Information Act (FOIA) can do; I do not think that is real and that is all I was getting at. I get that sometimes, there is going to be this line of human beings waiting in a saturated way to start demanding things for no reason, because they can. I do not know that is something we actually see, and I wanted to get your take on that.

Dr. Conrad:

I used to be a Public Information Officer (PIO), and I developed public records policies for State agencies in Nevada. I took public records seriously as a PIO, and I take them seriously as a journalist. It can be and is offensive when people do extremely voluminous records requests. I know that does happen. I believe there has been cases in Washoe County; I have not followed them closely. I do agree there is a limit, and I do not know the answer to that. Speaking on behalf of the NOGC that might be something that we would need to explore and address perhaps with this Subcommittee [Committee].

Vice Chair Flores:

Every time we have this come up, we go in that direction because if we do not have that, it would be impossible for folks to meet those requirements. I know a couple of local jurisdictions as I was sitting here, I was reminded of a couple scenarios. It is ultimately the worst of all fears, we throw the worst hypotheticals in both directions, and it makes it difficult for us to continue to fall in the middle. I appreciate your insight, and we will have this conversation again next session, for sure.

Dr. Conrad:

It is in statute that when an agency gets a records request that agency's responsibility is to help perhaps the requester narrow what it is they are looking for and candidly, I rarely see that on my end.

Chair Torres:

Based off the issues that you highlighted throughout your presentation today and for members of the public, what needs to be done or what recommendations does NOGC have on how we can make government more accessible while also preventing those bad actors?

As you mentioned saying, you do not need that voluminous of a request, how do we narrow it down?

Dr. Conrad:

As a member of the NOGC and Nevada Press Association, we are discussing how to address these issues. We have not made any headway on any discussion; it is being talked about now, so I am hesitant to make any specific policy recommendations. Based on what other Members have had to deal with—particularly in the Las Vegas area—is that agencies are disincentivized to follow the law. I believe it was LVMPD and Clark County that spent more than a half million dollars battling public records cases. To me, the case law and the Nevada Public Records Act are fairly clear, and what I have seen in Clark County and in my own cases, is that government attorneys will take little slivers of something in a case that they have lost and will turn that on its head and make it seem like there is an exemption and they will fight tooth and nail for that.

I received one today in my inbox, it was strange. The Henderson Corrections Officer case—you may be familiar with that—the group tried to get the *Las Vegas Review-Journal* to remove a video from their website and they cited my case. My case says nothing about a news media source redacting officers' face. It was the most bizarre legal argument I have ever seen, but it was consistent with what we see across the State. *Donrey* was a case—I believe it was the City of Reno and Reno Police laws—they still cite it as an exemption to the Nevada Public Records Act inappropriately, and they do it regularly. That case was decided in 1990, and they cite it for something that it does not actually mean. It is very strange.

Chair Torres:

From my perspective, taking all that information in becomes an issue. It becomes a costly, lengthy process to get the information requested. The argument is, let us go to court every time then. For many people that might have actual information they need for a viable reason, for a viable case, or information for the media's sake then it becomes a challenge and an undue burden to access it, so who would have access would be very limited. Nevadans for Open Government may have the ability and the means to retain an attorney, but many Nevada families would not have the same access if they needed that information and that becomes a barrier. To your knowledge, is there an appeals process or do all those cases have to go through the courts?

Dr. Conrad:

Yes, the only redress for the issue is to file a petition in District Court, and that in and of itself is very burdensome. In Washoe County, I know of very few attorneys who take records cases, let alone take them on a contingency basis. That is challenge number one, finding the right person to do it. On the Board of the NOGC, we have a superb attorney, Maggie McLetchie, who does take these cases—I believe she works with the *Las Vegas Review-Journal*. As an independent news publisher, I do not have the resources to file petitions in District Court, so that is the number one problem. Problem number two is that District Court Judges frequently seem unaware of the Public Records Act and what it means; I would like to give you an example. The Washoe County Sheriff's Office, when you file a public records request with them, they automatically respond and say we will get back to you in 30 days. The Nevada Public Records Act mandates five days; automatically they are giving themselves an extension. We are currently in litigation in the State Court over that because we believe that five days actually means five days, not when they get around to it within a 30-day time period. The Nevada System of Higher Education engages in that same

practice as well. To answer your question, the only tool to get this fixed is litigation and that is out of reach for most people. I consider myself very fortunate—I have had two attorneys since I have been a news publisher that I have worked with—who have been exceptional and very generous. They take my cases because they believe these issues are important and they believe a lot of the records denials I have faced are simply unlawful. I am very fortunate, I do not have a budget to do this, but it is the only way to get out of this. In addition, I get complaints from citizens, ex-law enforcement, other attorneys, and other news media on a weekly basis. They forward me their records denials and my response is always the same; this denial is completely inappropriate. What they are citing is not what they claim, it does not mean what they are claiming it does, you need to find an attorney and challenge this, rarely does that happen. It is in my opinion, an absolute travesty what is happening with the Nevada Public Records Act and how it is being handled.

Chair Torres:

Senator Daly.

Senator Daly:

Just a clarification on what was stated about the five days. The law does say they have to respond in five days, but they do not necessarily have to provide the information in five days. They do have to give a potential timeline on when they expect they will be able to provide the information, so they can take more time, but it must be reasonable.

I know Dr. Conrad quoted case law and I have seen those case laws that say, we get this exemption because this is deliberative, and other excuses. They can do that; they cite 20 different cases on why they do not have to provide something. Sometimes it holds up, sometimes it does not but what our State law says is that if they deny any record request, they have to specifically name the statute that makes it exempt. I have always interpreted that if there is no statute making it exempt, it is not exempt. All this case law is not applicable in the State of Nevada and maybe we should clear that up. On the other side, public agencies have a lot of tools and weapons to delay things, not that they are all bad. There are people that make information requests—very large ones—give me everything you have on whatever it might be; they could not possibly answer it. The only tool a public agency has is, providing a bill, it is going to be \$8,000 by the time 20,000 pages are copied, they also cannot possibly have time to redact and do those things—it is not as simple as that. There are bad actors on both sides, but there are things we can clean up and make better, I agree.

Chair Torres:

Thank you, Members. Any additional remarks or questions? Seeing none.

Thank you for your presentation and for joining us.

AGENDA ITEM IV—UPDATE ON THE RECENT ACTIVITIES OF VARIOUS LAW ENFORCEMENT AGENCIES

[This agenda item was taken out of order.]

A. HENDERSON POLICE DEPARTMENT

Holly Chadwick, Chief of Police, Henderson Police Department (HPD), Las Vegas:

Thank you, Chair Torres, and Members of the Committee. I am here today to present general updates on our Department. First, we would like to talk about Henderson, the second largest city in the State of Nevada. The City of Henderson's population as of January 2023 was 336,534; that covers 118 square miles. Current staffing for professional civilian staff is as follows: 201 positions approved; 187 filled; and 14 vacancies that we are currently filling. For corrections, we have 104 approved; 92 filled; and 12 vacancies. I am happy to report the next academy will graduate three corrections officers and nine will be coming into the new academy. In law enforcement, we have 464 positions approved; 387 filled; and 77 vacancies, those are mainly for the new area command that we plan to fill this year as the development grows. Inspirada is only halfway developed, so we are gradually pushing into that area command with staffing; we have 12 graduating next month from our academy, and 25 scheduled to go into the new academy on March 11th. Our officer/citizen ratio right now is 1:15 which is filled; our approved goal is 1:38.

As you know, we are recognized as one of the safest cities to live in. Our community surveys continue to rank community safety as one of the top issues for our residents and it remains one of our highest strategic priorities. Our City Council and City leadership have invested significantly to maintain strong fire and police departments by dedicating almost 60 percent of our operating budget to community safety. Our residents report over 90 percent satisfaction with police services, the competence of our officers, and feeling safe in their neighborhoods from violent crime. We are nationally accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA), and are implementing a Rehiring Our Heroes program as a force multiplier for the next two years to help supplement staffing, while we build up our force.

Last year, we completed construction on our new police station, which will house our state-of-the-art communications center, training facility, and police academy. Our new dispatch center will increase the number of dispatch consoles, will have a separate dispatch training area, and will allow for a dedicated fire dispatcher. This spring, we will finish construction, move into our new forensic laboratory, and evidence vault, this will provide additional space and increase our operational capabilities. Henderson's crime lab is one of three accredited publicly-funded forensic laboratories in Nevada, and the only lab in the State that provides footwear and tire track examination. There are only 65 trained and certified examiners in the world, and we are fortunate to have 2 working in our lab. We also have the only certified Tenprint examiner in the State of Nevada.

As far as school initiatives, we are very focused on schools and our youth. We have our DREAM program, Every 15 minutes (E15M) program, and PAL gym services. Charter schools are not covered by CCSD, we provide extra enforcement and do our best to get into those schools whenever those principals call.

Regarding community relation interactions, we have a robust unit, and our Department works towards participating in as many community relation activities as possible. Some of the activities we participated in throughout the year are: National Night Out, Coffee with Cops, citizens academies, open houses at area commands, Shop with a Cop, distributing Thanksgiving meals, Halloween safety, Vegas Pride parade, and various other diverse recruitments. We also have a very good Explorer program. As of July, we are hoping to have a new cadet program approved through our Department so we can continue to capture

16 to 21-year-olds who want to be police officers and help build them up, so they can prepare for the academy.

I would like to cover with the Committee officers' accountability. On May 1st, I was named the Police Chief, at that time I discovered there were multiple internal affairs investigations that had not been completed—many of these spanning over a year. I took immediate action to ensure these cases were appropriately reinstated into the structured disciplinary process for policy, and the involved officers' collective bargaining agreements. During this process, I identified discrepancies that deviated from best practices and significant concerns affecting fair and impartial internal affairs investigations. I worked diligently with my command staff to update our policies to reflect best practices and ensure accountability and consistency. Since enacting these changes, we have shown this corrected process ensures fairness, accuracy, and impartiality in our discipline process.

Our communications center: we currently have 1 administrator, 2 managers, and 42 dispatchers; 6 of whom are floor supervisors. Overall, in 2023, we received over 300,000 calls for service, and each year we notice a gradual increase in 10,000 calls for service. One of the most important things I would like to focus on is our 911 answer times. We currently answer in 18.5 seconds, from the time the call is initiated to the time you get a live operator; that is not good enough for us. Our goal is 15 seconds, which we do have an average time of 79.36 percent to answer in 15 seconds or less. That is a goal set by benchmark cities—for 90 percent or more—we continue to strive to reach that goal. We are currently upgrading our phone lines from E 911 to the next gen 911. We prioritize approximately eight hours a month of additional training for communications staff.

For crime and response in 2023, we had three officer involved shootings. In 2022, we had four. We have noticed a 5.2 percent increase in person crimes from 2022 to 2023; this is consistent with national and local trends. We have also noted a 14 percent increase in property crimes from 2022 to 2023, the main driver of this was stolen vehicles that were part of a TikTok challenge. If you remove those stolen vehicles as a main driver, our increase in property crimes dropped to 5.77 percent. We would like to note that burglaries are down 10.6 percent, robberies are down 14.53 percent, and aggravated assaults are down 6 percent. In 2023, we had 12 homicides; many of them are domestic related, and we are focusing on trying to curb that issue. Out of those, all are solved except 1.

Traffic safety is something we are very concerned about. Last year, there were 11 fatalities; this year we already have 8. There is a terrible trend in the Valley regarding driving patterns and fatalities. We are taking proactive measures to increase enforcement initiatives, also partnering throughout the State, by joining forces with other task forces. On weekends that may have a higher volume of traffic due to special events, we increase our efforts and try to be present and mitigate these driving patterns. We consistently push public service announcements and social media posts to encourage people to slow down and be respectful of each other on the roadways. Unfortunately, we are noting an increase in traffic that we want to focus on, because we never want to lose a life.

In our diverse recruitment efforts, we attend job fairs, colleges, and festivals—not just locally, but throughout the country. We are also partnering with the International Association of Chiefs of Police (IACP) for the 30x30 Initiative. It is important to continue to hire diverse and qualified applicants for our Department. We are currently going through a website redesign, so we can have a website solely focused on recruitment efforts for the City of Henderson and the HPD. Right now, our sworn demographics are 87 percent male and 13 percent female on our sworn side, and 37 percent male and 76 percent female for our professional staff; we have many more females on our professional side and that is

something we need to focus on. This job can be very difficult for women and there are different ways we need to recruit and focus on those attentions to increase our diversity. Our recruiting efforts also show an increase in testing numbers with our American Indian, Asian, Black, and Pacific Islanders; over 30 percent of our Department is of diverse ethnic background.

Media relations and public information requests are handled by our PIO. The PIO office has one sergeant and two officers who handle all video redactions, media requests from reports and policies, audio requests, and photo redactions. In January 2024, we added one part-time law enforcement support specialist who focuses on police report redactions and assists PIOs with audio, video, and photo redactions. In addition to these tasks, the PIO unit manages our media relations and interview requests, crafts and distributes press releases, overseas activity across all social media platforms, and is available 24/7 by phone on a rotational basis. Our office receives on average 10 to 20 FOIA requests each week. From 2020 to 2023, there has been an approximate 96 percent surge in BWC requests alone. The HPD PIO unit not only fills FOIA requests for all media but extends its service to any citizen requesting it. It is important to note the redaction process for a 10-minute video can vary and take between 20 to 30 minutes or up to several hours, which is contingent upon factors such as the number of officers featured, the reflections in the videos, and the level of movement captured. We also must be cognizant with audio and make sure we listen carefully to ensure there is no dissemination of restricted information so we can protect the privacy rights of citizens.

We value transparency in our community to include public records requests. There are substantial costs to these requests, including software, training, and additional personnel. These costs divert important funds from our primary mission, which is to ensure the safety of the community. We have noted members of our community trying to monopolize the process as a fishing expedition, which further exacerbates the cost and timeliness of these requests. Our Department currently has a backlog of ten months to fulfill timeliness of these requests, and it continues to grow at an untenable rate. The HPD values its positive relationship with the news media, we strive for transparent communication, and we attempt to accommodate any in-person interviews that are asked for. Sometimes we are unable to comment due to pending litigation, arbitrations, or scheduling conflicts. We would like to make it known, there is a small portion of the media that wants to sensationalize stories for their own purposes, while omitting factual information. I want this Committee to know I have high standards for our Department and the members, and I will always hold each member of this Department accountable, both professional and sworn, in addition to myself. But I also believe that we have to provide fair and thorough investigative processes that uphold the officer's rights per NRS 289. Our community deserves transparency, and to know we are holding our Department members to high standards; anything reported to the contrary is misleading and biased.

In the spring of 2023, the City of Henderson proactively commissioned an outside consultation for the Henderson Detention Center to identify needed improvements for the facility. We have added five new positions over the last six months to include a senior cook, senior technician, central control room operator, training sergeant, and a part-time supply and equipment technician. We have proactively added temporary overtime positions to avoid burnout, increase morale, and assist with organizational operations. We have a new on-site training facility to reduce overtime for in-service Peace Officer Standards and Training (POST) required training, which helps reduce burnout and increase morale. We have also installed 85 food flaps in 2 pods, which allows for safer restricted housing, safer contact during meals, medical assessments, psych evaluations, and it will decrease airborne pathogen exposure.

We have proactively instituted a plan to provide BWCs to all our officers. We currently have 96 BWCs in the jail, we received help paying for these through a one-time State grant. We have created a separate BWC policy written specifically for corrections officers; all corrections officers were trained, and the cameras were implemented in December of 2023. We are the first detention center in the State to implement a BWC policy, and one of few in the country. Our current facility has undergone a millennium camera project, where we have added an additional 250 cameras to our facility. This helps us replace all the cameras from the old analog camera system to high resolution digital cameras. This also allows us the ability to connect the city emergency operations center on a live feed; this project was covered by a federal grant.

We recently renewed our NaphCare contract for inmate care. As part of the renewal of this contract: we added an additional nurse, created a swing shift position to cover high activity areas, and increased our psychiatric and mental health evaluation hours. Inmates and detainees are encouraged to submit grievances if they have complaints, and those are responded to within 72 hours. We have worked with the City Attorney to reduce time in the facility waiting for a site bed for our misdemeanor diversion program. Each case is reviewed by the City Attorney, and if an inmate's case needs to be evaluated sooner, a Corrections Supervisor will call the City Attorney directly to expedite those. We have purchased a body scanner, which reduces the entrance of contraband into the facility to minimize drug dependence, drug overdoses, and the introduction of weapons.

We are developing a program with the Department of Welfare and Social Services for individuals who need housing resources, substance use problem care, medical insurance, mental health, and unhoused services for post care after leaving the Henderson Detention Center. This program will put us in compliance with Assembly Bill 189, AB 156, and AB 121.

The Henderson Animal Control and Care Center. Last year, we serviced over 4,900 animals in the City of Henderson, responded to over 14,000 calls for service in the field, handled 295 animal bites, and took 856 reports. We are proud to say we were able to adopt out 2,972 animals last year, 778 animals were reclaimed by their owners, and 249 animals were transferred to rescue groups. Our veterinary staff performs 2,565 in-house surgeries to ensure every animal is healthy and ready for adoption. These surgeries include more than 1,698 spay and neuters; 510 dental cleanings and instructions; and 448 additional surgeries for laceration repairs, eye surgeries, tumor removals, and more. Over half of the animals admitted into the animal shelter received medical care or surgery.

In 2023, we were able to add six new positions. Two full-time animal control officers, an additional full-time veterinarian, an additional veterinarian technician, and two full-time kennel attendants. The City of Henderson has proactively commissioned a third-party consultation company, Citygate Associates, to conduct an operational analysis of animal care and control. This entailed a staffing analysis, facilities analysis, financial overview, and best practices of the Division. The final report should be completed in the next few weeks. We have asked for a puppy store moratorium to be worked on and updated through our municipal code. Shelter improvements in 2023, included upgraded turf in exercise yards and commercial washer and dryer installation. The adoption courtyard had multiple improvements including a shade structure for the visiting area, turf installation, planting new trees, extending the concrete sidewalk, installing a ground drainage system, and upgrading our misting system in the dog kennels. Every month, we have the fortune of partnering with members of the local community—Golden Knights, and Silver Knights for adoption events. We have a robust volunteer program with over 90 active volunteers who help with the animal shelter; they logged 10,000 hours of service in 2023.

Regarding our health and wellness, in reference to NRS 289.510. The City of Henderson has partnered with a third-party contract clinician to perform mental health and wellness check-in visits conducted offsite. The goal is to provide confidentiality during these wellness checks. These checks are designated for 30 minutes, with the option to go a longer time frame if necessary; to reduce stigma, allow for individual opportunity to discuss his or her concerns regarding mental health issues, and increase access and awareness to appropriate mental health care. Most importantly, we want to improve the overall wellbeing of our peace officers. The City of Henderson will be starting these wellness visits in the next 30 days.

Our Wellness Center has experienced police and fire peer support coordinators, a peer support team, and employs two clinicians. It is important to note that during any critical incident, our officers know if they need to ask for help or ask for time off, we will provide those resources for them, and we always have a peer support person go out to those scenes to assist them. Our Wellness Center also provides mental health therapy services to Department members and their families. We are fortunate to have two facility dogs; Jinx, Brooklyn, and a volunteer certified therapy dog, Molly. The Wellness Center provides suicide alertness training to over 96 percent of the Police Department last year. We also provide mental health, suicide alertness, and critical incident training multiple times throughout the year. We are fortunate and grateful for the City of Henderson's concerted efforts to focus on the mental and physical wellbeing of our sworn and our professional staff members. In closing, I would like to thank the Joint Interim Standing Committee on Government Affairs for inviting me to speak to you on behalf of the City of Henderson and the HPD. It is an honor and a privilege to serve our community, and I am happy to answer any questions.

Chair Torres:

At this time, I will open it up for questions, first with Northern Nevada.

Senator Daly:

There are no questions, thank you.

Chair Torres:

Thank you, Northern "Chair" Members, are there any additional questions in Las Vegas? Go ahead, Assemblyman D'Silva.

Assemblyman D'Silva:

My District is north and east Las Vegas; I do not have any overlap in Henderson. But I have questions that were sent to me from folks who live in Henderson. One happens to be about the transparency issue. I know transparency has been something that has been in the news of late. There have been several issues and even articles talking about the lack of transparency—that many Henderson residents are complaining about—regarding the HPD. What is going on in regard to that issue? There was even a quote in the *Review Journal* from a former Deputy Chief of the Los Angeles Police Department, which said there is an entrenched culture of corruption. I am giving you this opportunity to address those issues and to have a viewpoint from your angle, Chief.

Chief Chadwick:

Unfortunately, the incidents people are reading about right now, occurred two to three years ago. My job—since I got in place on May 1st—was to address all these issues and start moving on a path forward. That was part of the reason I changed our internal affairs

procedures, because they were not being done correctly. We are being transparent, however what is being reported is not being transparent. One thing I will address without getting into the intricacies of that case—because I need you to know that case is scheduled to go before an arbitrator, and I have been very cautious to not put this out too much in the media because people do have rights, and they have to be handled through a certain case in the court of law. So you understand, this case—or this specific incident that is being talked about lately—occurred in April of 2021. Those officers were placed on leave in December of 2021. In December of 2022, it was my understanding that discipline had been recommended. However, from December 2022 to May 1st when I got in place, nothing had been done to formalize that and these officers we are still on paid administrative leave. That almost puts them at a year and a half of being paid to be off work; that was unacceptable and something I had to correct. There is never a time where an internal affairs case should take that long. It should only take a few months to identify the issues, investigate them appropriately, and present them to the reviewing authority to be decided on. So, to answer those questions, I absolutely want transparency, but I also have to balance the rights of not only our community, but also those of the officers involved in these incidents. When I came in place on May 1st, there were a lot of cases that had not been resolved in internal affairs, which I then had to actively review and make decisions on—based upon what was placed in front of me. I can tell you from May 1st until now, our process has been re-streamlined to be done correctly. It is something the officers wanted too; they understand we hold them to a high standard. The expectation to wear this badge is that you better have a high level of code of conduct; and if you stray from that, there is a process in place to address those issues. They wanted to know that too, and that is why they were involved in making sure this policy was strengthened; so they know they will be held accountable, but it will be done fairly and based upon the facts presented to us from a correct investigation.

Assemblyman D’Silva:

When it comes to the Internal Affairs (IA) Division itself, and the transition from the prior Chief to yours, are there any specific kind of reforms that you have made policy-wise with the Division that can streamline these sorts of processes and make the Department more transparent to the public?

Chief Chadwick:

We did change the entire policy to make sure it is very clear on the officers’ rights, and how they would be adhered to. It is very clear on the policy what happens when you get served through IA, how the investigation will go, where it goes from there for reviewing authority, your rights through collective bargaining with pre-disciplinary hearings and grievance procedures, and through to arbitration. Everything is clear and streamlined, but it adheres to their collective bargaining agreements. It adheres to the NRS and their police officer rights, but it also adheres to our strict standards of code of conduct—and what is and is not acceptable—and what we will investigate to ensure that none of that behavior occurs in our Department.

Chair Torres:

I do not think I have to quote news stories to you, because I am sure you have seen all the press that is coming out regarding recent issues. It seems like, in multiple instances, discipline was reduced by yourself and maybe your office/your team; so, what was recommended was reduced. I do not know that is consistent, and I do not know that is really helping create the culture of a police department we want here in Nevada. My question next would be, what oversight exists to create the culture within the HPD?

Chief Chadwick:

There were changes in the disciplinary recommendations on those cases—without getting into the specifics—because again, there are a lot of litigation and arbitrations going on. But I can tell you those investigations were not adhering to best practices, following the law, or IA procedures. Therefore, when I reviewed them, I had to read them for face value, read what the facts of the case were and make decisions through that. I cannot speak to people before me—who did or did not make certain recommendations. I can tell you moving forward from May 1st since I took over, everybody is very clear on the type of disciplinary decisions we will make. Unfortunately, I have already had to recommend the termination of three officers since I have taken over and the demotion of an officer. I do not take that lightly, but I can tell you when I am presented a thorough and unbiased investigation, then I follow the discipline matrix accordingly. But that is the problem from the past, without getting too far into the specifics, these cases were not done following the officers’ rights or best practices. I do not want that moving forward because again, it is a failure on us—as an agency—to not properly investigate. Then yes, hold officers accountable for their actions, once it is proven through an unbiased investigation through IA. I apologize, I think you had a second part to your question. I may not have answered it.

Chair Torres:

Is there a citizen’s advisory board that is overseeing these decisions?

Chief Chadwick:

That is something we are currently establishing; for many years we had that Advisory Committee. Then, over the Chiefs prior to me, they removed it from part of our protocol. That is something we absolutely want back in place, it is something we have been working on, but I must be very cognizant of putting together the right committee of diverse candidates within our City, so I have a diverse mindsets coming in. I do not want it to be like-minded, like police; that is not fair. I need other people to come in from the City and community, to sit on these panels and help address issues. We have also revamped—which goes into that question—our Critical Incident Review Unit. We had to revamp because of some issues, now it is called the Training and Analysis Unit; we have gotten the policy in place for that. There are things from the past year we are having to reconfigure and redo so they are done properly, we have updated all our policies and putting together a plan in place both internally and externally, to make sure we have the proper oversight with everything we are doing. I openly welcome that. I want that for our Department, City, and community.

Chair Torres:

Would that Advisory Board fulfill the role of oversight and that Oversight Review Board through the City? I believe LVMPD has one, and I do not know that Henderson has one. What is the timeline—if you are currently in the process of implementing that—what is the timeline and when will that be implemented?

Chief Chadwick:

Yes, our goal is to have that implemented within the next six months. It is one of our top priorities. Unfortunately, over the past year, there have been a lot of things that I have had to correct, and it is definitely a priority. We had to get our internal processes corrected first before we pulled the community in to help us; they will have oversight and will be part of the process. I cannot put them as part of the process of IA because that is collective

bargaining. I can make sure we are transparent with questions or concerns, and answer those; we will make them part of understanding why we make decisions, and how we are moving forward.

Chair Torres:

Vice Chair Flores.

Vice Chair Flores:

I will finish with the community questions and start with questions from the legal community. I know the Henderson Detention Center has a contract with Securus—I think that is the system they utilize—so that family or attorneys can contact individuals who are being housed at your Detention Center. I know there had been concerns raised—particularly with the folks who I had the opportunity to speak with, the legal community in general—that the system was unreliable at times; difficult to navigate. I do not know if you have had an opportunity to directly work with the vendor and see if they have been able to address those glitches, those concerns. For family not having access to someone in a Detention Center is devastating and it raises a legal question, whether or not counsel was able to get their full 20 or 40 minutes—I think they have a two-tier structure; a 20-minute and a 40-minute structure. The concern was out of the 20 minutes I was supposed to get, I got 10; or out of the 40 I was supposed to get, I got 7. I do not know if you have had those issues elevated to your level, because you are seeing everything up here, and you are not involved in the everyday IT questions. I wanted to know if those concerns have been raised to your level, and if there have been conversations with the vendor.

Chief Chadwick:

Yes, and it is two-fold. Unfortunately, the facility is made of a lot of concrete, and it makes it difficult with connections. We have been working hand in hand—with not only that company—but with our internal IT Department to help facilitate the connection issues and make sure calls do not drop. We do in-person visits, but we make sure they get virtual visits too. I was told up to 7½ hours per week if we can accommodate—based upon what is going on—but if the system does not work, then that does not work. We are actively working with the company and our facility. Sometimes it is hard to get technology to work properly when you have concrete all around you, but it is something on which we are actively working. Everybody in our Detention Center is still a human being, and we value them as human beings. We want to make sure they have the opportunity to talk to their loved ones, their legal counsel, or anyone else they need to communicate with.

Vice Chair Flores:

I know the legal community will be excited to know that it is being looked at—that is what people want.

The other question that was raised to me was—I believe you have a green card system when it comes to car accidents—you exchange a small green card with information. The only question that was raised to me was—and I do not know if it is called the Green Card Program by the way—you may call it the card program. One of the concerns that was raised is that the information was exchanged, but there is no formal traffic accident report or more in-depth information taken in. I wanted to get better insight if you have heard of that complaint from the legal community or not, and if there were changes in the horizon to that particular approach.

Chief Chadwick:

It is called a driver exchange card. Basically, those were instituted many years ago to try to help with staffing issues. If you were to have a vehicle accident in a parking lot, and it is damage on damage—there is no injury to a person or anything else—they have the opportunity to exchange information, so we do not have to pull an officer to do a report. Having said that, if somebody from our community wants us to respond to something and take a report, we do not say no; we respond to everything. In addition to that, any time we have an accident that causes an injury, we take reports on those. Reports will be taken—it is not that we do not—this was one of those initiatives to help keep officers on the street, if it was a simple accident—with property damage on property damage—and people were okay with exchanging that information. However, there are times where people do not want to exchange that information and that is okay. We will come out to the scene, and if they want to report, we will take it; or we will help facilitate the information exchange if that is what they want.

Vice Chair Flores:

That might involve educating the community, because I know one of the issues they have had when exchanging information—driver A and driver B—driver A might not provide correct information and there is no police report that is done on site. Then when it comes to trying to get that information from the DMV (Department of Motor Vehicles)—because no police report was done on site—they do not release information either. It then becomes this whole, trying to figure out who—and I think that is where the legal community was coming from. Taking it back to the question, the ask could be in educating folks to stay on site if you are not sure if that is a real driver's license or insurance card. If they are refusing to give that, make sure law enforcement shows up and you stay there. Ultimately, that is the way to address that.

Switching over to the community lens, which is really what I appreciate having the conversation with you about. I do not have an opportunity—just because of the nature of where my District is, I am northeast as well—I do not have an opportunity to do a lot of work in Henderson, but I try to get out there every time I can. You have wonderful events there all the time for family; I appreciate that. I saw you had one listed on one of your slides—and I may have missed what it was—I think it was called DREAM. I was curious to ask more about that, what is that program? Who are you interacting with? In general, how much are we interacting with the youth and schools. I have had many opportunities to invite folks from different agencies to our schools and they are always very responsive. I am curious to know what is happening, stuff we do not see, and we do not know what is happening. I think it is always good education for us.

Chief Chadwick:

Many years ago, we had a DARE (Drug Abuse Resistance Education) program and that seemed to be phased out across the country. What we have now is called the DREAM program, which stands for decisions, responsibilities, education, achievement, motivation, and self-esteem. This focuses on fifth graders; we get into as many schools as we can to do this program; this costs time and staffing. We would love to go into every school, but we do not get to do that every year; we must rotate those around. That is a big engagement for us because the sooner we start being part of these youth and their lives, the better impact we can have as they grow up in our community.

In addition to that, we do the Every 15 Minutes program in the high schools; that rotates every other year. We have five high schools in Henderson; one year we do three, the next year we do two, and we continue to rotate each year. We are very fortunate to have that practically fully funded by donations and sponsorships through the City of Henderson and the community of Henderson; we are grateful for that. The PAL gym and any other engagement we can, we will do. We are always in schools for school reading. We are asked to go to schools for public or youth events all the time, we take our canines or SWAT (special weapons and tactics) units because they love to look at all the equipment—it is humanizing the badge. We also have Jinks, who is our new service dog. She will be attending those events; she is specifically trained to engage with all community members and does great with kids. We are always in the schools.

One of the biggest things we need is; we are not able to touch charter schools as much as we want. They are not part of the school district, as far as school police and other things. It is very important to us that we do not lose the members of the charter schools. We are actively engaged with them; the principals call if there are issues, and they need us; we are always checking on these schools. I would love to see us develop a school resource officer that can focus on charter schools so they can get the attention they need, and they can feel like they are part of the community, and we are engaging with those youth.

Vice Chair Flores:

This is anecdotally because—and I may be wrong—but can you correct me on the conversations around BWCs? Do you also have dash cams on all your vehicles?

Chief Chadwick:

Yes, we do. We have forward-facing and rear-facing, when we put somebody in custody in the middle seat; that is constantly recording.

Vice Chair Flores:

Who is your vendor? You are a smaller jurisdiction, and it is harder for larger jurisdictions to be able to jump on that because the cost is not there. What is the vendor that Henderson is with?

Chief Chadwick:

We are with Utility Body Camera; I do not know who owns them. I cannot say if that is a sister unit of Motorola—I am not sure on that—but I do know we use Utility. We have BWCs, not only for our patrol officers who are out in the field, but any time an officer from a specialized unit goes on any type of contracted overtime assignments, or any type of engagement out in the community, they are all required to wear BWCs.

Vice Chair Flores:

I know that promotes transparency, safety in both directions. If somebody is making a false claim that an officer did something—that protects them or vice versa. If something really happens, we can access it; everybody on this Committee appreciates that. We have had conversations where we have looked at Henderson and tried to ask that we replicate that in other agencies. I want to say thank you for that and thank you for your time.

Chief Chadwick:

To follow up on that, we are grateful to have BWCs for our Department and community. Not only do they provide transparency through the community and help with complaints, but it holds our officers accountable. They understand their actions will be reviewed if they stray from our code of conduct. We love having BWCs for a variety of reasons.

Chair Torres:

I want to continue the conversation of transparency; we have talked a lot about transparency now in terms of BWCs cams and IA. I remember there was a story from this summer that talked about HPD saying, "We are not going to invite media that do not shed us in a good light." I do not think that is the role of local governments. I think transparency in government means that we always have information accessible, regardless of whether or not it is positive. I think sometimes highlighting the things we need to work on is how we improve as a government system; I also think that is the role of media in our society. That is a constitutional right that is protected in this country, and that is one of the things that makes this country so great. Can you talk about your relationship with the media? What we are doing to overcome issues that are very clear—because the media is happy to share the different issues. I think that is a positive, that they are saying there is an issue with getting access to public information. How are we making that accessible, and how are we making sure the media is a partner in the work we are doing in Henderson?

Chief Chadwick:

I am aware of that email, that was unfortunately taken out of context. To explain what that email was trying to say is—a lot of times police officers shy away from media attention. For a variety of reasons, they get nervous about the safety or security of their family, their faces being seen, or people get nervous talking in front of cameras. What that email was trying to say—without it sounding correctly—was encouraging our officers to participate in media events, talk to the community and media about events you are doing; we will be there to make sure you are comfortable with the questions they are asking. Not every officer is trained on how to talk to the media, and they get nervous and concerned if their faces are out there sometimes. It is educating our Department on being to talk to people, the media is our friend, our ally. They help get messages out for us consistently, as far as traffic safety and DUIs. Everything they do is a partnership with us, so we value that.

To move forward on transparency, we rarely—if ever—deny FOIA requests. The problem with our Department is there is a backlog. It becomes a frustration if you are waiting ten months for something. We are working on that, but unfortunately, I only have so much staff, and I have to make sure my staff is spread out for community safety first. Then, I can put staff in place for redactions and proper dissemination of these videos. We value the media; I grew up here and I know this Valley. I still see members of the media that I know from watching them on the news as a kid, it is very familiar to me. I love it. I want to be a part of it. We are very proactive inviting the media in. We did a retail theft blitz with our Investigation Services Division, and we had a member of the media riding with us; we are fully transparent with everything. Sometimes we ask that the media be transparent also. Some of the things you are reading are being taken out of context or being given a skewed narrative. We do not want to argue with the media; we want a partnership. If we are not doing something right, the expectation is we are held to task. I will stand in front of my media counterparts and answer any questions they have, within the components of what I can answer. Some of these things do go to legal arbitrations, depositions, and other things,

so I also have to be cognizant of what I do or do not say—I can value that process and not skew it in any way.

Chair Torres:

I want to ask you the same question that I have asked every Chief and Sheriff as well, and that is: how can the Legislature be a partner with HPD? If you were to ask the Legislature to do anything, what would you like to see the Legislature do?

Chief Chadwick:

We love to be part of the process, but really, I think I have touched on it. It is important to us to get in schools and help develop these programs; not just with CCSD schools, but also charter schools. I feel like we are missing something with those youth, and we want to be able to capture them; part of that takes resources, takes additional funding for programs such as DREAMS and Every 15 Minutes—all the different things we want to do to impact our community and be in a partnership with them.

Chair Torres:

That is interesting because I do not think you are the first person that said that today. It looks like that might be something this Committee can potentially work on as a BDR—is what we can do to support kids. You probably have the Committee with the most teachers and kids of teachers, because Senator MacArthur is the son of a principal at a school—well, way back when—and I know that is something we would be eager to do and eager to work on with you. Thank you for taking the time to be here with us today, and thank you to Mr. O'Rourke for joining as emotional support.

B. LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Sheriff Kevin McMahon, LVMPD:

Thank you for indulging us and taking this out of order; I appreciate it. I felt it was important that I had the opportunity to be here to speak with you and give you an update of what last year looked like for us. I took office on January 2, 2023, and the first 11 days I was in office, we had 11 homicides, and quite frankly, I was wondering what in the world I had gotten myself into. We also started the year with hundreds of budgeted, unfilled positions in both our patrol and dispatch centers. As the year progressed, as an organization—and our entire first responder community, including the other law enforcement agencies here in Southern Nevada—we dealt with a tremendous amount of challenge as we moved forward.

As you know, we had—for the first time—the Formula-1 event in Las Vegas that was a tremendous challenge for us, since there was a 3.8-mile track with a multiple day closure of the Las Vegas Strip. Many folks work and live in the neighborhoods we serve, and there were a lot of challenges around that. I am proud to say we pulled that off very quickly. That was followed by five homeless people being shot in our community and it was a real “who done it”—we had no idea. I am proud to say we have subsequently solved that case as well. Then, your first responder community had to respond to the shooting and murder of three professors at the University of Nevada, Las Vegas (UNLV). I am proud to say—having been there firsthand—your first responder community came together and did an exceptional job.

New Year's Eve—obviously, we deal with that year in and year out—when 300,000 plus people show up to our community, and we pulled it off safely again. Then, of course, we hosted the Super Bowl, and we were successful in our efforts at the Super Bowl. You can see what happens when you are challenged, by what happened in Kansas City quickly thereafter.

I want to talk about what happened as I took office, and I asked for a 10 percent reduction across the board in our violent crime. There were a number of things—as I stood in front of the community and you all—that I wanted to accomplish as an organization. I am proud to say, when you look at overall violent crime last year, we went down by 9.93 percent. Robbery numbers were one of the areas we were particularly successful in; we had a reduction of 19.4 percent, aggravated assaults went down 3.6 percent, homicides reduced by 12 percent, and sexual assaults reduced by 19.8 percent. A particular note on violent crime regarding homicide; our Homicide Section has successfully closed 92 percent of those homicides. At Metro for the last seven years, we have been above a 90 percent solve rate on homicides, and that does not happen across this country. In any other major American city, their homicide solve rates are below 30 percent—so, real bright spot there.

On property crime, we were not as successful as we were on violent crime; overall property crime went up 2.7 percent. However, there were significant reductions, one of which was in burglary with a nearly 8 percent reduction; overall larceny theft was down 3 percent. Where we utterly failed, was in auto theft where we had an increase at the end of the year of 36.5 percent. That is mostly attributed to the Hyundai/Kia challenge that kids were posting on *TikTok*; how to steal a Hyundai or Kia by popping the ignition, putting a USB (universal serial bus) cord in, and stealing that car. At one point during the year, we had up to a 90 percent increase in some area commands, and we set forth to do something about it. We saw a substantial decrease from 90 percent, but an increase of 36 percent is not acceptable as we move forward.

Regarding property crime—one thing I put in place as your Sheriff—is I started a construction and retail theft detail. Those two groups focus solely on construction and retail theft; the felony theft threshold is \$1,250. Retail theft was described to me by several individuals, we meet from the Organized Retail Crime Association, as being as bad as California ever thought about being, so we decided to try to do something different. We put together several efforts where we can get comprehensive theft on, where people steal from a variety of different stores, getting the video, and submitting felony cases. We had a lot of success with that.

Another area where we were not successful was in fatal traffic accidents. Last year, we had 158 fatal traffic accidents. There were 774 accidents involving a pedestrian—which was down almost 5 percent from the year before—and of those 774 accidents involving a pedestrian, 56 were fatal. In the last two days, we had fatal number 28—which involved a driving under the influence (DUI) racing subject—and fatal number 29, which was a pedestrian in the roadway. We have not seen any slowdown in pedestrian fatalities and that is something we continue to work on. To make it relatable to you, since the last time you were in session as a Legislature, we have had 127 fatal traffic accidents.

In 2023, we had 10 officer involved shootings, which was down from 14 in 2022. I want to talk about how the year started regarding the over 300 vacancies in our patrol and dispatch center. The dispatch center was staffed at about 50 percent; we had extremely long wait times. In some cases, we were exceeding three and four hours on our 311 numbers. Regarding 911 numbers, we were sometimes taking eight or nine minutes to answer a 911 call and clearly, that is not acceptable. We received over 2.64 million calls, 1.34 million

of those were 911 calls, the others were non-emergency. The average wait time was eight minutes and for 911, it was 20 seconds. We called all-hands-on-deck, I took every light duty officer I had, every person who had ever worked in dispatch and moved on. We looked at outsourcing a number of these things, looked at artificial intelligence (AI) technology, but the bottom line was we had to hire people. I bifurcated the two job positions from everybody being a dispatcher, back to the ability to have people be call takers and the others go for dispatch. In this particular case, we had two academy classes, one of which was 38 people and the other 50—the two largest academies that we ever had. As we sit here today, there are currently 28 in session. Upon graduation, we should be 100 percent staffed at our Dispatch Center. We have had a radical turnaround in average wait times, which were completely unacceptable.

I want to talk about the BWC issue. Metro received a lot of negative publicity over the years on the amount they were charging for BWC redaction, and the opportunity to provide that to the public from a transparent perspective. I looked at the numbers, I had a presentation about what it costs to do this and \$320 was a realistic number. However, I do not think that was realistic for people who come in and ask for BWC footage, so we lowered that to the \$80 price we currently charge. There are several things we decided to not charge the general public for, and that is in cases of widespread public interest—things like the arrest video from the Tupac Shakur murder case and the UNLV shooting footage—we provided that so everybody had access to it. Also, as an organization, we put out our officer involved shooting videos 72 hours after we have it.

In 2023, we received 13,687 requests for BWC footage; 13 percent were from the media. Up to 75 percent came from claims adjusters and lawyers who were looking to resolve car accidents that officers were investigating. Our Public Records Unit started because of BWCs and consists of one sergeant, six officers, and a number of civilians; it costs my organization over \$2 million to staff that Unit. Currently, the turnaround time on requests is between two and five months, depending on the complexity of the case law that was passed last year that requires us to blur the officers faces in those BWCs now, which we did not previously have to do.

There was a question regarding future substations. You may have heard—and it has been very inaccurate, quite frankly—that we walked away from the Hollywood Substation or East Substation. We were prepared to bid for that substation, and we found out the county did not own that land; the Bureau of Land Management (BLM) still owns that land. I have recently been told by [Richard] “Tick” Segerblom, County Commissioner [Clark County Commission District E], that the BLM is close to releasing that land to the County. We have \$12.5 million set aside in our budgetary process, and we are ready to bid when that land is released to the County.

We are also looking at Hualapai and Grand Teton, that is an area within the City to take care of future growth that we have in Sky Canyon. That was a plot of land the City already owned, and they were willing to provide it to us as an organization. We are looking at building that in a sort of modular/tubular opportunity rather than a stick build because we believe if we reduce the size, we could do it for half the cost; somewhere in the tune of about \$8 million. There has been a glitch in what happened with that area command as well; the City put that out for bid along with bidding the park that was going to go around it. I am not sure about the status of that; we found that out yesterday.

I want to talk to you about diversity in recruitment. Right now, we have around 6,000 employees; 34 percent are female, 51 percent are white, 24 percent are Hispanic, 9 percent are black, and 6 percent are Asian. If you look deeper into those numbers, which

I think is important to do, you have to look at what our sworn employees look like—the public facing piece of our organization, the police and corrections—and the numbers get worse. We are almost 15 percent female, 51 percent white, 25.2 percent Hispanic, 9.1 percent black, and almost 6 percent Asian. So, what have we done? A number of things happened over the course of my career—while I was the Under Sheriff—we looked at recruiting in other states. We looked at places like Chicago, Portland, and California, with the idea that police would come from those organizations to Las Vegas. I will be very candid with you, what usually happens is you get into a retirement system as a police officer and no matter how miserable you are, those retirements do not transfer. Therefore, people do not frequently leave an organization they are already working at, so we did not have a lot of success.

We have strived to improve community outreach and build pipelines into our communities, particularly our communities of color. I am proud to tell you our Hispanic recruitment has been going very well. We have a Hispanic Recruitment Council that goes out to not only our communities, but Broadacres. To give you an example, in our most recent police academy we hired 43 individuals, 20 of whom were Hispanic. Our corrections academy also started last month, and we hired 13 individuals, 7 of whom were Hispanic. We grew up a bit and finally translated our Protect the City recruitment effort into Spanish, and we continue to focus on military folks.

My Chief Financial Officer (CFO) was recently at a major city chiefs meeting, and as people were talking about vacancy rates across the country, we were one of three law enforcement agencies in the entire country that had less than a 5 percent vacancy rate. We are doing well but have more work to do; we have a lot of gaps to close, and we will continue to focus on that.

The other piece of my strategy was to radically change the way we think about community policing. What has happened in American policing is that it has become a buzzword and people do not know what it means anymore. I set out to change the way we approach this and started with a very simple philosophy, which is to inject humanity into all of our interactions; we have done a remarkable job of it. We have established a number of things in our Community Engagement Bureau—and I want to be clear about something—while we have a Community Engagement Bureau, we also have a number of area commands. Every one of those area commands has the autonomy, ability, and authority to develop their own community policing strategies unique to the geographic area they serve. We also have headquarters-based strategies, we established the first ever Hispanic Alliance and there are three officers assigned specifically to that outreach. We have recently formed the Black Alliance, reaching out to our African American community, and the next one coming quickly is the Asian Alliance. We continue to have a number of Hispanic Citizens academies and we have graduated over 1,100 people since we started that. I had the opportunity to attend the first ever Cabalgata—which I did not know what that was—but it is a Mexican rodeo at Horseman's Park; we had well over 100 horses and hundreds of people show up. Now, we are working on planning what we hope will be one of the first Hispanic rodeos out there, since they had been suspended several years ago.

Later today, the POST group is implementing things the Legislature asked to happen regarding wellness with police officers. I campaigned on wellness for police officers, because what my men and women see every day is not normal. It is unfortunate, we recently lost another one of our retired captains to suicide. It is a fact and a reality of the work we do; we see, hear, feel, and smell things that most normal people do not experience. I am trying to change culture by recognizing that it is okay, to not be okay. I have subsequently hired over five full-time clinicians, along with—licensed clinical social workers, marriage/family

therapist, addiction therapist, along with a Ph.D.—to focus on taking care of the men and women of my organization. As well as focusing on getting the entire first responder community to join forces, so we do not have to reduplicate things. We will be in compliance with what the Legislature asked us to do, but we are taking it much further because the men and women of law enforcement, fire services, and emergency management services (EMS) deserve it. With that, I will yield for any questions.

Chair Torres:

Thank you. I will go first to Northern Nevada Members, any questions?

[There were no questions in Northern Nevada]

Assemblyman McArthur, I know you had questions before this. Were they answered by the Sheriff's presentation?

Assemblyman McArthur:

Yes, they were.

Chair Torres:

Vice Chair Flores, go ahead.

Vice Chair Flores:

First off, I wanted to thank you for this past session, we had the opportunity to work intimately with Officers Reese and Hunt, and we had a wonderful relationship; it was easy to work together. There was not always a consistent eye-to-eye, but politics are never like that. I did appreciate having a wonderful team there, and I wanted to say thank you for sending such wonderful folks. I also wanted to congratulate you; we had that Cabalgata event you mentioned—the horseback. Internally, within small circles on the east and north side—particularly here in Las Vegas—it is a genuine excitement. I do not think they have ever felt that type of relationship with the community—and it is something so innocent—but I think it was very impactful. I look forward to those events continuing.

Switch gears—and it does not directly involve just your agency—it will probably be a question that will be brought up with everybody presenting. We understand we must do more investment with our youth, we know it is a difficult conversation for you to maneuver when working with a minor: how you address them, how you approach them, how you talk to them, whose jurisdiction, where—and I know it is difficult, but I would like to know—where do you see the relationship now with our schools? Where do you see it going? What do we need to do better? I know we had that horrific incident, and I bring it up because Assemblyman D'Silva, who is a teacher at Rancho High School—he is actually teaching as we speak, he was not able to get his classes taken care of by somebody else—but I know he wanted to have a conversation about that. He has been in conversation with different folks from your agency and others, but I wanted to see if we could open that conversation and see where we stand now. What are we going to do differently?

Sheriff McMahill:

I completely agree with you. I believe we have a lot of work to do in the schools. I am not in charge of the Clark County School District Police Department (CCSDPD), however, certainly things impact us in the communities. We know that kids need to have

relationships, we do not have things like Drug Abuse Resistance Education (DARE) in schools anymore; we do not have a lot of the programs, we used to have. What we have tried to fill the gap with is a lot of after-school programs, soccer clubs, baseball teams, police athletic league (PAL) teams—where we have boxing and mentorship. I 100 percent look forward to having that conversation, the involvement of my organization, and making sure we start to bridge that gap because we are leaving too many kids behind.

Vice Chair Flores:

My interest in that conversation has a lot more to do with off campus. We know a lot of these fights, unfortunately do not happen on campus. I say unfortunately, because if they did teachers, hall monitors, and local CCSDPD could respond a lot sooner, but these students do not fight there; they call each other out and they go to some back alley, behind some apartment complex. I was interested in seeing if there is a joint effort to try to be more coordinated. I think every school knows where that one park is or behind that 7-Eleven where kids meet up to handle business, whatever way they think is appropriate. I wanted to know if there was more coordination through that lens.

Sheriff McMahill:

My apologies, I did not quite understand where you were going with that. Absolutely, every area command has relationships with the schools that are in it. We try to have our officers—and obviously, it is based on how busy they are at particular times—but we have them go and have lunch at the school. The other thing I want to be clear about is, we have officers that should be at those schools at the beginning of the school day and when schools get out, in partnership with the CCSDPD. Through our Southern Nevada Counterterrorism Center, we run what we call the School Violence Initiative every year; we start a week before school starts. It is an intelligence sharing perspective because—as you rightly pointed out—we have something that is very simple—it might be disrespect on a social media platform or frequently it is over a girl, it might be something that was said that leads to a fight after school out in the neighborhood. We share that information; we also track every school gun. Metro, as an agency, we go in and evaluate those children and try to find ways to have alternatives to the challenge we have. The numbers are staggering, on the number of kids we find with guns. There is a concerted effort, but I will be the first to tell you we could do better.

Chair Torres:

To build off that—because I am an educator and I work at a school that is not in the District. There is an important part of building relationships, specifically with secondary schools; where you are going to see a lot more violence than in a primary school. I am interested to see what we are actively doing to make sure we are monitoring those areas, because working at a school, there are local businesses that are impacted. The Starbucks that I frequent for my after-work meetings is often closed because of violence—specifically in the shopping center—and fights that are occurring after school. As somebody who is frequenting that same location, I can tell you there is very little—if any—police presence in the area. I am trying to understand; what is the plan? Are we putting more officers out during peak hours—I would say between two and four—for school safety? How are we making sure they are prevalent in those areas? I would argue—having grown up in Las Vegas—you know where that Wendy's is that kids go to after school, where Roberto's is, where that McDonald's is, the Starbucks—whatever that location is where students are more likely to go where there is increased crime. The CCSDPD, I do not know that I see them working on that either. I do not know where that coordination is and who is responsible for what. What

we do see, is oftentimes when fight videos get back to the schools, the schools do act. There will be suspensions, required parent-teacher conferences (RPC), and conversations with students, but what are we doing to prevent those fights from beginning?

Sheriff McMahon:

Yes, the area command commanders know those areas and more importantly, every police officer that works in and around those schools know those areas. Luckily for us, that translates to times when we have a crossover between day shift going home and swing shift coming out. We generally send those officers to those locations, but they cannot be there all the time—I do not have enough cops for that. That is often based upon calls for service that are actually holding; I can let property crime calls hold, but I cannot let violent crime calls coming in on 911 hold. We also take our community oriented policing squads, our flex teams, and we deploy them into those areas—but you are right, Assemblywoman, we will not always find police at that problematic Starbucks. If we did, we would not have some of the homeless or unhoused challenges we have in and around that Starbucks as well. We are working on it and are trying to do our best, but I do not have the resources to cover every one of those places where we know kids congregate.

Chair Torres:

I want to switch gears and talk about a different issue. There has been a lot of media attention around it recently; the issues with the press getting information from local law enforcement agencies, including your Department. I want to know what that process looks like, if a member of the press, member of the public, or a law firm representing a client is requesting information. What does that process look like? If it is denied, what recourse does that individual have?

Sheriff McMahon:

For my organization, press requests come in through my Office of Public Information. I would need specifics to know what you are looking for, what is denied?

Chair Torres:

Public information that could include FOIA requests and others.

Sheriff McMahon:

Some of it, we deem does not have a particular public interest. There is a number of things that go through our legal section as to what is provided and what is not provided, and I rely on them to give me that information.

Chair Torres:

Once it has been denied, what recourse is there for that individual? Are they able to submit an appeal, or what might that process look like?

Sheriff McMahon:

In some cases, I know there have been lawsuits filed, but I do not know that there is necessarily an appeal process for somebody who has been denied. I will have to get back to you on that.

Chair Torres:

Vice Chair.

Vice Chair Flores:

The only other thing is offering ourselves to be better, stronger allies in whatever way you think we need to be; I mean that, I really appreciate it. I hear this undertone of appreciation in the community, even with something as simple as a horse parade. If there is anything else that you think we could do to align ourselves better, and work together more on community policing that is the starting point for these relationships. If there is anything you would like us to do to help in any way—a meaningful investment—whether it is with our time or aligning you with community leaders—whatever that may be—please reach out, we would love to do that. I have been hearing from different folks that never necessarily shared this genuine interest to continue that and realizing we can do things together. I never realized we had to do that. Particularly with the horse community, I felt like they always felt the need to operate in secret, because they do not have beautiful trails they can navigate—they have to take these beautiful animals out for a walk. You have opened the door for amazing relationship-building there, so whatever I can help with. I wanted to put that out there, Sheriff. The rest of your team knows that, but wanted to make sure you knew.

Sheriff McMahon:

I would say back to you that I am available to you and to anyone; we can develop relationships we do not have. As we have talked before—we may not necessarily agree on everything—but when you can start some kind of relationship, that leads to a lot better understanding, and we are here. I also would like to tell you that my team is fantastic; they do great work. I was notified today that Director Beth Schmidt, has now retired, and I will be picking a new Director to lead the team going to Carson and the next session.

Vice Chair Flores:

Happy retirement to Ms. Schmidt. We had a great opportunity to work with her as well.

Chair Torres:

I look forward to continuing to work with the team members you have here; I know Officer Reese and Officer Hunt have been phenomenal to work with. I actually had Officer Hunt come speak to my students too, which has been great. I know officers like him and Officer Reese are out in the community doing excellent work. They are the standard of what we want officers to be in our community. Unfortunately, I think there has been a lot of negative press around what some officers have done. What are we doing within Metro to make sure we are stopping officers who are doing things that are inappropriate, whether it be—I think there is a rise of domestic violence and stalking within local law enforcement agencies. I do not think it is unique to Metro; I know this is a national issue. There are officers that have committed severe crimes who have been in the media over the last year, including robbing casinos. Officer resources are being used negatively, for example, I saw a story about officer resources being used to stalk an ex-wife. What are we doing to crack down on those issues and make sure we continue to have officers that are meeting the high standard we all expect of our officers.

Sheriff McMahon:

I think the story you are referring to—we investigated that—we became aware of it, we brought it forward, and submitted it to the appropriate authorities; that case has subsequently been charged. One of the greatest things is these BWCs are invaluable to us because when a citizen makes an allegation against an officer—oftentimes whether or not the involved officer turned their camera on or another officer has it—we have real evidence about what happened in these cases. What I would highly encourage folks to do—and I will give you an example of this—I know we have this issue around the food carts. I watched an interview of an individual saying that his kid had been thrown to the ground by one of my officers and it was not the one assigned. I am not aware of that case, so I asked my folks to look at it. We cannot investigate something if we do not know about it. More often than not, allegations get made and officers will be cleared of them. Body-worn cameras have turned out to be invaluable to us in looking at the integrity of our police officers. You can make an anonymous complaint, make a complaint online, make it to internal affairs, you can make it to any supervisor but, Madam Chair, the piece that cannot go unsaid—is focusing on wellness. Our officers are impacted: we have higher suicide rates, higher divorce rates, higher alcoholism rates, higher rates of everything you do not want to have. Focusing on taking care of those that take care of us is going to pay dividends to us as we move forward in the future. We are trying to figure out how to get to a place of help, before we get to a place of hurt, and somebody violates the law.

Chair Torres:

I agree, that is why we have passed the legislative bills and legislative issues that we have over the last couple of sessions. To speak to Senator Flores's point earlier, I think there are ways for the Legislature to work alongside Metro. As an interim Committee, we have BDRs at the end of this interim—in your perfect world, what is something you would like to see the State invest in to support the work you are doing? Whether it be 311 services, community policing, or mental health and wellness for officers.

Sheriff McMahon:

When you talk about the wellness part, there are many treatments available like eye movement desensitization and reprocessing (EMDR), which is an eye movement treatment. Total magnetic intensity (TMI), which is a brain magnetic reset; things that are proven in trauma for returning war veterans that we do not have enough people trained for. In fact, most of the clinicians that I hired do not have the ability to do it. I am working with the private sector to raise funds to be able to train the people that are taking care of my police officers. Henderson has something they call it, brain spotting; unbelievable things are available, but it has to be more than talk therapy to take care of our folks. There is really no funding for that. It is also important to mention when talking about mental health—I believe at Metro we have started to turn a corner—but it is a very sensitive subject because cops think, if I come in and admit I have a problem with whatever it is—maybe it is drinking, maybe it is with my wife, maybe it is with whatever. Next thing you know, you think receiving mental health treatment is going to impact your future growth, your promotions, your transfers—all of those of things. There needs to be real conversation around the fact that seeking mental health care does not impact you later on, and I do not know how you would do that legislatively, but it is important to do that, to encourage officers to seek the help that is available. The other piece is, we do not all know what the other knows about what they do when it comes to community outreach. I hear all the time, "Sheriff, you need to do more of this and more of that." I go to many places where the people are telling me, "You need to do more of this." I have never seen them there and vice versa—as an example

by this horse parade. I think as we can find ways to actually make sure my police officers are there and are being supportive when you want them—because you may not always want them; I am very cognizant of that. However it is we can support you in your efforts in the community as well; that only increases our ability to make those relationships. When I talked about the reductions we have, that did not come from putting handcuffs on people, that came from treating people with the dignity and respect they deserve, injecting humanity into what we do, and how we do it to make a significant difference.

Chair Torres:

Thank you, I appreciate that. I know Assemblyman McArthur appreciates that too, because I had the privilege of working with him on a resolution regarding EMDR at the last legislative cycle for Veterans; I know that is something he is passionate about too. Assemblyman McArthur and I are eager to work with you on that specific issue and finding policy solutions. We will continue this dialogue this interim.

Go ahead, Vice Chair.

Vice Chair Flores:

With BWCs, one of the questions we have had in prior sessions is, how can we help by putting more out and making them more readily available to you; I know they are incredibly expensive. Have you seen or have we found—in transitioning from one sheriff to another—different vendors that may have more accessible or more affordable technology? The way the NRS is written now, if you are often interacting with the public; that is the trigger requiring you to have a BWC. Often, there may be individuals who seldomly interact with the public, then there may be a big event or things like protests where it is all-hands-on-deck. That is the issue, where maybe not everybody has a BWC. Have you had an opportunity to speak with different vendors to see if technology has gotten more affordable over the years so we can make sure we have more BWCs in general?

Sheriff McMahill:

One of the challenges you have is, once you have picked a vendor, it is extremely expensive to go another direction. We now have SWAT and canine that have BWCs that previously did not have those. The other challenge we have is, every time they come up with a new, next, latest, greatest generation you have to spend money to upgrade. A very large organization like mine, spends to the tune of tens of millions of dollars to try to outfit everybody very quickly. As far as reduced costs other than the storage, I will let Rich answer that.

Rich Hoggan, CFO, LVMPD:

There are effectively two large vendors for BWCs—Motorola and Axon. Some time ago, we made a contractual arrangement with Axon. The terms are quite favorable, considering there is no additional charge for storage; we have many terabytes of data stored for no additional charge. There really is effectively a lockout, if you will, from opportunities to expand beyond that. It does not make sense for us to have some of our BWCs with one vendor and some with another; it is difficult to manage. As the Sheriff mentioned, we have BWCs assigned to every uniformed officer. Complying with the statute, a uniformed officer who interacts regularly with the public, that includes everybody in our patrol functions: SWAT, Canine, and community engagement. We have expanded that to a couple of areas that regularly serve search warrants, but for the most part, investigative and training areas do not have BWCs. It becomes a cost/benefit issue in the sense that those folks interact with the public so irregularly—would we want to spend millions of dollars to

outfit them when they very uncommonly interact with the public? We solve that problem through policy, in that when you are assigned to a special event, if you are not a BWC wearer you can check out a taser, but you are supposed to be working with someone who does have a BWC, so there is the ability to record what happens.

Vice Chair Flores:

Understood, I was not aware of that. The new policy is if you are somebody who typically works behind the desk and there is a big event or a tragic incident—like the October situation, where everybody is drawn to a specific location—the idea of the policy is to always be with one other individual who has a BWC on.

Mr. Hoggan:

For planned events, yes. I do not know that it is realistic for us in a major event to pause and make sure you are with somebody with a BWC. For planned events, the rule is: if you are working and you do not have a BWC, you are paired with someone who does.

Vice Chair Flores:

Understood. Thank you, appreciate that.

Chair Torres:

I do not see any additional questions at this time. Thank you for your presentation and thank you for making the time to join us today.

Chair Torres:

We will welcome the North Las Vegas Police Department (NLVPD), we will begin with the Chief of Police, Ms. Jacqueline Gravatt.

I want to point something out, because it is tremendous to have the first African American woman Chief for North Las Vegas joining us today. There was a phenomenal story in the Las Vegas Sun about it; I saw it about a week ago and realized she is here in person. So, thank you so much for taking the time, and if you have not had the opportunity to see this inspirational story, please make sure you check it out in the *Las Vegas Sun*.

C. NORTH LAS VEGAS POLICE DEPARTMENT

Jacqueline Gravatt, Chief of Police, NLVPD:

Thank you for that, Ma'am. I am extremely grateful to have this opportunity to sit here before you. Ladies and gentlemen of the Committee, good afternoon, I would like to thank you for allowing our Department to be a part of this Joint Interim Standing Committee on Government Affairs presentation.

That being said, I will start with the BWC information. An update on our BWC policies, as it relates to NRS 289.830. Our BWC procedure was created in 2018, and has received a few updates since its creation. Our last update to this procedure was in 2021, when all verbiage regarding fees for the release of public records was removed.

Here is the data table showing the requests our Department received from August 1st of last year through January 31st. We had 70 requests for blurred BWC video, with an

eight-to-nine-day turnaround, and 31 requests for redacted BWC video, with about a 31-day turnaround. Prior to October 2022, the average time it took our BWC Division to complete a public media request was 16 hours. The BWC Division learned that by communicating with the requester to specify what exactly was needed, they were able to reduce the amount of time it took to complete the request. Our BWC Division was able to reduce the average by six hours. Now, it takes them an average of ten hours to redact these requests, which results in faster turnaround times. Along with our communication with the requester, a form was introduced on October 1, 2022, that offered a new blurred processing option to allow the requester to receive them sooner.

Before I go into wellness, I think it is important to know we are extremely passionate about wellness—mental and behavioral health—in North Las Vegas, and that was something I brought to the Department, before I even knew I was going to be a cop. My background is in mental and behavioral health, with a focus on adolescents with conduct and behavior disorder, and there were chemical dependency treatment facilities that I have worked in. Since I have been in the Department, I have been a part of the Peer Support program. I am dedicated to what I do in law enforcement due to the fact that I understand that people are in situations because something led them to be there, and they are having a time in their life where they are not in control. Therefore, they need to have someone outside to come in and help them resolve whatever that issue is. Sometimes that can lead an individual to have to go to jail, but not all the time. I felt I brought something to the table to look at an individual as a whole. When they did not have to go to jail, we were able to provide resources so they could have a better outcome, if they were presented with the same situation again.

When it comes to mental and behavioral health, our Department has developed and implemented wellness programs to support our officers' emotional and mental health through peer support staff. Some of the programs our officers have access to are counseling, support groups, and stress management resources. Ongoing training and education on behavioral wellness and mental health awareness is provided to all our officers. This training covers recognition of signs of distress, coping strategies, and access to support services. Our peer support network and peer counseling programs allow our officers to seek support and guidance from their colleagues who are trained to provide confidential emotional assistance. When we talk about an organization, we look at who is leading an organization and what the individuals around them are like. The stigma that is created around mental and behavioral health is not always positive. I believe that because I have staff that are truly dedicated and believe, and are led by an individual who actually worked in the field, that stigma will be changed in our agency a lot sooner than other agencies nationwide, where they do not have individuals who are open minded, compassionate, and thinking about the overall wellbeing of the officers and all the employees that work within the Agency.

Supportive and confidential check-ins are conducted with our officers to monitor their emotional wellbeing and address any concerns or challenges they may have. Behavioral wellness visits, confidentiality protocols, and guidelines for addressing any identified issues have been clearly defined in our procedure. Our Department prioritizes behavioral wellness and mental health awareness by encouraging open dialogue, reducing the stigma of seeking help, and promote self-care. Feedback from the officers, as well as data analysis and bench marking against best practices in the field, allows us to regularly evaluate the effectiveness of our programming to see if there is any changes or modifications that we need to do, so we can have the best outcome for our officers.

This chart shows where the Department stood during the fourth quarter of 2023, with the ethnicity breakdown of our commission and civilian personnel. This chart breaks down the male and female demographics for both our commission and civilian personnel. It is important to note that our Department is participating in the 30x30 Initiative, which focuses on having 30 percent female representation within the commission officer ranks. We have some amazing people in our Department. We had three female supervisors that came together several years ago and wanted to form the women of NLVPD. Since they formed the women of NLVPD, they have hosted and had several events, including a fireside chat. They are working on doing a jiu-jitsu class; it is an environment where our women know they can be supported by other women that are going through or have the same types of challenges they face. I think that goes back to us wanting to encourage open dialogue and provide our employees an opportunity to be in a space where they are comfortable having conversation, expressing opinion, and sharing their thoughts and their visions. We take that to heart, and we utilize that information to make decisions moving forward with our Agency. This slide goes into the age ranges of our Department for both the commission and the civilian personnel.

The next topic to address is recruitment. Over the last year, we have increased both our Black and Hispanic officer population percentages. Our recruiting efforts include almost 90 total events, both locally and nationwide. Over 60 percent of the events were held in North Las Vegas. This slide goes over the applicants through the National Testing Network. We have experienced a decrease in applicants over the years. This is not a challenge unique to our Department, but to the profession as a whole. We are taking the challenge head-on by focusing on colleges, military, sporting events, offering incentives, covering the cost of testing, and utilizing a marketing company for advertisement. It was unfortunate when recruiters were out having conversations with individuals who were interested in law enforcement, and they did not have the resources to cover the cost of testing. The City of North Las Vegas, along with the Police Department, did not want that to be a barrier for our potential applicants. We now offer coupons to cover the cost of the testing for applicants that have that as a barrier.

The hiring process is multi-layered. This slide shows how a potential applicant that has passed the written test is no guarantee to show up for the physical fitness test (PT). Physical fitness is an important component of this career field and as the numbers show, not all of them passed. The number of applicants that passed the PT is represented on this slide. Not all applicants that pass the PT will pass the other phases of the hiring process, therefore reducing the number further. This is nationwide, when we are talking about the hiring process for an officer: it is a written test, a physical test, a background check, a psychological evaluation, and a medical physical. At any point in time, a potential viable applicant at the beginning of the process may not make it through to the end. That is why when we see these numbers where it is 400 applicants of that 400, we may get 15.

In the area of community policing, our Department partners with schools, community centers, and other organizations to provide after-school programs that offer safe and constructive alternatives for children and teenagers. Specifically, we have partnered with schools such as: Legacy High School, Simmons Elementary School, Elizondo Elementary School, and Findlay Middle school. There, we provide sports, arts and crafts, academic support, and mentoring programs. The mentorship program at Legacy High School and Findlay Middle School are 12-week programs that provide guidance, support, and insight to allow students to navigate the challenges they may be facing.

Our Department continues to organize events and activities that bring our officers and the community members together in a positive, informal setting. Events like National Night Out,

gives us the opportunity to bring our Department and community together under positive circumstances. National Faith and Blue allows us to build bridges and more inclusive communities. Our Trunk or Treat event at La Bonita provides a safe space for children. Our Martin Luther King Senior Center Thanksgiving Dinner is a way for our Department to connect with our seniors in the North Las Vegas community to create and foster a meaningful connection during the holiday season. The I Am Possible Program at our Community Corrections Center is a program aimed to make a real difference in the lives of inmates and make noticeable differences in recidivism. These are a few of the events that we utilize to strengthen our relationship with our community.

This slide shows the average response times for both 911 and 311 calls. Priority calls are in-progress calls, for example, a robbery or burglary in progress. Priority two calls are high calls; for example, a suspicious situation or a panic alarm. Priority three calls are medium calls; for example, a hit and run with no injuries or an intoxicated person. Priority four calls are considered low calls, and that is a vehicle burglary where there is no suspect, or an attempted stolen vehicle. To define the response times that you see in these slides, it starts with the time dispatch receives the call, and ends when the officer is actually on scene. Most importantly, our priority one calls have an average response time of about 12 minutes, from the time the call is received, to the time the officer arrives on scene. That concludes our presentation. I would like to thank you for having us here, and take the time to answer any questions you may have.

Chair Torres:

Thank you, Chief. Members, any questions? I will go first to Northern Nevada.

Senator Daly:

No questions, thank you.

Chair Torres:

I think we might have to nominate Senator Daly as Northern Nevada Chair of Interim Government Affairs; he is the voice of the Members there. Members in Las Vegas, any additional questions? Assemblyman D'Silva.

Assemblyman D'Silva:

I want to make sure I do not ask a question that was already asked, but I think it is a viable question. As a teacher—I was just at Rancho High School, sorry about my tardy—teachers being tardy is a thing. What kind of relationship do you have with the CCSDPD? How is that partnership working and evolving?

Chief Gravatt:

The relationship we have with Chief Blackeye is absolutely amazing. I believe the lines of communication are always open, he reaches out to us and vice versa; we are there for each other. I feel comfortable saying that—actually throughout the Valley—I believe the relationship between our law enforcement agencies have, over the past year, truly grown to the point where we meet quarterly to have a conversation. I would never not answer a call from another agency, but now there is more of a personal level to it where the conversations are not only about, this or that happened, but more deep diving into collaboratively, what we can do together. I can attest for Chief Potts, Chief Chadwick,

Sheriff McMahon, Chief Blackeye—a lot of additional agencies—I believe the relationship is very strong and if any of them say anything different, let me know and I will make a note.

Assemblyman D’Silva:

Will do, Chief, thank you.

Chair Torres:

Members, any additional questions? Vice Chair Flores.

Vice Chair Flores:

I will start by echoing the remarks you made. I have an opportunity every year to go to the Trunk or Treat at La Bonita, and you do a phenomenal job there. There have been years where we have had thousands of kids, and I know you helped structuring the lines, so we zigzagged versus when we used to wrap around the La Bonita supermarket—little basic things like that. The community does not have the knowledge that you do, when you came in, you were like, “All right, we can make this work.” I appreciate that. I also know that through Mr. Benavides, we were able to coordinate you escorting one of our horse parades. We started in North Las Vegas and moved into multiple jurisdictions. I appreciate that, and I will echo the same remarks I made with our Sheriff, that community policing, and doing things like that—I feel like the community feels positively because of that. I hope we continue working together. In 2015, the first time I ever sat in this Committee, I remember listening to the folk that had been sitting on this Committee for years—much longer than I had—always talking about shifting the focus and ensuring that law enforcement reflect the DNA of the community it represents. Culturally it is important, it is easier to understand when you hear certain sounds, songs or parties—how to address those—versus if somebody is dressing a certain way, what does that mean? All those things are important—community policing. I remember one of the conversations we had in 2015, was on hiring practices—and I know you got into that—if you could walk us through what you have seen. You being in this role means a lot, it shows there is a pipeline, and sometimes people do not necessarily know how to navigate from point A to point B to point C. We talk a lot about this pipeline even with our school district. How do you become a principal, or in law enforcement, how do you become the boss? If you could talk about what you have seen and what you are hoping to build on. Saying here is where we started, here is how I made it here—but really—here is how I want to make sure that other folks who are following in these footsteps, have a clear guideline on how to get to where I am.

Chief Gravatt:

It is an important question, and I really did not start to think about it as a question until about five or six years ago. There were people asking me when, I first got promoted to Captain, how did that happen? What did that look like? To me, it was me. It was what I did, it was me trying my best, trying to put myself out there, and trying to move forward. What I did not understand and what we are spreading and sharing within our Department is for our employees—all of them—to share your experiences, because you never know if what you went through may help somebody else. I did not feel like I had major barriers or obstacles other than myself; I felt like I was my biggest obstacle. I was the barrier that was stopping me from where I could have gone, and it took people around me supporting me and encouraging me to take that step because I had a plan. I had a plan laid out exactly where I saw my career going. This was not in my plan, but because I had people that supported me, encouraged me, and believed in me that this is where I am, and I am extremely grateful and blessed.

Moving forward, our Department is going to be about—when we are out in the community and seeing young people that have questions—being vulnerable, being that human—humanize the badge. We are not waking up and putting on body armor, we are humans. I am sitting here looking at my watch because in about ten minutes, my daughter is going to call me to let me know she is on her way home from school. I am a mom, I have kids; I have responsibilities. When we make ourselves vulnerable to people who are interested and want to have a career in law enforcement, or want to be successful in life—if we are willing to open ourselves up to having those conversations—you have no idea who you may encourage, help, or give motivation to. We have teachers in our Department—just putting that out there—who are police officers or detectives and sharing your experience with someone; you never know how it may help them or have that little push for them to make a change in their career path or where they thought they should be. So again, going back to the question, I believe that we are creating an environment where there is open and honest dialogue, where our people believe they are being heard, and the changes we are making are for the greater good. It is never about us; it is about doing what is best for those around us. My little side note would be, to think about what is best for me would not be to be here, but I believe the staff we have put together—with me being a part of it,—is really a move forward to what we can do for our community, not just in North Las Vegas, but throughout the Valley.

Chair Torres:

You said something that resonates with me, because very often for women in leadership roles—they have to be asked. We say the same thing for women running for office, that women are often asked first, and they give every reason why they might not be a qualified candidate; but they often are qualified. I am wondering from the policy lens, how do we as a State and as a community, create policies that support individuals who are not the standard applicants for a program? I know you have great programs, like paying for testing so people can apply—if they would not otherwise have it. What else can we do as a community and as a State to support diversity in law enforcement?

Chief Gravatt:

Something that is important is that we look at having the best candidate, and the best candidate could come in any form. I think having the messaging that we want the best, most qualified, most compassionate individuals to step into this particular career field is going to be step one. It does not matter what you look like, where you came from, what your background is, you can do this if you want. Qualified applicants who are compassionate, dedicated, and willing to put everything into it is step one. We make it a point when we have recruiting events, to have people who look like everyone at the events—it was brought up earlier—having someone who looks like you. We try to diversify our recruiting efforts when it comes to the representation we have at events—so much so that we have two full-time recruiters; we also have a list of, I believe it is 15 reserve recruiters. Depending on where you are going, what event you are at, we want to make sure we truly represent that demographic, that population. When we have military events, we have officers that are prior military. When we have college events, we have officers who have graduated from UNLV, because there they find a connection, and the connections may be different at every event; we do look at that. It is very strategic when we are looking at who we are having going where, because you never know who you may reach.

Chair Torres:

Members, any additional questions? Assemblyman D'Silva.

Assemblyman D’Silva:

When it comes to recruitment, my question is in regard to how we are creating the PD of the future—the NLVPD of the next 10 to 15 years. I know there have been significant concerns by law enforcement, the military, and many other public service entities, when it comes to bringing folks into the career field. My question is, when looking at these numbers, you had almost 1,100 pre-pandemic applicants, and now we are averaging about 400. That is a significant decline in the amount of folks who are applying in the first place. What do you think is causing that? Is there a cultural shift? There have been talks of a great resignation, of people rethinking what work means, what an actual career or a profession means. Is that something that is affecting law enforcement? Are you seeing that particularly in the NLVPD?

Chief Gravatt:

It goes back to what Sheriff McMahill said, talking about how DARE no longer exists in schools. When I look at what the future of our Department looks like, I am not looking at what it is going to look like in five years. I am looking at the future, the 10-year mark, 15-year mark, exactly about what you are talking. When we talk about wanting to have this robust law enforcement force that is willing and wanting; it starts with us, with our kids in elementary school. Being in the schools during reading week, participating in arts and crafts—because I look at elementary school like a seed. Those children are seeds that we planted, but we have to continue to water. We must continue the relationships between children and law enforcement professionals, where their interactions are positive, and they want to be police officers for Halloween, and they can see themselves as police officers. We are not going to necessarily change people that are of current age to be law enforcement—depending on what their relationship with the career field has been—but when we start with our younger children and we plant the seed, we have to continue to water it. When Assistant Chief Harris and I were appointed about a year and a half ago, we had in-depth discussions about where we saw the Department going, and how we were going to get there. We both almost simultaneously said it was about building a relationship with the community, including those children, then developing our employees—so much so we have mandatory leadership training; it has to come from both ends. Our people must be confident in what they are doing, our community has to trust us, and we have to invest in them by being present. Planting the seed with our young people and continuing to water it so they grow and flourish, because once we step back, they are not going to grow; the whole message would be lost. We do not want interactions with our young people—with our community—to be negative. We want them to have positive interactions where they know we believe in them, we support them, we are human—humanize this badge—and we definitely come to some similarities.

Chair Torres:

It is interesting you say that, because a lot of that is similar for both of us and our trade as educators. We talk about having more positive interactions with a student than you do negative, and what that does to build relationships. It is great to see how local law enforcement is able to use a similar pedagogy in practice in order to improve our communities. I want to ask you—and I will ask the other Chiefs and law enforcement agencies presenting today—the same question I asked the Sheriff from Metro. What could we, as a State Legislature, do to support the work you are doing in the community? What changes would be meaningful to support the work the NLVPD is doing?

Chief Gravatt:

When it comes to sessions and our Legislature, just having the conversations with the agencies. Making sure representation from law enforcement is there and present during the process. When it comes to community, we want to be there to support and protect them. Part of that is due to decisions that are made during session, what some of the laws look like, and if they are truly in the best interest of what we do as law enforcement—sometimes conversations need a deeper dive. Have subject matter experts there to provide insight that may be the catalyst for making or not making a decision. We love being present, we love expressing and sharing our thoughts, especially when it comes to the community. I believe the relationship we currently have with the Legislature is strong. I do feel the support—I hear it from my City. As long as we continue to foster those relationships by being open, honest, and candid when you have to; putting your beliefs in; being able to present facts when it comes to community engagement; community policing; and making decisions about laws that are going to be affecting our citizens.

Chair Torres:

Is there a specific policy or initiative that you would like to see—and that could include, for example, funding. It does not mean we are going to get it done—I cannot promise that today—but is there something that you would like to see an investment in or changing?

Chief Gravatt:

If I were to go into specifics, I would really have to dive deeper to give you an open and honest answer and not just something off the cuff; that would be fair. I am extremely grateful and appreciative for the relationship we do have with you.

Chair Torres:

I look forward to continuing this conversation, and to hearing more about what you would like to see change. We will continue the conversation throughout this interim.

I do not see any other questions. Members, is there anything else? Seeing none, thank you Chief, for joining us.

D. WASHOE COUNTY SHERIFF'S OFFICE

[This agenda item was taken out of order.]

Jason Walker, Lieutenant, Washoe County Sheriff's Office (WCSO):

Good afternoon, Chair Torres and Members of the Committee, I am a Lieutenant currently assigned to patrol, representing the WCSO. We are pleased to be here to provide an update from the last time we spoke, during the 82nd Legislative Session. Walking in the building today, it seemed like we had just left, and I was happy to see a face I remembered. The 82nd Legislative Session was my first, I am glad it is over, and I am happy to be here to provide additional insight on the things we do. I have a short PowerPoint with some achievements we have had over the last year. I have taken several notes, so I hope to not miss out on any of the questions that I am expecting to come after the presentation. (Agenda Item IV D)

I work for the WCSO, and we provide law enforcement services for the unincorporated area of Washoe County. We are responsible for operating the only adult detention facility for

pretrial detainees, and sentenced misdemeanors within Washoe County. The Agency has an authorized strength of 494 commissioned, 331 civilian, and 55 intermittent hourly employees. Sixty-one percent of our commissioned staff is male, 39 percent female, 78 percent white, 12 percent Hispanic, 4 percent Asian, 2 percent black, 1 percent American Indian, and 1 percent Pacific Islander. That nearly reflects the statistical diversity of our community; I am very happy to say that. I was recently promoted, I was the Backgrounds Sergeant. I feel I am the largest cheerleader for our Agency. I think that—and it was in conversations with Chief Gravatt and Sheriff McMahill—when you look like your community, it makes it easier to police the community. I am very proud that our diversity is reflected in the commissioned staff.

The Sheriff's Office has an annual operating budget of \$137 million for 2023. We also have over \$5 million in restricted funding, such as grants and donations. We have three Bureaus: the Administrative Bureau, Operations Bureau, and Detention Bureau. One of the highlights in our Administrative Bureau is our Backgrounds Division. For last year, we had 87 total new hires, a majority of that was commissioned staff that went into our academy. Currently in our police academy, I believe the number is down to 25—we went in with 27 to start. For varied reasons, the failure rate is about a 10 percent. We went in with 27, and we are now at 25, hopefully they all finish the academy so they can move on in their careers.

The Administrative Bureau is also responsible for our community engagement and communications. A lot of questions were asked about where we are in the community and what the media relation is? We have a very robust Community Engagement and Communications Division. We have a full time—we call them ComRel/Community Relations Director. We have a PIO sergeant, and we recently finished interviews for an additional PIO. I feel—as well as Sheriff Balaam feels—if we are not communicating with our media, we are missing the boat; we spend a lot of time getting posts out. It is the year 2024, everything is the computer that you have in your hand. If somebody is stuck in traffic, they go to social media; they want to find out why. Oftentimes we have a post that says to avoid an area, or another law enforcement agency has something out there; we highly believe that is the right way to go. With our Community Engagement Office, we believe that making a difference in the Washoe County community starts with the community. The WCSO focuses on a collaborative community-oriented approach to building strong partnerships and promoting public safety and trust. Through the Community Engagement Office, the WCSO maintains a constant presence within the community, both virtually and in person, in addition to the office's law enforcement function. Our ComRel office completed 345 appearances and 140 hosted engagement events last year. I am sure with where we are going with resources—hopefully, they come available, and persons that want to contribute to those—these numbers will be even higher for next year.

One thing that we touched base on last year at the 82nd Legislative Session, was our Detention Services Unit. One of the things we want to put out is that there are resources available to prevent recidivism. Oftentimes we run into the same inmate repeatedly. I believe that we can all agree, if you continue to do the same thing over and over, that is truly the definition of insanity. What we try to do is find the core root problem; what can we do to get them the resources that would help them to move on and become successful at whatever they would like to become successful at. Highlighting the Detention Services Unit: 2,636 inmates served, including applications for programs and services within and outside Washoe County; that represents an increase of 341 percent; 429 inmates were transported to alternative programs and incarceration by the Inmate Assistance Program, that represents an increase of 55 percent; 528 were approved for Supplemental Nutrition Assistance Program (SNAP) funds; 549 were approved for Medicare; and 557 had auxiliary assignments. What the auxiliary assignments are—it is one thing to be in the jail and have

to do your time sitting in your housing—we also have in-housework program positions. Those auxiliary assignments might be somebody who is assigned to laundry, or somebody assigned to cleaning the front lobby. We are proud to say, although there are inmates there doing time, the Detention Services Unit focuses on what else we can do to make this a wraparound to prevent recidivism. Another thing we have is our Programs Division, a large percentage of our inmates are participating in substance abuse, domestic violence, and parenting programs while they are incarcerated.

The Operations Bureau includes Civil Investigations Patrol, Major Accident Investigation Team, Marine 9, Motors, RAVEN, Search And Rescue, and SWAT. I want to touch on Patrol. In 2023, we wrote 404,240 cases and out of those there were 2,040 arrests. That is about 40 arrests per week, and like the other Chiefs and Sheriffs that spoke before me, we are—it is busy all over, because Washoe County is the area that it is—we are busy all the time. I do not want to say staffing, but oftentimes, we are shorthanded and that is for various reasons. People get sick, people go on light duty, and vacations happen. We try to get out there as much as we can.

Going back to our—I do not think I touched on the Detention Bureau yet. As far as our Fiscal Year (FY) 2022–2023, our average daily population in the jail was 1,247 inmates. Of those, 210 are female and 1,037 are male; the average length of stay is 17 days. Total for FY 2023 is just shy of 15,000 bookings. Mental health resources in the Detention Bureau also fall under the Detention Services Unit. On average 58 percent of our inmate population are prescribed mental health medications. We have Video Court Connections and iPads available for use within the housing units; they are able to access their email and their mail. We are very proud to have those.

Another highlight of our Operations Bureau is our total calls for service, that include calls being answered from Dispatch. Total calls for the service were just over 79,000; dispatched calls over 17,000; police initiated calls, almost 34,000; and unspecified calls for service, nearly 28,000. Search and Rescue resources provided 83 responses. RAVEN, which is our regional helicopter program, had 44 responses of those, 136 responses involved the Incident Management Team, that is where we are bringing out a trailer—we have video—other teams go out mainly for search and rescue operations. Very proud to have those resources available to us and in the community.

The Forensic Science Division serves 70 local, state, federal, and tribal agencies; 13 of the 17 counties in Northern and Central Nevada; and one county in California. Scopes of the services include breath alcohol calibration, controlled substances, crime scenes, firearms, biology/DNA, latent print processing, latent print comparison, and toxicology. For example, for breath alcohol calibration; 140 calibrations were performed in 2023. We go all over the State to ensure that testing capabilities are up to standard. The crime scene response had 169 assignments in 2023; firearms had 841 assignments; and latent print processing had just over 120. Toxicology, which is alcohol and drugs, had 4,604 assignments in 2023. Just like the Divisions that presented before me; it is busy all over.

Touching on BWCs and an update for BWCs. I reached out to our subject matter experts that are record supervisors and asked them how many requests we had gotten. I do not know the specific date range on this; I am assuming that it is within the last 12 months. Our requests were 133. Currently, we do not charge a fee. Turnaround time varies depending on what it is, how much footage there is, or if they are looking for something specific—time frames can be delayed. Currently, we are working on requests we received months ago. The current redaction program we have is better than the one we were using before. The manufacturer of our BWCs is Axon, one of the largest ones. We have a very

robust program with them. We ended up going with a different type of redaction software; it takes approximately an hour to redact ten minutes of footage. Records determines if the request can be completed in the level of redaction, based on who is requesting and if they are a party to the case. I believe it was the Henderson Chief who talked about reflections; if there are other people there. The amount of redaction is reflective of when we can release that BWC footage. I do not want to say staffing is an issue, but we currently have a case manager, and we have several people working on redactions, we are getting them done as fast as possible. Anybody can request a BWC footage online or in person. They are processed the same as any public record requests we get. We have policies in place which are directly in line with NRS 239.

Touching on behavioral health and wellness for our commission and civilian staff, that is a priority for the Sheriff and the executive team. Sheriff McMahill touched on it earlier today in his presentation that POST is having a hearing today, that requires the annual visit. However, POST gives direction on that; we will go in tune with them. We currently have a mental health counselor on staff who is available to all employees.

I added in slide, NRS 289.510, which was touched on by one of the Chiefs earlier. It says, "Standards for the annual behavior wellness visit for peace officers to aid in preserving the emotional mental health of the peace officer and assessing conditions that may affect the performance of duties by the peace officer." I wanted to highlight that. That ends my presentation, and happy to answer any questions you may have.

Chair Torres:

Thank you, Lieutenant. I will open it for questions in Northern Nevada.

Senator Daly:

I have one easy question. On the forensic part of it, I know you guys handle DNA testing in the criminal database. Is that in the Forensic Department? Do you cover the same number of counties and agencies for that testing?

Lieutenant Walker:

Yes, sir, we do.

Senator Daly:

I did not see the DNA part in the presentation, that was all.

Chair Torres:

Thank you, it does not appear there are any additional questions in Northern Nevada. Is that correct?

Senator Daly:

Correct.

Chair Torres:

We will go to Southern Nevada. Vice Chair Flores.

Vice Chair Flores:

Last session I had a bill where I was working with off highway vehicles (OHVs), and I wanted to get your perspective. One of the issues that was raised—and it is my understanding—other than Clark County, pretty much every other county is very friendly to off-road vehicles. It is also, I get it—population—it is a different landscape. One of the things that was raised by members of law enforcement is that in Northern Nevada, one of the things they see—and it is frustrating law enforcement—is they will take somebody's driver's license away—and because it is a smaller jurisdiction—they very often will interact with them because they are very well aware of who that individual is. Whether it was DUI related or something else, they do not have a driver's license—sometimes they will see them jump on an off highway vehicle—like a side by side Can-Am or Razor, if we speak of a brand—they will drive that, and there is nothing law enforcement can do. Is that something you have heard of and/or seen?

Lieutenant Walker:

I believe OHVs are titled large all-terrain vehicles, and the people who drive them need to have driver's licenses. There are several prongs to that question. What I can tell you with the current law is, is the people driving those OHVs need to be licensed if they are on the roadway. In answering your question, I personally have not run into that, where somebody gets their license taken away and they cannot drive a car, but they can drive an OHV. They are titled large all-terrain vehicles and there are laws that specifically say if they are on the roadway, they have to have licenses as well as insurance. I am not positive if that answers your question.

Vice Chair Flores:

No, thank you for that; it does. It might be a particular/unique situation that happened in an isolated incident that was brought to our attention. I have always moved in the direction of trying to be more friendly and trying to allow folks to operate all-terrain vehicles. We see other states who do it, I am very much in support of that, but that was one concern that was raised; I said I was not aware of that. I had an opportunity because of your presentation to ask somebody who is in the weeds of it all, every day. The only other thing I will ask—and I reached out to some folks that I know from the legal community up north—and they were very responsive in a positive way, it is very easy to work with you, your office, and all the folks there. They are happy to work with you, and they believe there is transparency when they requested it. I wanted to put that on the record, from the attorneys I reached out to in the last couple of days. One of the things they raised—that is not related to your office, it was to a neighboring jurisdiction—concerns the BWCs being turned off while officers were engaging in conversation. They kept recording, but they kept turning BWC audio; I think they had a colloquial reference to it going red or blue—then it caught media attention. I wanted to ask your perspective, if that is something you have heard about or you have interacted with, and if you had any feedback as to any of that.

Lieutenant Walker:

I believe it is best to leave your BWC on, because then it raises questions like you just brought up. That is my stance on that.

Vice Chair Flores:

Fair enough. Who is your vendor for your BWCs? That is my last question, promise.

Lieutenant Walker:

Axon.

Vice Chair Flores:

Thank you, appreciate it. Thank you for your presentation.

Chair Torres:

Thank you, Lieutenant Walker. I know you were taking notes during all the hearings, so you could be prepared for the range of questions we had. I am happy we were able to surprise you. So far, I do not think any of the questions you had—maybe one question you have received—has been asked before, but that is probably all. I do want to ask a few questions on similar topics I had discussed with other law enforcement agencies. I wanted to understand the role working with public information: what the processing time looks like for FOIA and requests for information, what the relationship is in Washoe County with the media, what could be strengthened, and what services or resources are lacking to fulfill those requests in a timely manner.

Lieutenant Walker:

I hate to say staffing is an issue, but staffing is an issue—particularly for public record requests. Body-worn camera footage is also a problem. Currently, we have one case manager, and we have one person who focuses their efforts on redaction. If there are any persons on light duty, we can use them in that capacity to ensure people are not waiting too long to get their record requests fulfilled. It is one of those things, we prefer to get them done as soon as we can. We know what the law states as far as NRS 239. I am not saying we do not get too many, but based off the infrastructure we have to complete them, I would say we do. If I could triple our staff to get those public record requests out, as well as the redaction, I would love to figure out the funding source for that. That way we do not have such a backlog.

Chair Torres:

A clarification too, and excuse me, I am not too familiar with that process. But first, as far as staffing for the redactions, does that have to be an officer or are there other staff who are not police officers, who can fulfill those requests?

Lieutenant Walker:

I apologize if I misspoke. We have a professional staff person that works on redaction. We utilize the additional resources of a commissioned person that is on light duty because they are available, and we see the need to put that person in to fill those requests in a timely manner.

Chair Torres:

Another question on the same topic, and I do not think you misspoke. I want to make sure I understand the issue, because I think this is a conversation where everybody is saying the same thing, which is we need more staff if we want to expedite responses to these requests. I think everybody is in the same boat, every department is saying the same thing. I want to make sure I am understanding the process correctly. Are you at capacity right

now, or is there an issue with getting more staff to fulfill this job? Is the most that is in the budget right now only for that one staff member?

Lieutenant Walker:

We are squeezing our budget for that staff member. We are looking forward; I know that our 2024 budget is a little bit larger than 2023. I am hopeful we can put funds aside to increase that staff. I do not want to say we are at capacity, but we are months behind on filling those requests.

Chair Torres:

Members, any additional questions? [There were no additional questions.]

Lieutenant, the same question I have asked every agency, which is, in partnership with the State Legislature, what would you like to see come out of a legislative session or what policies or changes would you like to see?

Lieutenant Walker:

I like to mirror the Chiefs and the Sheriff who spoke before me. I believe it was Chief Gravatt who said, having those open honest conversations with legislative groups are appreciated. Also, feeling supported with what the right thing to do is for the great people of the State. If I could ask for something specific, it would be additional treatments or funding avenues to increase mental healthiness and peer resource groups. I believe—and it has been touched on in everybody's presentations—that mental health awareness is huge. Out of all the titles I have had in my career, the title I am most proud of is dad and husband; I just happen to be a lieutenant working for the WCSO. We are all human; we have great days and bad days. I think there was a stigma on mental unhealthiness, that pendulum is now swinging back to include discussing it with the Legislature, discussing it with the three previous presentations. If there are additional treatments we can use, that will help us have great days every time; that is the best thing. I do look forward to having those open, honest conversations for the remainder of the interim and into the 83rd Legislative Session, I think when we continue to do those—and not all the conversations are friendly—but they are not unfriendly. I think we can all agree that saying no, sometimes is the right thing to do. We are all here in bipartisan effort to make the right decision. I am looking forward to continuing those conversations.

Chair Torres:

Thank you, Lieutenant, I appreciate that, and I look forward to continuing these conversations during the interim as well. When I stepped out, I ran into the Chief from Henderson, and we had a couple of conversations about what we can do to work together for mental health; I think investment is one side of it. I look forward to continuing that conversation. I believe that is something that this interim Committee would likely be interested in working for. Although I cannot speak for the entirety of the Committee, I think that I have heard similar comments from my colleagues, and I am sure those in Northern Nevada—although I have not had the opportunity to see you face-to-face during this interim—I am sure that you all would agree; it is something we can work on. I look forward to working with you and partnering with you on that issue. Thank you for presenting today.

AGENDA ITEM V—PUBLIC COMMENT

[Chair Torres called for public comment; however, no testimony was presented].

Chair Torres:

I would like to thank the presenters, I know we had a lengthy afternoon meeting today, but we are out before 5 p.m. I like these afternoon meetings. Thank you to the staff in Northern and Southern Nevada, for making sure meetings run efficiently and smoothly. Thank you. At this time, we are adjourned.

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AGENDA ITEM VI—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Maria Velazquez
Research Policy Assistant

Jered McDonald
Chief Principal Policy Analyst

APPROVED BY:

Assemblywoman Selena Torres, Chair

Date: _____

DRAFT

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item III A	William Clark, Program Principal, National Conference of State Legislatures	PowerPoint Presentation
Agenda Item III B	Bob Conrad, Ph.D., Secretary, Nevada Open Government Coalition	PowerPoint Presentation This is on file in the Research Library of the LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6825.
Agenda Item IV A	Holly Chadwick, Chief of Police, Henderson Police Department	PowerPoint Presentation
Agenda Item IV C	Jaqueline Gravatt, Chief of Police, North Las Vegas Police Department	PowerPoint Presentation
Agenda Item IV D	Jason Walker, Lieutenant, Washoe County Sheriff's Office	PowerPoint Presentation
Agenda Item V	Robert Forney, EWU Media, LLC.	Written Public Comment

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