



Galena Group, Inc.

Information Technology / Communications Consulting

Washoe County, Nevada
Regional 911 Emergency Response Advisory Committee
Five Year Master Plan Update

Presented by Galena Group, Inc.

January, 2018



Galena Group, Inc.

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January 25, 2018

Mr. Doug Campbell, Chair of the Washoe County E911 Advisory Committee
Sparks Police Department
1701 E Prater Way
Sparks, Nevada 89434

Dear, Mr. Campbell,

Galena Group, Inc. (GGI) is pleased to present the 2018, updated 5-Year Master Plan (Plan) document to the Washoe County E911 Emergency Response Advisory Committee (Committee). We have enjoyed working with the Committee and supporting Staff on this important project. This document is an update to the 5-Year Master Plan as presented in 2013.

Within this update of the Plan, we address the new 5-Year Master Plan requirements to meet 2017 State legislation (SB 176). SB 176 necessitates certain law enforcement agencies in the State of Nevada to utilize the use of Body-Worn Cameras (BWC), also referred to as Event Recorders. The new State legislation and the Board of County Commissioners' Ordinance, amending sections of Chapter 65 of the Washoe County Code, affects many aspects of the existing Committee membership and responsibilities.

These changes also allow for increasing the current monthly 911 surcharge of a maximum of \$0.25 per line to as much as \$1.00 per line. SB 176 and the County Ordinance are presented as an Appendices.

As presented to the Committee during the January 2018 meeting, this Master Plan Update identifies progress on previous recommendations and presents new recommendations for the current environment. Importantly, the Plan estimates the 911 and Event Recorder expenses for the next 5 years. We provide a recommendation for an increase in the 911, per line surcharge, to meet these expenses and retain a useful 911 fund balance.

We hope you find this Updated 5-Year Master Plan to be helpful to the Committee. We look forward to working with you and the Committee on other projects in the future.

Sincerely,

Stuart B. Cronan
President, Galena Group, Inc.

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Introduction

In 2013, the Washoe County Regional 911 Emergency Response Advisory Committee (Committee) obtained the services of the Galena Group, Inc. (GGI) to assist with the update of the County's E911 5-Year Master Plan, as required by Nevada Revised Statute (NRS) 244A.7641 to 244A.7647. The previous Master Plan, the Emergency 911 Review and Audit Report, was developed in 2007 by Matrix Consulting Group.

The services of Galena Group, Inc. were again obtained to assist with the 2018 update of the 5-year Master Plan (Plan Update). In addition to assisting with the Plan Update, Galena Group, Inc. was also retained to address the additional 5-Year Master Plan requirements to meet 2017 State legislation (SB 176) necessitating certain law enforcement agencies in the State of Nevada to utilize the use of Body-Worn Cameras (BWC), also referred to as Event Recorders. The new legislation affects many aspects of the existing Committee and its responsibilities. These changes will be presented in applicable sections in this document. SB 176 is presented in its entirety as Appendix A.

Background of the Regional 911 Emergency Response Advisory Committee (Committee)

As stated in the previous Master Plans of 2006 and 2013, the Board of County Commissioners (BCC) established the Enhanced 911 Fund in December 1995. This coincided with their approval of a telephone line surcharge for each access line, trunk line and mobile telephone. The intent of the surcharge was to establish a reliable revenue stream for the enhancement of telephone emergency reporting capabilities. This surcharge was to be adjusted annually, based on the unencumbered end-of-fiscal-year balance in the Enhanced 911 Fund. The surcharge, at that time, was never to exceed \$0.25 per month for each mobile telephone and access line. The BCC established the Regional 911 Emergency Response Advisory Committee to provide appropriate oversight for expenditure requests related to this fund, and to ensure sound fiscal decision making, The Committee has operated continuously since its establishment.

Following the enactment of Senate Bill 176 in 2017 (SB 176), the Washoe County Board of County Commissioners amended Chapter 65 of the Washoe County Code to comply with certain aspects of SB 176. The amendment of the County Code includes clarification of the powers and duties of the 911 Emergency Response Advisory Committee. The amendment added the definitions of “law enforcement agency”, “portable event recording device”, and “vehicular event recording device”; and amending the advisory committee membership and terms of appointment. The text of the Amendment to Chapter 65 of the Washoe County Code is presented in Appendix B. Additionally, the County developed the “Washoe County Board of County Commissioners’ Policy” on “Use of 911 Surcharge Funds for the Body Camera Mandate Set Forth in Nevada Senate Bill 176 (2017).” The policy is presented as Appendix C.

Authority of the Committee

The Committee is tasked with making funding recommendations to the Washoe County Board of County Commissioners (BCC) for expenditures from the Enhanced 911 Fund. The allowable expenditures of these funds were previously defined by Nevada Revised Statute (NRS) 244A.7641 through 244A.7647, as presented in the 2013 5-Year Plan Update. SB 176 modifies many aspects of the authority of the committee, including the allowable expenditures under NRS 244A.7641 through 244A.7647. Together, with the change to Chapter 65 of the Washoe County Code, this expands the definition of allowable expenditures under the auspices of the BCC. It also allows for increasing the current monthly 911 surcharge of a maximum of \$0.25 per line to as much as \$1.00 per line.

As part of the Washoe County Board of County Commissioners' amendment of Chapter 65, the "Powers and Duties" of the 911 Advisory Committee were revised to include:

"...Recommend to the Washoe County Commission the expenditures of money collected through the telephone line surcharge imposed in section 65.450 for the enhancement of the telephone system for reporting an emergency and in accordance with NRS 244A.7645(3)(a); and

3. Recommend to the county the expenditures of money collected through the telephone line surcharge for the acquisition, maintenance, data storage, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices."

SB 176 also directed a change to the makeup of the Washoe County Regional 911 Emergency Response Advisory Committee by defining the membership of the committee. The new definition of the Committee includes certain Law Enforcement personnel, including the chief law enforcement officer (or designee) from the county sheriff, police departments within the county, and department, division or municipal court of a city or town that employs marshals within the county.

SB 176 states, in part:

"...NRS 244A.7645 is hereby amended to read as follows:

244A.7645 1. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is 100,000 or more , the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must :

(a) Consist of not less than five members who:

(1) Are residents of the county;

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Are not elected public officers.

(b) Subject to the provisions of subparagraph (3) of paragraph (a), include the chief law enforcement officer or his or her designee from each office of the county sheriff, metropolitan police department, police department of an incorporated city within the county and department, division or municipal court of a city or town that employs marshals within the county, as applicable."

Further details on the legislation and on the allowable expenditures can be found in the "Nevada Revised Statute (NRS) 244A.7641 through 244A.7647 and 2017 Senate Bill 176 (SB176)" Section of this document.

Within the amendment of Chapter 65 of the Washoe County Code, the BCC revised the makeup of the Committee in compliance with the requirements defined in SB 176. The amendment of 65.430 reads, in part:

“65.430 Advisory committee membership; qualifications of members; notification of appointment; terms; removal; rotating chairperson.

Membership. The membership of the advisory committee shall be as follows:

(a) Three members appointed by the city of Reno;

(1) One member must be the Reno police department’s chief law enforcement officer or designee, and one member must be the Reno municipal court marshal division’s chief law enforcement officer or designee;

(b) Three members appointed by the city of Sparks;

(1) One member must be the Sparks police department’s chief law enforcement officer or designee, and one member must be the Sparks municipal court marshal division’s chief law enforcement officer or designee;

(c) Three members appointed by the county of Washoe;

(1) One member must be the Washoe County Sheriff’s designee

2. Qualifications. A member appointed to the committee must:

(a) Be a resident of and a qualified elector in Washoe County;

(b) Possess knowledge concerning telephone systems for reporting emergencies; and

(c) May not be an elected public officer.”

As stated in the previous Plan Update, in our discussions with the Washoe County legal counsel for the Committee, the authority of the Committee was identified as residing within the weight of their recommendations to the BCC. Any entity or individual requesting a funding recommendation from the Committee should provide adequate information and justification. It is well within the authority of the Committee to withhold their recommendation(s) due to a lack of information or justification. Recommending funding for technological advances to assist in the improvement of emergency dispatch services is under the purview of the Committee. Historically, it has been the opinion of the Public Safety Answering Points (PSAP) management and Committee members that the Committee's function stops at the operations of each PSAP.

Accomplishments of the Committee

The following paragraphs recap some of the accomplishments made by the Committee since the 2013 Washoe County Regional 911 Emergency Response Advisory Committee 5 Year Master Plan Update.

Legislation

Committee members and PSAP management participated in the passage of SB 176 in 2017. Although its focus was law enforcement body cameras, this legislation will make it possible to increase funding for critical elements of 911 operations. Please see the sections on the “Authority of The Committee” and “Nevada Revised Statute (NRS) 244A.7641 through 244A.7647 and 2017 Senate Bill 176 (SB176)” for additional information on this legislation. This Plan Update also provides recommendations on possible 911 surcharge increases, as presented in the “Cost Estimate, 5-Year Master Plan for 911 Enhancements and Purchasing and Maintaining Portable and Vehicular Event Recording Devices” Section.

Technology

In the past five years, we believe that two of the most significant Technology accomplishments of the PSAPs and the Committee have been: the implementation of a shared CAD system with all primary PSAPs participating; and the implementation of Text-to-911.

Shared CAD Platform

As presented in the “Status of Recommendations” Section of this document, we note:

A new Computer Aided Dispatch (CAD) system was implemented in 2015. The new system was an update to the existing Tiburon CAD system. At that time, the City of Sparks Emergency Dispatch Center opted to join the system. This brought all three primary PSAPs onto the same, shared CAD platform. Now, all primary dispatch technologies, including CAD, two-way radio, and Next Generation 9-1-1 are implemented and operational across all three PSAPs. We also note that progress has been made on some integrated policies/procedures between some PSAPs. This process is ongoing.

Text-to-911

Text-to-911 is implemented across all PSAPs within the West NG 911 system. The public has not yet been notified of the availability of Text-to-911. An official “roll-out” of Text-to-911 is planned for the April 2018 timeframe. The implementation (public notification and education) of Text-to-911 must be coordinated amongst all local and primary PSAPs to ensure that the public understands its use and that the PSAPs are prepared for potential increase in Text-to-911 activity. We understand that all appropriate PSAP personnel have been trained in Text-to-911 protocols.

Training

Review pilot project of ProQA EPD and EFD in Incline for possible deployment at all PSAPs in Washoe County

Fully Addressed. It is our understanding that there is continued enhancement and implementation of Emergency Dispatch protocols across all three primary PSAPs.

Mission Statement

Previously, the Washoe County Regional 911 Emergency Response Advisory Committee adopted the following mission statement:

“The Regional 911 Emergency Response Advisory Committee, in accordance with guiding statutes, strives to provide citizens with automatic telephone number and location connectivity with local public safety answering points. The Committee and local PSAPs are committed to the research and the application of technology necessary to enhance call handling.”

A new, modified mission statement should be reviewed, discussed, and readopted by the Committee.

The new mission statement should include a reference to the new “Event Recording Device”

responsibilities. A new version, as suggested by the Spark’s Police Department Administration Manager, is:

“The Regional 911 Emergency Response Advisory Committee, in accordance with guiding statutes, strives to provide citizens with automatic telephone number and location connectivity with local public safety answering points and purchase and maintain portable event recording devices and vehicular event recording devices. The Committee and local PSAPs are committed to the research and the application of technology necessary to enhance call handling and recording devices.”

Additional information on this recommendation is presented in the “Recommendations” Section of this document.

Vision Statement

Like the Mission statement in the previous 5-Year Master Plan, suggested wording for a Vision statement was presented; however, it was not adopted. A vision statement should help define where the Committee wishes to be in the future. As presented in the previous plan, the vision statement should concentrate on the next five years. The vision statement should be finalized and adopted by the Committee. One of the previous potential vision statements presented was:

“The Committee will ensure all PSAPs are updated with the state-of-the-art ANI/ALI equipment, ensure technology integration of all components, and ensure staff are fully trained on these technologies within the next five years.”

At the time of the development of the previous plan, common themes participants wanted to see the vision statement incorporating up-to-date technologies and moving toward a regionalization concept. Both ideas were presented and discussed in the prior plan, but were not incorporated into the 2013 version of the vision statement. On the technology front at that time, Next Generation 911 (NG911) was

the most current 911 technology, and was likely to be continuously enhanced over the next five years.

The following was presented in 2013 as an option for updating the vision statement listed above:

“The Committee will ensure all PSAPs are updated with the state-of-the-art Next Generation 911 systems, ensure technology integration of all components and ensure seamless data sharing between all PSAPs.”

The Committee should plan time to review, discuss, and develop a new, appropriate vision statement.

The new vision statement could be based upon the opportunities of newly shared technologies as well as the new requirements, as defined by SB 176.

Previous Washoe County E911 Five Year Master Plan

As stated in 2013, the Washoe County Regional 911 Emergency Response Advisory Committee (Committee) commissioned the development of the County's E911 5-Year Master Plan Update. A 5-Year Master Plan is required by Nevada Revised Statute (NRS) 244A.7641 to 244A.7647.

Analysis of Activity on Recommendations

The following are the recommendations as presented in the 2013 Washoe County, Nevada Regional 911 Emergency Response Advisory Committee Five Year Master Plan Update. The original recommendations and goals are bolded. The indented, non-bolded wording reflects the status of activity on the recommendation. The current recommendations are presented later in this Planning document.

The recommendations listed below, were presented in the 2013 5-Year Plan and were based on research and findings. An assessment of the level at which each recommendation was addressed is noted for each item.

Plan for regionalization concept of Washoe County PSAPs

Establish working group to review and discuss options for sharing resources between PSAPs

Partially Addressed. A new Computer Aided Dispatch (CAD) system was implemented in 2015. The new system was an update to the existing Tiburon CAD system. At that time, the City of Sparks Emergency Dispatch Center opted to join the system. This brought all three primary PSAPs onto the same, shared CAD platform. Now, all primary dispatch technologies, including CAD, two-way radio, and Next Generation 9-1-1 are implemented and operational across all three PSAPs.

We also understand from our interviews and meetings that progress has been made on some integrated policies/procedures between Reno/Washoe. This process is ongoing.

Deploy a CAD data sharing technology

Mostly Addressed. This recommendation was addressed in the first recommendation (above) and in the implementation of the shared CAD system. However, a CAD to CAD interface between the Tiburon CAD System and the REMSA (secondary PSAP and medical response/transport within most of Washoe County) TriTech CAD system was presented to the Committee in the past few years, but not approved.

Begin preparations for Next Generation 911 features such as Text-to-911, pictures and video

Mostly addressed. Text-to-911 is implemented across all PSAPs in the West NG 911 system, but the public has not yet been notified. An official "roll-out" of Text-to-911 is planned for the April

2018 timeframe. The implementation (public notification) of Text-to-911 must be coordinated amongst all local primary PSAPs to ensure that the public understands its use and that the PSAPs are prepared for a potential increase in Text-to-911 activity. We understand that all appropriate PSAP personnel have been trained in Text-to-911 protocols.

Research and deploy data storage technology and legal storage procedures

Working group discussions on operational impacts of these features

Both items above are being addressed by PSAP management.

Research Voice over Internet Protocol (VoIP) surcharge payments and future technology changes related to VoIP

Fully addressed. In the last few years, Washoe County Technology Services has received significant increases in reported VoIP lines and associated surcharge payments. Although continued monitoring of all voice carriers is prudent, this recommendation may be considered as addressed.

Update list of funding priorities annually

Not addressed. The list of funding priorities was developed as part of the 2013 5-year Master Plan Update. At that time, due to limited funding, there was some competition between allowable requests. The idea was to have the Committee prioritize the allowable funding requests to assist in the decision-making process. The original list of examples of possible funding priorities were:

1. NG911 network and services (to include ALI)
2. PSAP call taking equipment
3. PSAP ancillary equipment
4. MSAG Coordinator position
5. GIS staff
6. CAD integration products and services
7. ProQA
8. Emergency Notification System (CodeRED)
9. Training
10. Back-up PSAP equipment
11. Secondary PSAP equipment
12. CAD equipment, services or maintenance
13. Mobile data
14. Public Safety two-way radios

The list was not meant to restrict funding for new technologies. The specific items on the list and the order of the priorities were to be determined and adopted annually by the Committee. However, the list was not reviewed after the initial presentation of the 2013 Plan Update. In early 2015, the Committee discussed creating a subcommittee consisting of PSAP Managers and Technology Services staff to provide guidance and recommendations to the 911 Emergency

Response Advisory Committee on Strategic Plan Funding Priorities and Objectives. The idea of the subcommittee was then dropped in May of 2015.

Since the surcharge will likely be increased, we anticipate less competition for funding. The constraint for funding approval will fall on the categories of allowable expenses and the approval of various requests by the E911 Advisory Committee and the Board of County Commissioners.

Develop vision statement and re-evaluate existing mission statement. Both vision statement and mission statement should be formally adopted by the Committee.

Partially addressed. For more information please see the “Mission Statement” and “Vision Statement” Sections of this document.

Employ the use of working groups, representative of the participating PSAPs, to review and report on funding requests.

Not addressed. The purpose of the working groups was to provide in-depth information, and possibly recommendations, to the committee on the viability of funding a request. The Committee members felt (at the time of the 2013 update) that they were often asked to approve a request that they had little knowledge of and that was presented to them for the first time at a Committee meeting. Use of some form of staff or “working groups” would help alleviate this issue.

Schedule product demonstrations and educational presentations for Committee meetings to keep the Committee members informed of new technologies, operations and issues related to PSAP operations

Partially addressed. Although some product demonstration and educational presentations have occurred, it is not as often as may be useful in the education of the Committee.

Develop shared PSAP statistical reports that provide value to Committee in making decisions on funding recommendations and identify areas of needed improvement

Not addressed. The use of a consistent report of standard PSAP parameters, such as call statistics, numbers of calls for service, and other parameters that indicate a PSAP’s efficiency and ability to meet “best practices” for a PSAP. This recommendation was intended to provide the Committee with some measure of due diligence in that the surcharge funding was appropriately approved.

Research the possibility of updating the NRS surcharge legislation in the following ways:

- **Increase surcharge maximum to \$1.00 from \$0.25**
- **Update training language to match more broad, Federal legislation**

Mostly addressed. The passing of State legislation in 2017 (SB 176) Increased the 911 surcharge maximum to \$1.00 from \$0.25. Although this increase was essentially to provide funding for law enforcement body and vehicle cameras, it allows for additional 911 funding. SB 176 and the

911 surcharge are discussed further under the “Background of the Regional 911 Emergency Response Advisory Committee” Section of this Plan Update.

The 911-related training language was essentially not modified - and is still not as broad as - the Federal language for allowable training with the 911 surcharge funds.

Encourage the State of Nevada to consider developing a Statewide 911 Coordinator position (Need for Statewide 911 Coordinator)

Not addressed. This is still an outstanding issue within the State and is addressed under the new recommendations.

Identify Committee members and other support staff to complete draft sections of the Bylaws. Finalize and adopt the revised bylaws within one year.

Not Addressed by the Committee

Receive regular briefings on other committees or projects within the State that may impact the Washoe County PSAPs

Not Addressed by the Committee. Most PSAPs have some attendance with the Nevada and national chapters of 911 organizations, but state activity is not consistently reported to the Committee. There is no known authorized attendance by the Committee with official State 911-related meetings.

Develop a process to complete or address each recommendation of this updated Master Plan. (Analysis of Activity on Recommendations)

Not addressed. The plan recommendations may be acknowledged by the Committee at the time of the approval of the Master Plan update, but there was rarely any follow-up on recommendations.

Personnel Interviewed

During our data gathering for the current Plan Update, including E911 and recording devices, we conducted interviews with the following participating personnel:

- 9-19-2017/12-13-2017 Teresa Wiley, Administration Division Manager, Sparks Police Department
- 12-13-2017 Lisa Rose Brown, Communications Supervisor, Sparks Police Department
- 12-13-2017 Lt. William Ames, Washoe County Sheriff's Office
- 12-13-2017 Sharon Goodman, Communications Supervisor, Washoe County Emergency Dispatch
- 10-11-2017, 12-13-2017 Jen Felter, Communications Supervisor, Washoe County Emergency Dispatch
- 12-13-2017 Heather McCrary, Communications Supervisor, Washoe County Emergency Dispatch
- 10-25-2017 Sara DeLozier Administrative Assistant II Technology Services, Washoe County.
- 10-11-2017, 12-13-2017 Karl Holden, Communications Supervisor, Washoe County Emergency Dispatch
- 10-10-2017, 10-12-2017, 12-13-2017 Jenny Hansen, Director, City of Reno Public Safety Dispatch
- 10-10-2017, 12-13-2017 Dena Moore, Manager, City of Reno Public Safety Dispatch
- 10-5-2017, 11-9-2017 Rishma Khimji, Assistant Director, Information Technology, City of Reno
- 11-9-2017 Bradley Bieth, Sr. Network Analyst, Department of Information Technology, City of Reno
- 10-12-2017 Byron (Mac) Venzon, Deputy Chief, Reno Police Department
- 10-12-2017 Al Snover, Lieutenant, Reno Police Department
- 9-1 to 12-31-2017 multiple meetings, Ron Soderblom, Department Systems Specialist, WCSO
- 9-1 to 12-31-2017 Multiple meetings Quinn Korbolic Ph.D., IT Manager, Regional Services, Washoe County, Technology Services
- 9-14-2017 Matt Dryden, Information Technology, Sparks Police Department
- 9-14-2017 Doug Campbell, Senior Systems Analyst, Sparks Police Department
- 9-14-2017 Chris Crawforth, Lieutenant, Sparks Police Department

Additionally, on 9-8-2017, we attended the meeting: "Technology Discussion on Body-Worn Cameras." Invitees included Lt. William Ames, Rishma Khimji, Brad Bieth, Dale Kaduk, Matt Dryden, Doug Campbell, and Quinn Korbolic.

During the development of this Plan Update, we met a number of times with representatives from Washoe County Technology Services, Sheriff's Office, Budget Department, District Attorney and County Manager's Office, to discuss the Plan Update progress.

The interviews were extremely valuable in collecting data for this document, as well as in determining additional topics for research. Many of the findings and recommendations in this document are a direct result of discussion and research items from these interviews.

Projected Regional Population and Impact on 911 Call Volume; Calls for Service, and 911 Revenue

Recent and projected regional population growth will likely increase 911 surcharge revenue and emergency call volume, as well as the number of Calls for Service (CFS)*. This is a measurable, ongoing increase that will have an impact on the emergency dispatch resources.

We can show the recent and projected upward trends in many areas that are directly related to Emergency Dispatch Operations. Some of the areas that indicate population growth and its impact on PSAP services include:

- Actual population growth and recent projections by multiple sources
- The number of provider reported lines to Washoe County Technical resources in relation the current 911 surcharge
- Quantity of total calls to 911 centers
- Amount of CFS generated by 911 calls and other factors.

The number of reported lines and the revenue generated by the surcharge on the additional lines could be considered a positive impact. These parameters, and others, will require monitoring. The new, allowable maximum 911 surcharge fund balance, although significant, will need to be reviewed as part of the ongoing assessment of the amount of the surcharge and anticipated obligations.

Other impacts that accompany population growth include the increase in PSAP activity, including call volume and incidents. This increase may result in higher workload, and potentially the need for additional staffing of various positions within the PSAPs.

*A call for service (CFS) is generally an event to which Public Safety personnel must respond to evaluate or take action, or an event that comes to the attention of, or initiated by police, fire or medical personnel that requires formal documentation, at a minimum.

Population

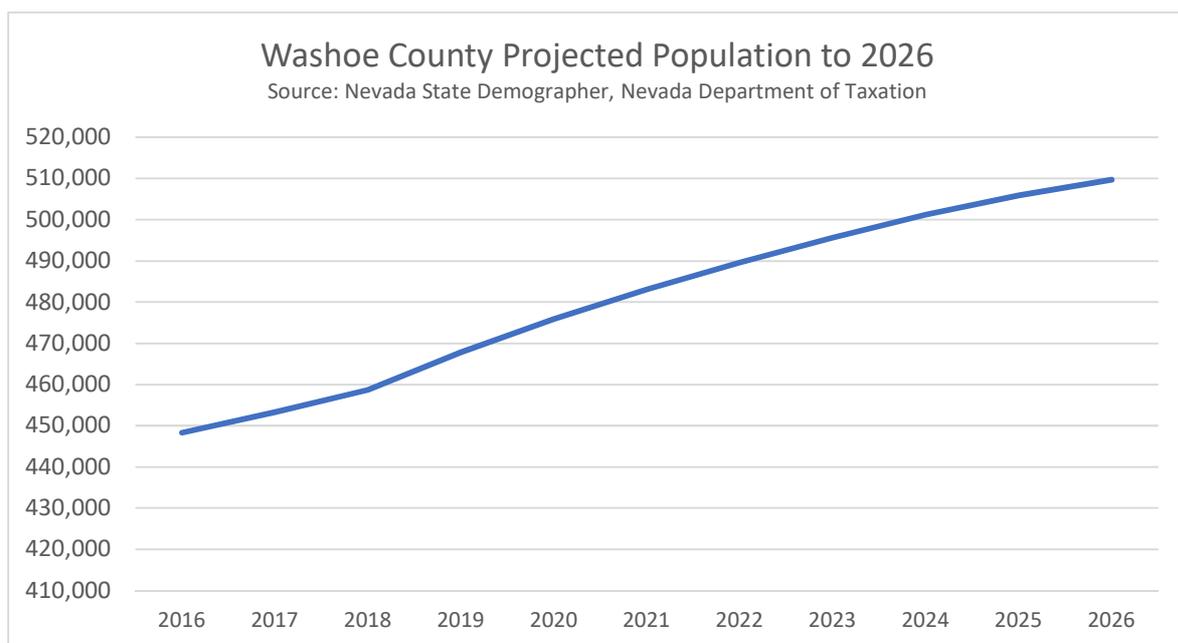
The Washoe County Website posted information on a 2015 report “Northern Nevada Regional Growth Study 2015-2016”. The report was commissioned by The Economic Development Authority of Western Nevada (EDAWN) on behalf of members of the Economic Planning Indicators Committee (EPIC)

The report provided four possible growth scenarios for a five-county study area comprised of Washoe, Storey, Carson, Douglas and Lyon Counties. The forecast indicates that the region will potentially see job growth between 47,400 to 56,600 and population growth ranging from 42,400 to 64,700 during a five-

year period (2015-2019). The posting and links to the report can be found at:

<https://www.washoecounty.us/outreach/2015/09/2015-09-01-EDAWN-growth.php>

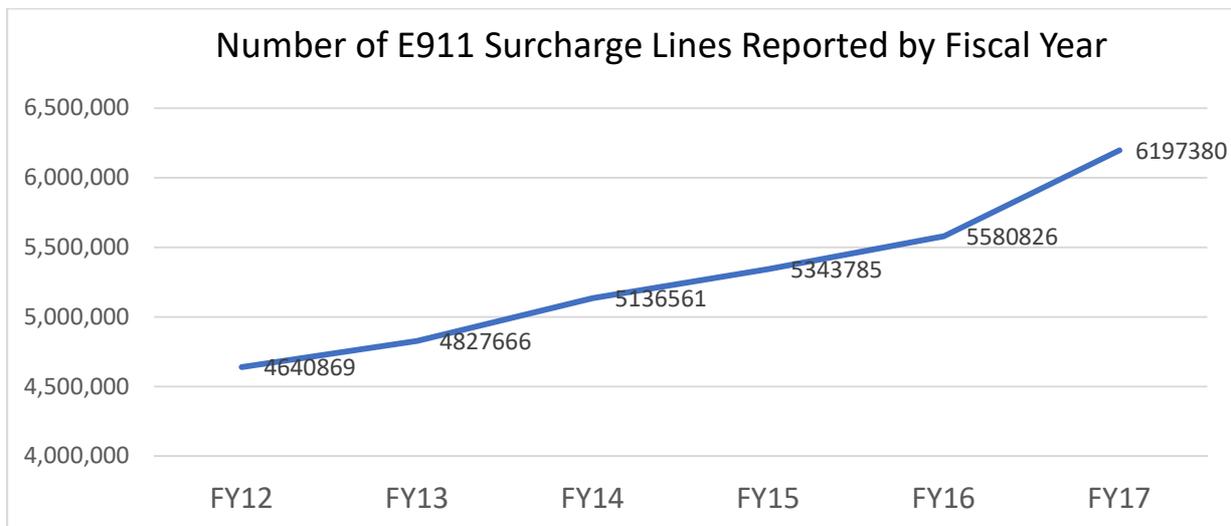
The Nevada State Demographer and Nevada Department of Taxation developed a 20-year population projection called: “Nevada County Population Projections 2017 to 2036 Final Draft As October 1 for Main Report.” In the report, many scenarios are used to compute the population projections. In a scenario specifically related to Washoe County, the report shows the county starting with a population of 448,318 in 2016 and reaching over 500,000 by 2024. In a graph of this projection scenario, we see a rise in the rate of increase around 2018. In all, this projection indicates an increase within Washoe County of 36,923 people in the five years from 2018 to 2023. The following chart depicts the Washoe County population projections under this scenario. The population projections indicate continued growth in the number of all lines (Land Line; Cellular & VoIP).



Upward Trend in Number of Reported Lines Collectable Under 911 Surcharge

We reviewed the number of vendor (carrier) reported lines and Trunks as provided to Washoe County Technology Services. Washoe County Technology Services manages the collection of 911 surcharge monies from the carriers. They also maintain the accounting of the collection and disbursement of these funds.

The following chart depicts the consistently upward, and recently accelerating, trend in the number of reported lines that are the basis of the surcharge, as collected by the County. We note that the number of “trunks” reported is decreasing. Trunks represent an older technology than most current lines, and presently represent less than 3% of the overall 911 funds collected. About 27% of the revenue in 2012 was represented by trunks, and that statistic has steadily declined. Current trunks would be replaced by less expensive digital technology.



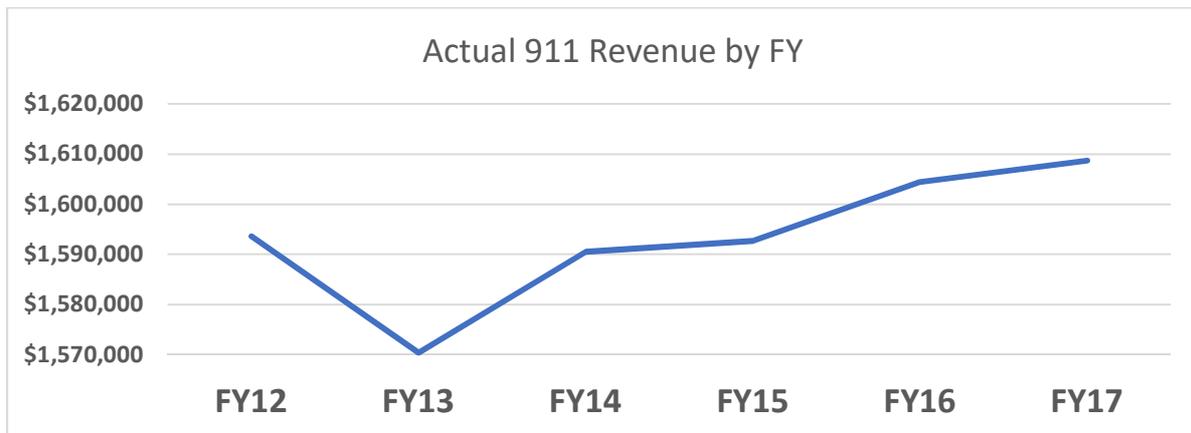
911 Surcharge Revenue

The 2013 5-Year Master Plan Update stated:

“...economic changes may impact the number of access lines used by consumers. If consumers are struggling financially and looking for ways to cut expenses, they may decrease the number of access lines they purchase or find other methods of communication.”

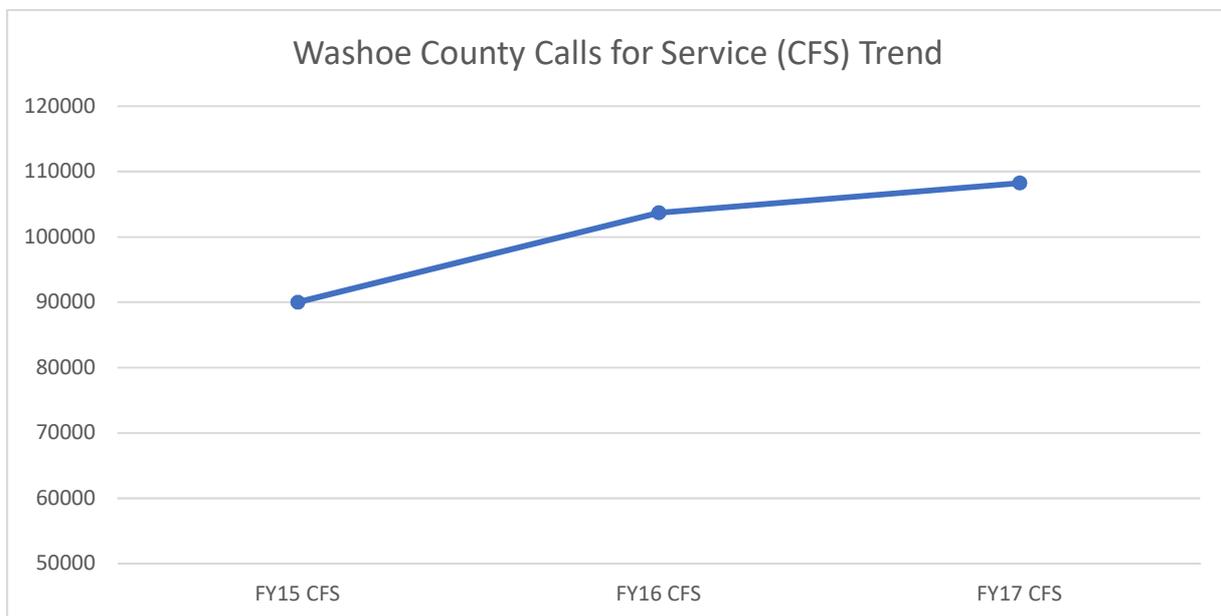
Although the comment is still true, the current economic situation in the region and all indicators show a continued upward trend in the number of lines for the next 5-year planning period.

The following chart depicts the revenue (at \$0.25 per line) since 2012. We note the (approximately) \$20,000 reduction of collected revenue in FY 2013. The overall reduction for 2013 appears to be the result of the elimination of a significant number of Trunks and a more gradual increase in lines for that year. However, revenue at \$0.25 per line has steadily increased since that time.



Increase in Calls for Service, PSAP Activity

The Reno, Sparks, and Washoe County PSAPs all presented operational statistics that show a trend in increased activity. The following is a chart of the number of calls for service for the Washoe County PSAP. Again, each PSAP shows similar trends. We anticipate continued increased activity as population increases continue.



Progress in Regionalization

In the previous 5-Year Master Plan Update, it was noted that a common theme heard during interview sessions was the interest in regionalization of PSAP operations. This was defined as not the same as

consolidation or co-location, but rather as the sharing of resources while maintaining individual PSAP locations and operations. As of the 2013 Plan Update, the 3 primary PSAPs in Washoe County shared a radio system (Washoe County Regional Communication System) and a Next Generation 911 network and call-taking equipment. As mentioned under “Accomplishments of The Committee”, Reno, Washoe County, and now Sparks, all share a CAD system.

These shared technology platforms provide the opportunity for developing more efficient policies and procedures. Tasks such as the ability to answer one another’s 911 calls, to enter calls for service in another jurisdiction, or to dispatch each other’s resources, are some of the potential uses of the shared technologies.

As mentioned in the 2013 Plan Update, it is important to note that the operational and management aspects of these possibilities are outside of the authority of the Committee. Each agency would need to determine their level of involvement. The participating PSAPs would then craft shared policies and procedures to reflect their participation. The Committee can recommend funding for technologies that make regionalization possible. We continue to hear the opinion that reflects a desire to share PSAP resources under certain conditions, while at the same time maintaining autonomy at each of the PSAPs.

Nevada Revised Statute (NRS) 244A.7641 through 244A.7647 and 2017 Senate Bill 176 (SB176)

The Regional 911 Emergency Response Advisory Committee (Committee) was originally formed based on State legislation designed to provide a funding source to enhance 911 services. The State surcharge legislation identified:

- How the Counties collect funds
 - Surcharge or special tax district
- Maximum rate each County can collect per access line per month for surcharge
- Maximum allowable amount of the fund balance
- What the funds can be used to purchase
- Master plan development requirement
- Penalties for delinquent payment
- Committee development
- Dispute resolution

Changes to Previous Legislation

As mentioned, Senate Bill 176 (2017) modifies many aspects of the previous legislation, and changes some of the points listed above.

In this section of the document, we have included some excerpts from the previous NRS legislation, and present some significant changes made with the passing of SB 176. We have primarily focused on the Financial, Committee composition, and Committee responsibility aspects of SB 176. The Section of this Plan Update, “Portable Event Recording Devices and Vehicular Event Recording Devices”, addresses more on SB 176 and the Law Enforcement operational and policy aspects of the use of “Event Recorders”.

We present some extractions of SB 176 2017. When presented, the blue, bold, italicized text represents additions to the original legislation, recently defined by SB 176.

5-Year Master Plan

Modification to previous legislation, regarding the addition of Event Recording Devices to the imposition of the 911 surcharge, related adoption of a 5-year master plan. SB 176 also defines the composition of the 5-Year plan and how frequently it needs to be reviewed:

Sec. 3. NRS 244A.7643 is hereby amended to read as follows:*

244A.7643

1. Except as otherwise provided in this section, the board of county commissioners of a county may by ordinance, for the enhancement of the telephone system for reporting an emergency in the county and for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, impose a surcharge on:

(a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and

(b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.

2. A board of county commissioners may not impose a surcharge pursuant to this section unless the board first adopts a 5-year master plan for the enhancement of the telephone system for reporting emergencies in the county or for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable. The master plan must include an estimate of the cost of the enhancement of the telephone system or of the cost of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable, and all proposed sources of money for funding those costs. For the duration of the imposition of the surcharge, the board shall, at least annually, review and, if necessary, update the master plan.

* "Omitted" wording was removed from this extraction. Please see full SB 176 Text, presented as an attachment.

911 Surcharge Increase

SB 176 changes the maximum amount of the 911 surcharge, charged to a Telecommunications provider, to one dollar. The definition as to the use of the funds is expanded to include certain expenses for "Event Recorders":

3. The surcharge imposed by a board of county commissioners pursuant to this section:

(a) For each access line to the local exchange of a telecommunications provider, must not exceed \$1 each month;

(b) For each trunk line to the local exchange of a telecommunications provider, must equal 10 times the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a); and

(c) For each telephone number assigned to a customer by a supplier of mobile telephone service, must equal the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a).*

* "Omitted" wording was removed from this extraction. Please see full SB 176 Text, presented as an attachment.

Until July of 2018, the maximum allowable surcharge, as defined in the State legislation, is \$0.25 per access line per month. SB 176 redefines the maximum allowable 911 surcharge, stating that it "...must not exceed \$1 per month". We again note that any increase must be preceded by the Board of County Commissioners, "adopting a 5-year master plan for the enhancement of the telephone system for reporting emergencies in the county or for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable". The master plan must include an estimate of the cost of the enhancement of the telephone system, or of the cost of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable, and all proposed sources of money for funding those costs.

Currently, at \$0.25 per line, Washoe County anticipates collecting about \$1,600,000 a year. With a reported quantity of lines (2017) at 6,197,380, a full \$1 increase would equate to about \$6.2 million dollars per year. This would be an increase of over \$4.5 million dollars. Again, the actual increase is based on foreseeable and allowable 911 and Event Recorder expenses. These expenses must be documented in the Updated Plan and approved by the Washoe County BCC. Please see the “Recommendations” Section and the “Cost” Section of this Updated Plan for further information on suggested surcharge increases.

911 Surcharge Fund Balance Increase

An important aspect of SB 176 is the increase in the annual “Fund Balance,” which was increased from \$1,000,000 to \$5,000,000. This is significant in assisting with planning for funding longer-term projects and providing additional flexibility to expenses that may greatly fluctuate from year to year. However, the fund balance must be continually reviewed and “..the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$5,000,000.”

SB 176:

4. If the balance in the fund created in a county whose population is 100,000 or more pursuant to subsection 3 which has not been committed for expenditure exceeds \$5,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$5,000,000.

Allowable Expenditures

The NRS surcharge legislation specifically defines how the 911 surcharge funds can be used. Per the NRS, inclusive of any modification by SB 176:

3. If a surcharge is imposed in a county pursuant to NRS 244A.7643, the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to NRS 244A.7643. The money in the fund must be used only:
 - (a) ***With respect to the telephone system for reporting an emergency:***
 - (I)*** In a county whose population is **45,000 or more**, to enhance the telephone system for reporting an emergency, including only:
 - (I)*** Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;
 - (II)*** Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;
 - (III)*** Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(IV) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(2) In a county whose population is less than 45,000, to improve the telephone system for reporting an emergency in the county.

(b) With respect to purchasing and maintaining portable event recording devices and vehicular event recording devices, paying costs associated with the acquisition, maintenance, storage of data, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.

5. “Telephone system” means a system for transmitting information between or among points specified by the user that does not change the form or content of the information regardless of the technology, facilities or equipment used. A telephone system may include, without limitation:

(a) Wireless or Internet technology, facilities or equipment; and

(b) Technology, facilities or equipment used for transmitting information from an emergency responder to the user or from the user to an emergency responder.

6. *“Vehicular event recording device” means a device which is affixed to a marked vehicle of a law enforcement agency, as defined in NRS 289.830, and which records both audio and visual events.*

As mentioned in 2013, it is important to point out that the reference to transmitting information between the user and the emergency responder does not identify who the user is intended to represent. It is possible that the user is intended to represent the caller, requesting emergency assistance. For the purposes of this analysis, and with the consensus of the interview participants, including the Washoe County Deputy District Attorney, that is the assumption used in the 2013 and 2018 Plan Updates.

At the time of the previous Plan Update, the consensus we received in all of our interviews, including with the Washoe County Deputy District Attorney, was that the interpretation of transmitting information between the user and the emergency responder would include methods of communication, such as Computer Aided Dispatch (CAD) and specific use of two-way radios. There is still some discussion about the use of funds for radio communications related to 911 calls and how that will be defined and managed.

With the ability to increase the 911 surcharge, it is no longer necessary for the Committee to prioritize its funding recommendations. Previously, CAD and two-way radio purchases could have easily absorbed the entire 911 surcharge fund. With planning, and a definitive definition of allowable radio expenditures, this is no longer the case.

Additionally, it is important to point out the reference to allowable training costs in the fund. The language that states “Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system” is very narrow and specific. As mentioned in 2013, if the

Committee wishes to use the surcharge funds for training outside of this definition, the legislation may need to be updated. Federal legislation provides a broader definition of allowable training expenditures and may be used as the basis of changes to State legislation.

The Next Generation 9-1-1 Advancement Act of 2012, Subtitle E of HR3630, states:

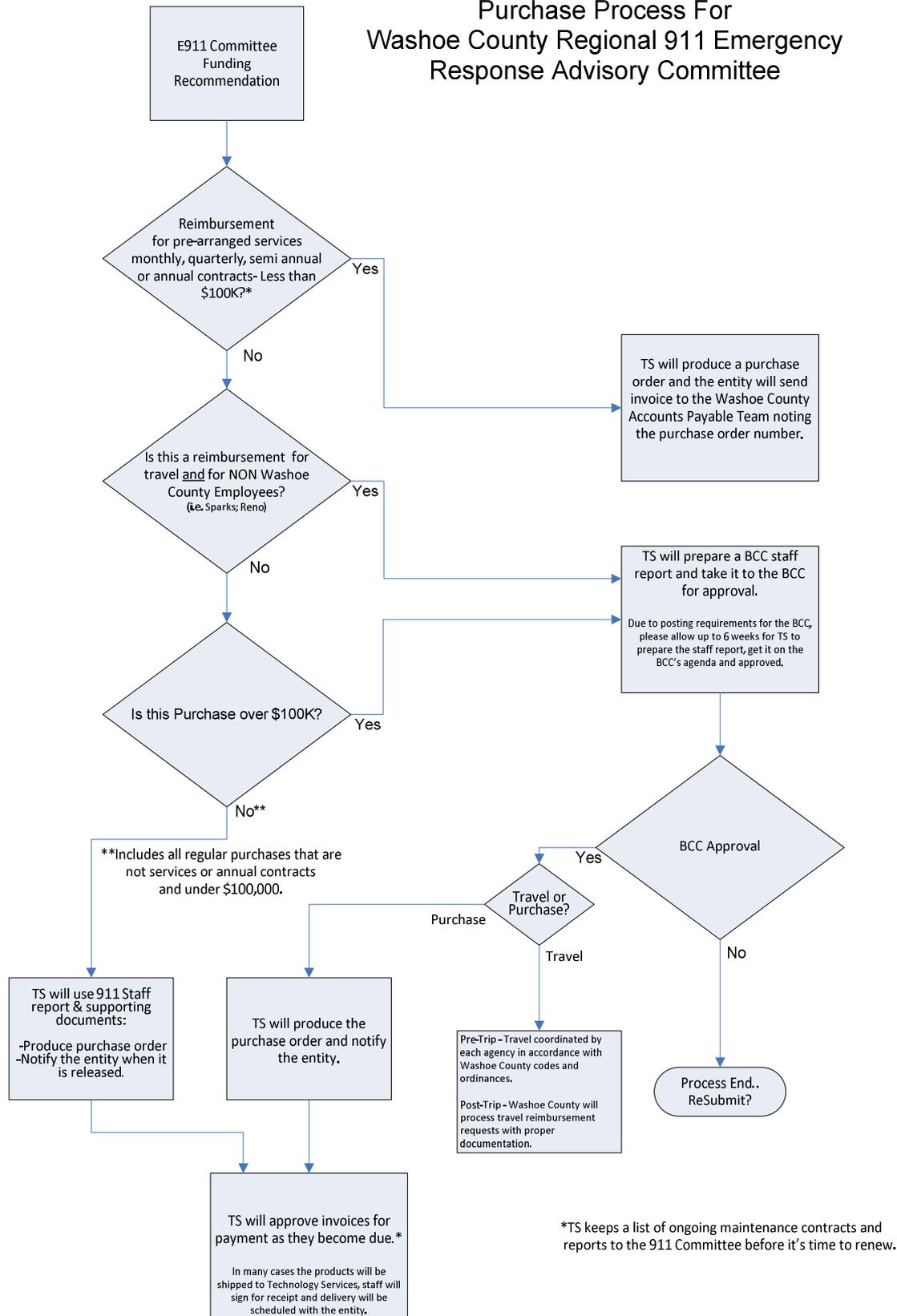
“training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 9-1-1 services.”

The Committee may desire to bring the State legislation into alignment with the Federal model.

Purchase Process

The diagram on the next page outlines the purchase process that follows a funding recommendation made by the Committee. This diagram includes new purchases, previously approved, recurring expenditures, and travel/training funds. This diagram was reviewed and updated by Washoe County Technology Services for the 2018 Plan Update.

Purchase Process For Washoe County Regional 911 Emergency Response Advisory Committee



Funding Options

The State legislation has not modified the two options for Washoe County to collect 911 funds. The first option is the surcharge per access line per month, which is how Washoe County currently collects funds. The second option is the development of a special taxing authority.

For the purpose of this report, we reviewed and discussed the two options for Washoe County. In our research and our interview discussions, we determined that the current method of collecting funds through a surcharge is working well for Washoe County, and we do not recommend that it be changed at this time.

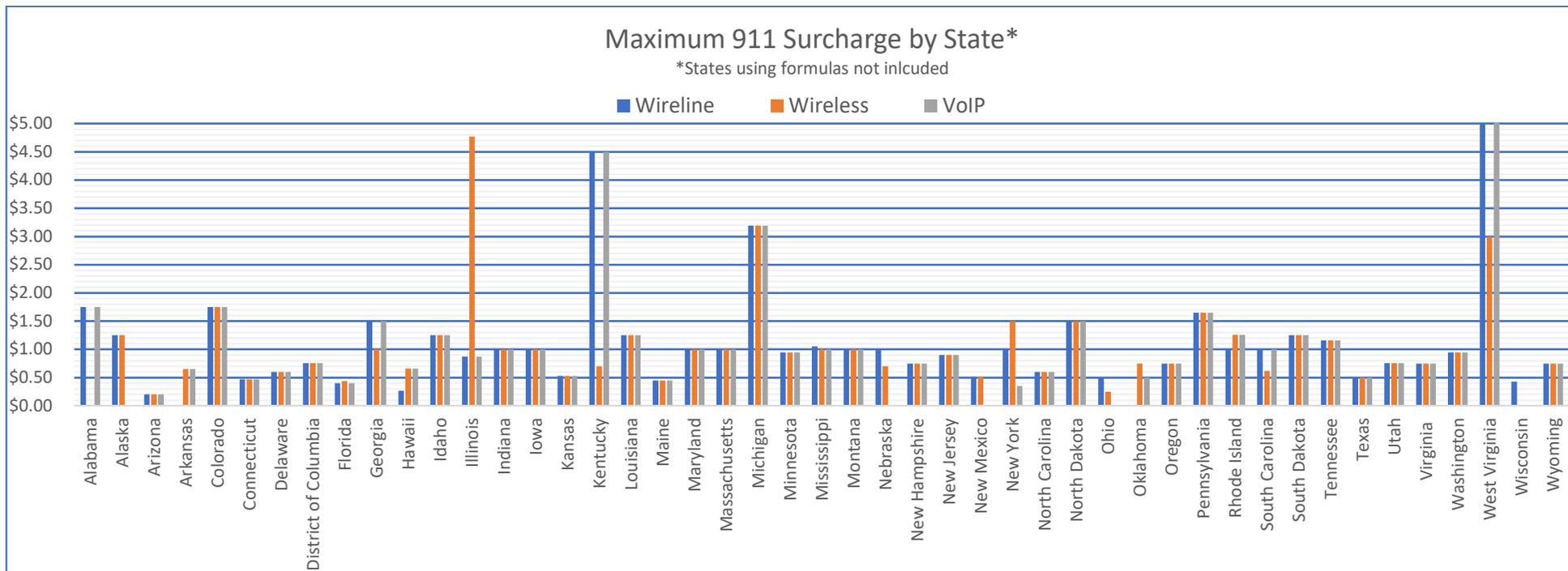
Surcharge Comparison to Other States

In our research in 2013, and again for this 2018 Plan Update, we looked at other States in the United States and the amount of the 911 surcharge they collect. In some cases, States elect to use a different method of 911 funding rather than the access line surcharge. Also, some States have only one surcharge for the State, while some collect both a State and a local surcharge. When we removed the variables of the tax-based 911 fund States, at \$0.25 per line, Nevada is still currently ranked as the second lowest surcharge amount in the Nation (along with one other state). Nationwide, the surcharge ranges from \$0.20 at the lowest (Arizona), to \$4.50 and \$5.00 at the highest (Illinois, West Virginia). The average surcharge for Wireline, Wireless and VoIP is \$1.06 per line.

For reference and comparison purposes, the following chart provides information on Nationwide 911 surcharge rates by state. The information was obtained from the National Emergency Number Association (NENA) and the data may be found at:

<http://www.nena.org/?page=911ratebystate&terms=%22911+and+surcharge+and+state+and+2017%22>

Some States were removed from the comparison as they do not collect surcharge funds in a comparable manner.



Source: National Emergency Number Association (NENA) Feb. 2017: <http://www.nena.org/?page=911ratebystate&terms=%22911+and+surcharge+and+state+and+2017%22>

Portable Event Recording Devices and Vehicular Event Recording Devices

In the following Sections, we address the 5-Year Master Plan requirements to meet 2017 State legislation (SB 176) necessitating certain law enforcement agencies in the State of Nevada to utilize the use of Body-Worn Cameras (BWC) and In-car Recorders, also referred to as Portable Event Recording Devices and Vehicle Event Recording Devices. The new legislation affects many aspects of the existing Washoe County Regional 911 Emergency Response Advisory Committee and its responsibilities. The legislation allows for the funding of most elements of the Event Recording Devices to be derived from an increase in the 911 surcharge. SB 176 states that for a County with a population of that of Washoe County:

“If a surcharge is imposed in a county pursuant to NRS 244A.7643, the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to NRS 244A.7643....
...With respect to purchasing and maintaining portable event recording devices and vehicular event recording devices, paying costs associated with the acquisition, maintenance, storage of data, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.”

SB 176 also redefines the membership of the Washoe County Regional 911 Emergency Response Advisory Committee. Please refer to SB 176, Presented as Appendix A.

Opposition to SB 176

Documents submitted in opposition to SB 176 at the time of the introduction of the legislation and highlighted by some of the interviewees for this Updated Plan indicate some apprehensions over SB 176. There is a stated concern that the Federal Communications Commission (FCC), or by Federal legislation, may preclude Washoe County, City of Reno and the City of Sparks from 911 grant funding. This concern extends to possibly preventing the collection or distribution of surcharge funds. This issue is based on the perception that the use of 911 funds for “Event Recorders” could be considered as “other than 911 use.” At this time the funding of Event Recorders has not been identified as a misapplication, but we note the concern.

Body-Worn and In-car Camera Overview

Over the last several years, Body-Worn Cameras have become more prevalent in police work. In-car camera systems have been around much longer. There are many benefits to implementing a body-worn

or in-car camera program, but there are costs involved as well. There can also be problems if the implementation process is not well thought-out.

In 2017, the Nevada General Assembly passed SB 176, which requires most law enforcement agencies in the state to equip their uniform officers with a “personal event recording device”, also known as body-worn cameras. This requirement also requires departments to develop policies for their jurisdictions, which officers must follow.

Body-worn and in-car cameras systems have three main components: the camera itself, data/video transfer point or method, and data/video storage. Each of these components has impacts on the complete system and must be considered in deploying body-worn and in-car camera systems. The following Sections will discuss each of these components in more detail.

Cameras

There are many camera systems available to law enforcement, but not every camera system is the right fit for every agency. The following are a few considerations when selecting a body-worn camera system:

- **Frame rate** - 30 Frames per Second (FPS) is the recommended industry standard. (Less than 30 FPS will result in choppy video similar to older security cameras.)
- **Pre-event or “buffering”** - Is a common and useful feature on many body-worn camera systems. Pre-event recording will help capture what caught the officers/deputies attention and their reaction. The pre-event feature records a video segment 10 to 30 seconds prior to the activation of the record button. It is recommended to set this feature as a video only playback (not audio) to avoid capturing private conversations.
- **Image quality** - 720p is becoming the industry standard. Because the frame size is larger, it is more likely to capture relevant video from an officer in a bladed stance with a chest mounted camera. Many agencies find a lower resolution of 480p to be adequate; however, the lower the resolution, the less crisp the image. Higher resolution video produces higher quality images; however, storage costs are more expensive because the video has more data.
- **Automatic Camera Activation “Event Triggers”** – Some of the larger body-worn camera manufacturers/distributors have incorporated automatic camera activation technology into their camera systems so that the camera automatically turns on at critical moments, regardless of whether the officer activated it. These include: when an officer is dispatched on a call for service, when a handgun is removed from the holster, when an electronic control device is

turned on or retrieved from the holster, when “pepper spray” is removed from the holder or when a baton is removed from its holder. In-car camera systems can have automatic triggers, such as when the light bar is activated or when a certain speed threshold is met.

- **Remote Viewing** - Is a less common feature. This allows incident commanders to remotely view body-worn camera video in a live feed.
- **Battery Life** - Is a critical consideration when purchasing a body-worn camera system. Depending on shift length, some cameras may not last an entire shift, especially if using pre-event recording. In-car camera systems are not typically affected by battery life.

Video Download/Data transfer

- **File transfer** – Most camera systems require docking stations, have the ability to download data (video files) over Wi-Fi, or require a USB connection. Some systems integrate with in-car camera systems so that all files for the same event are stored together. Older in-car camera systems use thumb drives or the removal of a hard drive in order to be downloaded in the station. Newer models rely on Wi-Fi download.
- **In-field video event “tagging”** – Each video requires additional input from officers to identify what incident the video/data corresponds to. This may be a logistical issue at the police station or in a police vehicle. There are many choices when it comes to in-field tagging or marking of video for storage. Some cameras allow officers to view the video in the field and to enter metadata, such as a case number or citation number, while others require officers to return to the station to add the data. Some pair with smart phones, while others have only a small LED field to enter the type of call. This can add considerable work, and takes officers out of the field, depending on the equipment selection.
- **Camera hardware and software selection** - Camera quality is just one dimension in selecting a body-worn camera vendor. Consideration of the back-end software is equally important, as it can require significant resources and effort in an agency’s body-worn camera program. Some systems are user-friendly, making it easy to retrieve video or add case information, while others are very limited in their function and require training.
 - Sharing video is also a key consideration in the back-end software. Some systems allow users to share a video link, while others require use of another medium, such as a DVD or thumb drive. Consideration should be given regarding the transfer of video to the District Attorney for prosecuting cases.

Data Storage

SB 176 requires that portable event recorder video/audio be stored for a minimum of 15 days; however, all video relating to a criminal investigation must be retained for at least the statute of limitations for the crime that may have been committed. This means, in some cases, the video must be stored indefinitely. A 15-day minimum storage time for non-criminal encounters is typically shorter than that of most departments. Some departments choose to store their data with a cloud-based vendor, while some choose to store their data on internal servers. Others use a hybrid approach, where criminal case data is stored on a cloud-based service and non-criminal video is stored on internal servers. There are logical reasons to choose either approach, but more departments are choosing the cloud-based storage option. One of the main reasons departments choose a cloud-based approach is because it eliminates the need for dedicated IT staff to manage the program once it is installed. The second reason is cost. While cloud-based solutions initially had some undefined costs, many vendors now offer a fee-based, unlimited storage option that allows departments to budget for known costs over the length of a contract.

When in-car camera systems became more common, most systems used DVDs as a storage solution. The officer would download the files onto a DVD and then place them into evidence. Most current in-car camera systems now use Wi-Fi to download video onto a server, either in-house or cloud-based. Body-worn camera systems typically download onto a server, either in-house or cloud-hosted, which eliminates the need to produce DVDs for each case and allows data to be shared with the prosecutor's office. Additionally, this also eliminates the time needed to make DVDs and logistics to store them as evidence.

Body-worn and in-car camera data is still considered evidence, but current best practice is to have that data managed by the records unit of a police department. The two main reasons for this are: the records division/unit typically already handles public records requests; and body-worn camera data is typically stored by case number, which would correspond to police report numbers.

Infrastructure Needs

Most departments will require infrastructure improvements to implement a body-worn or in-car camera program. Whether an agency uses a cloud-hosted system or uses internal servers, there are increased infrastructure needs. Typical infrastructure requirements include:

- **Additional Outlets for Camera Recharging Stations (Camera Docks)** – Most body-worn camera systems require charging/docking stations that also require electrical outlets. A typical charging station can charge 6 to 12 cameras at a time. Depending on where the charging/docking stations are located and how many are deployed or stored at that location, there may be additional outlets required to be installed.
- **Additional Intranet Access Points** – Charging/docking stations require an intranet connection. The cameras can upload data over the intranet connection while they charge. If an agency uses internal servers for data storage, there is still a need for an Ethernet connection. Additionally, some units use Wi-Fi to download video to a server or to cloud-based services. Many of the newest in-car camera systems use a Wi-Fi connection to download data.
- **Recharging Racks** – If multiple cameras are to be charged at a location, racks provided by the vendor are typically used.
- **Increased Bandwidth** – Depending on the number of cameras deployed, the resolution, and the length of videos, increased bandwidth may be required. At least 100 Mbps upload speed is recommended in most settings.

Personnel Needs to Support a Body-Worn or In-Car Camera Program

There are several areas where body-worn or in-car camera programs have an impact on personnel. Depending on whether an agency uses a cloud-based system or internal storage, those impacts are different, but in no case, did we find that there was a significant impact. State public records laws tend to have the biggest impact on personnel. States that don't allow agencies to charge for records or states that allow unlimited video requests, require more personnel or time. States that require blurring of individuals also require more personnel or time. The District Attorney can also impact staffing needs. If the District Attorney requires video to be submitted on CD or DVD, it will require additional time to submit a case with video evidence. Typical personnel impacts include:

- **Officer/Deputy Review Time** – If the agency allows video review before an officer or deputy writes their police report, report-writing may take longer, and could contribute to overtime or longer periods of unavailability between calls.
- **Officer/Deputy Camera Checkout** – Depending on how agencies issue cameras, there can be extra time to assign and checkout each camera at the beginning of each shift.
- **Equipment Issues** –Occasionally, cameras malfunction and have to be replaced, much like other police equipment. This requires the agency to have backup cameras available for issue, and

requires the agency to have a person who is in charge of reissuing cameras on each shift - typically a supervisor.

- **Information Technology** – Regardless of whether an agency uses a cloud-hosted solution or internal servers, there is little impact to IT once installation is complete. If the video is internally hosted, IT staff must monitor the server to make sure they are updated, ensure cameras are properly downloading, issue new cameras when one breaks, and make sure there is adequate storage for additional video. This is typically an add-on responsibility to existing personnel, and not a full-time position. If an agency does not have a robust IT department, cloud-based solutions are much easier to employ. For cloud-based solutions, typical impacts are issues with firewalls or computer updates that conflict with internet applications.
- **Records Division** – Most departments utilize their records division to perform public records requests. NRS 239 allows agencies to recover the true cost of producing a document; however, “such a fee must not exceed the actual cost to the governmental entity to provide the copy of the public record unless a specific statute or regulation sets a fee that the government entity must charge for the copy. A governmental entity shall not charge a fee for providing a copy of a public record if a specific statute or regulation requires the governmental entity to provide the copy without charge.” SB 176 limits requests to a per incident basis. Additionally, an agency has to manage body-worn camera video that is stored. Retention periods are set by policy, but someone must be in charge of managing the database, whether it is cloud-hosted or on internal servers. This role is typically managed by a records supervisor or sworn supervisor.

We contacted several departments that currently use body-worn cameras for this project. Most of the agencies we contacted use Axon. Here is the feedback we received relating to staffing:

- **Eugene Police Department** (Eugene, OR). 190 Sworn, deploy 162 cameras. Have used Axon since July 2017.
 - No added IT Staff
 - Did not add staff for redaction, but believe they may need one more person. *Oregon law requires that all faces on the video be blurred (Officers and community members alike).
- **Alameda County Sheriff’s Office** (Alameda, CA). 1500 Sworn. Have used Axon for about 2 years, different vendor prior to that for three years.
 - No added IT Staff.
 - 1 person does redaction.

- **Boise Police Department** (Boise, ID). 300 Sworn. Deploy 250 cameras. Use Axon. Started deploying in 2016.
 - No added IT Staff
 - Added one person to redact and do public records requests.

- **Wichita Police Department** (Wichita, KS). 634 Sworn. Deploy over 400 cameras. Have used Axon for about two years.
 - No added IT Staff
 - Have two people dedicated to redaction, public records for BWC.

- **Twin Falls Department** (Twin Falls, ID). 190 Sworn, 60 cameras. Have used Axon since spring 2017.
 - No added IT Staff
 - Used existing staff for redaction or public records requests.

- **Ogden Police Department** (Ogden, UT). 143 Sworn.
 - No added IT Staff
 - Used existing staff for redaction or public records requests.

Note the Following:

- **No agency that we have contacted has added IT staff when using Axon or a similar cloud-based service.**
- **Some agencies have added 1 or 2 people for redaction or public records requests, but most have used existing staff.**

Axon Body-Worn and In-Car Camera Systems

We have reviewed the quotes from Axon to provide body-worn camera systems to the Reno Police Department, Sparks Police Department, and the Washoe County Sheriff's Office. The quotes are consistent with quotes that we have seen from other agencies. The quotes are inclusive of unlimited storage and also include camera replacements at certain intervals. The quotes also include the use of Evidence.com, which is an industry-leading backend software product. The contracts would be for 5 years of storage, set at a fixed rate, over the life of the contract. We have field-tested both Axon cameras and Evidence.com in the past, and found them to be reliable and easy to use. Initially, Axon did not have a fixed price for data storage, as it could have resulted in large, unaccounted-for, cloud-hosted data storage fees. Axon has changed their pricing structure to address this earlier concern. Individual infrastructure improvements are not included.

Body-Worn and In-car Camera Policy Considerations

SB 176 (2017) is specific in many aspects of the use of Body-Worn and In-car Cameras, as well as the storage and retention of the data. In part, SB 176 establishes the following:

- Requires agencies to have a written policy prior to the deployment of cameras.
- Mandates that the agencies establish disciplinary rules for officers who fail to operate a body-worn camera in accordance with departmental policies, including intentionally manipulating a video recorded by a body-worn camera or prematurely erasing a video.
- Requires that a body-worn camera be activated “whenever a peace officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter between a uniformed peace officer and a member of the public.” The camera must remain on until the conclusion of a law enforcement or investigative encounter.
- Prohibits the recording of general activity.
- Allows exceptions to recording to protect the privacy of persons: in a private residence or for persons seeking to report a crime or provide information regarding a crime or ongoing investigation anonymously, or a person claiming to be a victim of a crime.
- Requires all video to be stored a minimum of 15 days, though best practice is to store non-evidentiary video between 30 and 180 days so that departments have access to video in case a complaint is filed.

Cost Estimate, 5-Year Master Plan for 911 Enhancements and Purchasing and Maintaining Portable and Vehicular Event Recording Devices

In this Section, we present the estimated 5-year costs for enhancing and maintaining 911 emergency dispatch equipment and other allowable 911-related expenses, as defined by current legislation. We also present the 5-year cost estimate of purchasing and maintaining portable (Body-Worn Cameras or BWC) and Vehicular (in-car) Event Recorders. Following the 911 and Event Recorder estimated expenses, we present options for the 5-Year average 911 surcharge amount needed to meet these estimated costs.

Basis of Costs as Presented

The 911-related costs are a compilation of existing costs plus, new hardware, software, maintenance, and other projected expenses as presented by management of the Agencies with primary PSAP operations. The Body-Worn Camera and in-car camera costs are based on vendor quotes, ancillary hardware, and implementation costs, as provided by each involved law enforcement agency. Some of the estimated 911-related costs are also based on recent, direct knowledge of similar purchases with other agencies, nationwide. We also included additional contingency funding as indicated in the following charts. Personnel for support of the Body-Worn Camera and in-car camera systems, were not included.

The tables of the estimates are a rollup of the numerous individual cost items presented by the agencies.

Final Expenses Require Committee Approval

As stated in the previous Plan Update, in our discussions with the Washoe County legal counsel for the Committee, the authority of the Committee was identified as residing within the weight of their recommendations to the BCC.

We again note: any entity or individual requesting a funding recommendation from the Committee should provide enough information and justification for the expenditure for the Committee to make the funding recommendation. It is well within the authority of the Committee to withhold their recommendation(s) due to a lack of information or justification. Recommending funding for technological advances to assist in the improvement of emergency dispatch services, or for Body-Worn or In-Car Cameras, is under the purview of the Committee. Historically, it has been the opinion of the

PSAP management and Committee members that the Committee's function stops at the operation of each PSAP.

There was a new County policy under development at the time of finalizing this Plan Update. The policy, "Washoe County Board of County Commissioners' Policy" on "Use of 911 Surcharge Funds for the Body Camera Mandate Set Forth in Nevada Senate Bill 176 (2017)." The Policy defines a number of requirements related to the use of the 911 surcharge funds for body worn and in-car camera systems. The Policy is presented as Appendix C.

Total Estimated 911 Related Cost for Next Five Years

9-1-1 Cost Item Current and Projected 911 Costs	FY 2018-19	2019-20	2020-21	2021-22	2022-23	Total 5-Year Cost
FY 18 Known Commitments <small>Includes 3% yearly increase each FY</small>	\$1,635,853	\$1,684,929	\$1,735,476	\$1,787,541	\$1,841,167	\$8,684,966
Additional Items <small>Hardware, Maintenance, Additional Training; New items Not Currently in Known Commitments</small>						
Reno P25 Dispatch Radios in FY 19 & 20	\$7,500	\$144,500	\$107,500	\$6,500	\$7,500	\$273,500
Washoe County <small>Includes training facilities and new Dispatch positions</small>	\$211,467	\$340,000	\$140,000	\$140,000	\$140,000	\$971,467
Sparks	\$61,175	\$41,790	\$73,575	\$56,500	\$59,080	\$292,120
Contingency @ 7%	\$134,120	\$154,785	\$143,959	\$139,338	\$143,342	\$715,544
Committed and Projected Operational Total	\$2,050,115	\$2,366,004	\$2,200,510	\$2,129,879	\$2,191,089	\$10,937,596
Additional Major Projects						
Regional Back-up Site <small>Optional but Recommended: Includes PM and implementation (est. only)</small>	\$75,000	\$75,000	\$2,500,000	\$150,000	\$150,000	\$2,950,000
Major Project Totals	\$75,000	\$75,000	\$2,500,000	\$150,000	\$150,000	\$2,950,000
Committed, Projected and Projects TOTAL:	\$2,125,115	\$2,441,004	\$4,700,510	\$2,279,879	\$2,341,089	\$13,887,596

Expenses used to develop this estimate are inclusive of existing, encumbered, and ongoing expenses; items and cost estimates for the next five years as provided by each PSAPs management and associated Information Technology Departments; contingency funding; and a major project.

Total Estimated Event Recorder Cost for Next Five Years

Agency	Number of Cameras (Units)	Cost Per Month Per Camera 5 Year Average	Year 1	Year 2	Year 3	Year 4	Year 5	Total 5 Year Cost
Reno Police Department ¹	326	\$110.39	\$469,752	\$422,388	\$422,388	\$422,388	\$422,388	\$2,159,304
Washoe County Sheriff's Office	150	\$79.30	\$168,584	\$136,277	\$136,277	\$136,277	\$136,277	\$713,690
Sparks Police Department	140	\$84.46	\$189,189	\$130,074	\$130,074	\$130,074	\$130,074	\$709,484
BWC TOTALS	616	\$96.93	\$827,525	\$688,738	\$688,738	\$688,738	\$688,738	\$3,582,478
Vehicle Cameras								
Reno Police Department	140	\$137.82	\$492,380	\$166,320	\$166,320	\$166,320	\$166,320	\$1,157,660
Washoe County Sheriff's Office ²	60	\$201.86	\$427,176	\$74,880	\$74,880	\$74,880	\$74,880	\$726,696
Sparks Police Department	41	\$149.02	\$151,397	\$49,908	\$49,908	\$49,908	\$49,908	\$351,029
Vehicle Camera TOTALS	241	\$154.59	\$1,070,953	\$291,108	\$291,108	\$291,108	\$291,108	\$2,235,385
Total (BWC + Vehicle)			\$1,898,478	\$979,846	\$979,846	\$979,846	\$979,846	\$5,817,863
Total Recurring Costs (All Agencies)			\$45,227	\$45,227	\$45,227	\$45,227	\$45,227	\$226,137
Total (All Agencies) Additional (one-time costs)			\$379,360	\$0	\$0	\$0	\$0	\$379,360
Contingency (10% of Cam costs)			\$189,848	\$97,985	\$97,985	\$97,985	\$97,985	\$581,786
TOTAL			\$2,512,913	\$1,123,058	\$1,123,058	\$1,123,058	\$1,123,058	\$7,005,147

¹ Reno PD "Cost per month per Camera" includes pricing for electronic integration feature

² Washoe County Sheriff's Office vehicle camera pricing includes some installation/trainings, listed under one-time costs for other agencies.

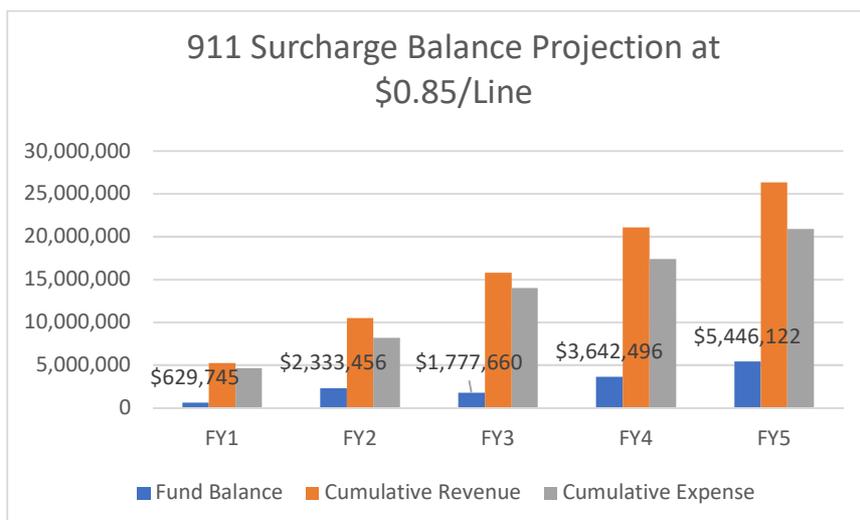
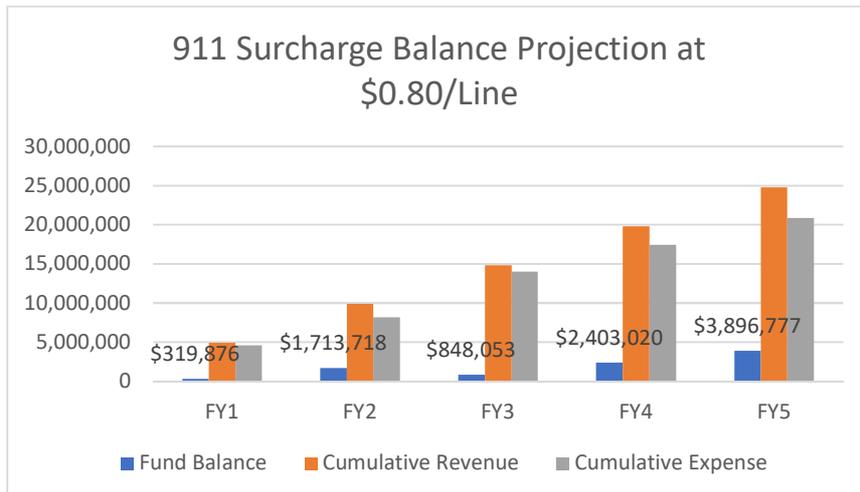
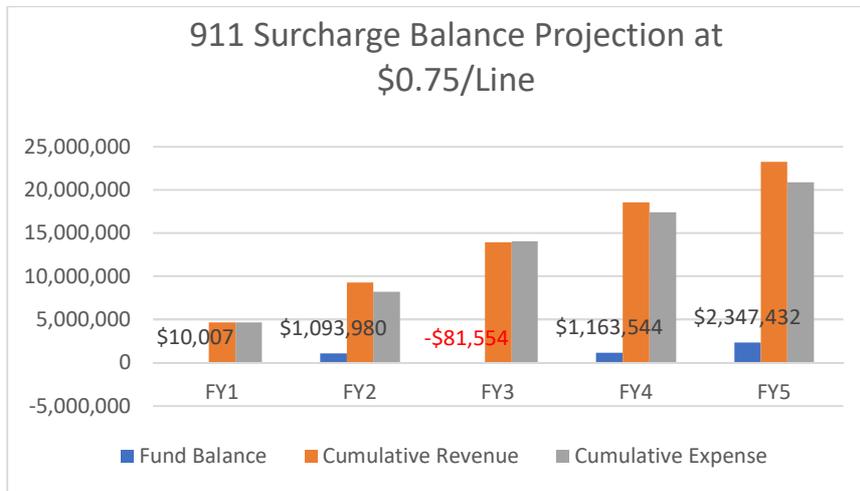
Combined Total Estimated 911 and Event Recorder Cost for Next 5 Years

Event Recorder and 911 Costs	FY 2018-19	2019-20	2020-21	2021-22	2022-23	Total 5 Year Cost
Event Recorder Costs Body-Worn and In-Car	\$2,512,913	\$1,123,058	\$1,123,058	\$1,123,058	\$1,123,058	\$7,005,147
911 Committed, Projected and Major Projects:	\$2,125,115	\$2,441,004	\$4,700,510	\$2,279,879	\$2,341,089	\$13,887,596
TOTAL Estimated 911 & Event Recorder Costs	\$4,638,028	\$3,564,062	\$5,823,568	\$3,402,937	\$3,464,148	\$20,892,743

- The *average* yearly estimated expenses are **\$4,178,549**
- A surcharge set at \$0.85 per line would generate approximately **\$5,267,773** of revenue, per year
- The *unencumbered* Fund Balance could reach (based on projections) **\$5,446,122** in year 5
- A surcharge set at \$0.75 has a projected fund deficit in year 3.

5-Year Projected 911 Fund Balance at \$0.75, \$0.80, and \$0.85 a Line,

The following charts present the estimated 911 fund balance for 3 surcharge scenarios over 5 years:



Recommendations

The following list of recommendations is based on our research and findings. The relevant findings for each recommendation are referenced in parenthesis following each recommendation.

New 911 Surcharge Calculation

This Plan, including the current and estimated 911 and Event Recorder expenses were presented to the Washoe County Regional 911 Emergency Response Advisory Committee on January 18th, 2018. The Committee voted to approve the plan with a modified, recommended surcharge of \$0.85.

Based on the compilation of current and estimated expenses for 911 and Event Recorders over the next 5 years and the calculation of probable income over that period, we calculate that with the initial 911 surcharge rate of \$0.85 per line:

- The **average** yearly estimated expenses are **\$4,178,549**
- A surcharge set at \$0.85 per line would generate approximately **\$5,267,773** of revenue, per year
- The *unencumbered* Fund Balance could reach (based on projections) **\$5,446,122** in year 5
- A surcharge set at \$0.75 has a projected fund deficit in year 3.
- A number of 911 projects and needed updates are anticipated, and very likely to significantly reduce the projected fund balance by year 5.

SB 176 (2017) allows for revisions to the rate established as the 911 surcharge. We recommend that the Committee continually evaluate the expenses, revenue, and fund balance to determine if a change to the established, initial rate is needed.

As presented in the Costs Section, the estimated costs for 911 are based on input from the Management of the Agencies with primary PSAP operations. The Body-Worn Camera and in-car camera costs are based on vendor quotes, ancillary hardware, and implementation costs, as provided by each involved law enforcement agency. Some of the estimated 911-related costs are also based on recent, direct knowledge of similar purchases with other agencies nationwide.

The 911-related costs are a compilation of existing costs plus ongoing and new hardware, software, maintenance, and other projected expenses. The tables of the estimates are a rollup of the numerous individual cost items presented by the agencies. (Interviews, data submitted by each agency, Committee discussion, prior expenses)

Public Safety Answering Point Backup Facilities

A Regional PSAP backup plan should be revisited. The plan should include procedures, technology, and adequate facilities. It should include a backup site design that provides geographic and technical resiliency. This may be considered as a project that should be implemented over the next several years.

All three PSAPs dispatch law enforcement and fire calls for service. Currently, the Reno and Washoe County PSAPs share a location with the Emergency Operations Center (EOC). Should this building become inoperable or need to be evacuated, the existing plan is primarily to evacuate to the Sparks' PSAP. If one or both (Reno and Washoe County) centers need to use the Sparks' facilities, there are not enough call-taking or dispatch positions available to handle the increased activity. We note that a full evacuation would include the EOC. We believe that, from a regional disaster standpoint, the EOC should also be included in any facility backup planning project (Interviews, documentation submitted by PSAP, observation).

Reporting of PSAP Operational Metrics to the Committee

This recommendation was originally presented in the 2007 Emergency 911 Review and Audit Report. The Committee should require performance management information from the PSAPs to augment requests for E911 funding for various projects and initiatives. This will help ensure the Committee has sufficient operational information to place decision-making in an appropriate fiduciary context.

We believe that consistent reporting of certain operational metrics, both in form and frequency, is within the purview of the Committee, and is necessary for the adequate management of the 911 surcharge fund distributions.

The purpose of performance measurement is to impart key information to assist in managing and decision-making. As it relates to the Regional 911 Emergency Response Advisory Committee, periodic performance management reports from the three PSAPs should demonstrate a link between dispatch operations and the various technologies and programs funded by the Committee. Although the Committee has no operational purview over the three PSAPs, effective performance management information should be expected from the three PSAPs to demonstrate the need for E911 funds to enhance services.

By example, requests for additional call-taking work stations without demonstrating a need based on staffing requirements, call volume, etc., would make it difficult for the Committee to exercise its fiduciary responsibility in ensuring funds were put to the best use. Consequently, a performance

management program, that reported upon and used relevant information, would assist the Committee in its decision-making abilities. Perhaps, more importantly, it would provide opportunities for improved operations at the respective PSAPs (Previous Plan, interviews and observation).

Update Allowable Training Funding, at the State Level

As presented in the 2013 Update, the Committee may desire to try and bring the State legislation into alignment with the Federal model under HR3630.

The Next Generation 9-1-1 Advancement Act of 2012, Subtitle E of HR3630, states:

“training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 9-1-1 services.”

Another item important to point out is the reference to allowable training costs in the fund. This wording was not changed by SB 176. The language which states “paying costs for personnel and training associated with the routine maintenance and updating of the database for the system” seems very narrow and specific. If the Committee wishes to use the surcharge funds for training outside of this definition, the legislation may need to be updated. Recent Federal legislation provides a more broad definition of allowable training expenditures. (Previous Plan, interviews)

Committee Should Develop and Adopt a Mission and Vision Statement

As presented in the “Mission Statement” Section of this Plan, a new, modified mission statement should be reviewed, discussed and adopted by the Committee. The new mission statement should include a reference to the new “Event Recording Device” responsibilities.

Like the Mission statement, the previous 5-Year Master Plan suggested wording for a Vision statement; however, it was not adopted. A vision statement should help define where the Committee wishes to be in the future, and should concentrate on the next five years. The vision statement should be finalized and adopted by the Committee. (Previous plan, Interviews, Section on Mission and Vision Statement)

Monitor Possible Impact of Projected Population Growth, on PSAP Workload, Efficiency, and 911 Surcharge Income

We noted a steady and predicted increase in population under the “Projected Regional Population and Impact on 911 call volume; Calls for Service, and 911 Revenue” Section of this Plan Update. The Committee should, in the course of the presentations of PSAP performance measurements, note any noticeable trends. Should the trends indicate a degradation in performance due to increase call volume or other performance metrics, the Committee should be prepared to respond with appropriate funding

action, as may be warranted. Importantly, the Committee should remain as proactive as possible in the reaction to any negative performance trends (Research, interviews, Section on “Projected Regional Population and Impact on 911 call volume; Calls for Service, and 911 Revenue”).

Continue Text-to-911 Implementation

Text-to-911 is implemented across all PSAPs within the West NG 911 system. However, the public has not yet been notified. An official “roll-out” of Text-to-911 is planned for the April 2018 timeframe. The implementation (public notification and education) of Text-to-911 must be coordinated amongst all local, primary PSAPs to ensure that the public understands its use and that the PSAPs are prepared for a potential increase in Text-to-911 activity. We understand that all appropriate PSAP personnel have been trained in Text-to-911 protocols (Interviews, Status of Previous Recommendations).

Need for Statewide 911 Coordinator

This was a recommendation in the 2013, 5-Year Master Plan Update, and it is our understanding that the State of Nevada still does not have a designated 911 Coordinator. As part of the 2013 review, we researched legislation that may impact 911 funding or operations. The Next Generation 9-1-1 Advancement Act of 2012 (the Act), which is part of the HR3630 legislation, directly relates to 911 grant funding. One of the requirements of the Next Generation 9-1-1 Advancement Act of 2012 (Act) for applicants to receive grant funding is that their State must have:

“designated a single officer or governmental body of the entity to serve as the coordinator of implementation of 9-1-1 services, except that such designation need not vest such coordinator with direct legal authority to implement 9-1-1 services, E9-1-1 services, or Next Generation 9-1-1 services or to manage emergency communications operations.”

The Nevada Public Safety Communications Committee, which appears to be the proper State Committee to address this issue, should be petitioned by Regional PSAP, and Law and Fire management, to institute a Statewide Coordinator (Interviews, public record, news articles, previous recommendations).

Institute an Annual Review of Fund Balance and Make Appropriate Recommendations to BCC

As presented in the “911 Surcharge Fund Balance Increase” Section, an important aspect of SB 176 is the increase in the allowable annual “fund balance” which was increased from \$1,000,000 to \$5,000,000. However, we note that the fund balance must be regularly reviewed and “..the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal

year does not exceed \$5,000,000.” The Committee, in conjunction with Washoe County Technical Services, would be responsible for making recommendations to the BCC for any adjustment of the surcharge to meet this requirement. (SB 176)

Institute a Process for Annual Review, as Needed, of the 5-Year Master Plan.

SB 176 included the wording:

“The master plan must include an estimate of the cost of the enhancement of the telephone system *or of the cost of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable*, and all proposed sources of money for funding those costs. For the duration of the imposition of the surcharge, the board shall, at least annually, review and, if necessary, update the master plan”.

As needed, this review of the Master Plan should coincide with the review of the 911 Fund Balance. (Section on “5-Year Master Plan”)

Revisit Definition of “Transmitting information between “User” and the Emergency Responder”

At the time of the 2013 Plan Update, the consensus we received in all of our interviews, including with the Washoe County Deputy District Attorney, was that the interpretation of transmitting information between the user and the emergency responder, as an allowable expenditure, would include methods of communication, such as Computer Aided Dispatch (CAD) and specific use of two-way radios. There continues to be some discussion about the use of funds for radio communications related to 911 calls. Previously, CAD and two-way radio purchases could have easily absorbed the entire 911 surcharge fund, and still could represent a major expense. We recommend that the Committee, in conjunction with Washoe County Legal, provide a conclusive definition of allowable radio expenditures. (Previous 5-year plan, interviews)

Monitor Federal Action Related to the Application of 911 Surcharge

We recommend that the Regional 911 Emergency Response Advisory Committee monitor this issue on an ongoing basis. We suggest that this item become a continual agenda item, with specific assignments to monitor this potential issue. As presented in the section on “Opposition to SB 176”; There is a stated concern that the Federal Communications Commission (FCC), or by Federal legislation, may preclude Washoe County, City of Reno and the City of Sparks from 911 grant funding. This concern extends to possibly preventing the collection or distribution of surcharge funds. This issue is based on the perception that the use of 911 funds for “Event Recorders” could be considered as “other than 911 use.” Again, at the time of the write of this Plan update, the funding of Event Recorders has not been

identified as a misapplication, of 911 funds. (Section on Opposition to SB 176; public record, research, interviews)

Implement Procedures Based on New County Policy “Use of 911 Surcharge Funds for the Body Camera Mandate Set Forth in Nevada Senate Bill 176 (2017)”

A new County policy was under development at the time of this Plan Update. The policy, “Washoe County Board of County Commissioners’ Policy” on “Use of 911 Surcharge Funds for the Body Camera Mandate Set Forth in Nevada Senate Bill 176 (2017).” The Policy defines a number of requirements related to the use of the 911 surcharge funds for body worn and in-car camera systems. The Policy is presented in Appendix C.

Develop a Process to Complete or Address Each Recommendation of this Updated Master Plan.

This recommendation is a continuation of the previous Plan’s recommendation on this subject (Analysis of Activity on Recommendations, 2013 5-Year Plan Update).

Appendix A: Senate Bill 176 (2017)

Senate Bill No. 176—Senators Ford, Atkinson, Spearman;
Cancela, Manendo, Parks and Ratti

Joint Sponsors: Assemblymen Frierson, Neal, Thompson; Carrillo,
Flores, Fumo, Jauregui, Joiner, McCurdy II, Miller,
Monroe-Moreno, Ohrenschall, Spiegel and Yeager

CHAPTER.....

AN ACT relating to public safety; requiring certain peace officers to wear a portable event recording device while on duty; requiring certain law enforcement agencies to adopt policies and procedures governing the use of portable event recording devices; revising provisions relating to the imposition and maximum amount of a surcharge which may be collected in certain counties used for the enhancement of the telephone system for reporting an emergency; providing that such a surcharge may also be used for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) authorizes certain peace officers to wear a portable event recording device while on duty; and (2) requires certain law enforcement agencies to adopt policies and procedures governing the use of portable event recording devices. (NRS 289.830) Existing law also requires: (1) certain peace officers employed by the Nevada Highway Patrol to wear a portable event recording device while on duty; and (2) the Nevada Highway Patrol to adopt policies and procedures governing the use of portable event recording devices. (NRS 480.365)

Section 1 of this bill requires rather than authorizes certain peace officers to wear a portable event recording device while on duty. **Section 1** also: (1) expands the list of law enforcement agencies whose uniformed peace officers must wear portable event recording devices; and (2) requires the law enforcement agencies whose uniformed peace officers must wear portable event recording devices to adopt policies and procedures governing the use of portable event recording devices. **Section 5** of this bill repeals NRS 480.365, the provision pertaining to the use of portable event recording devices by peace officers employed by the Nevada Highway Patrol, as that section is no longer necessary because the Nevada Highway Patrol is included within the definition of “law enforcement agency” for the purposes of **section 1**.

Existing law: (1) authorizes the board of county commissioners of all counties whose population is less than 700,000 (currently all counties other than Clark County) to impose a surcharge to be used for the enhancement of the telephone system for reporting an emergency in the county; and (2) sets forth the requirements relating to the imposition of such a surcharge. (NRS 244A.7641-244A.7647) **Sections 2-4** of this bill: (1) provide that the surcharge may be imposed in all counties in this State; (2) increase the maximum amount of the surcharge that may be imposed; and (3) authorize the surcharge to also be used for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.830 is hereby amended to read as follows:

289.830 1. A law enforcement agency ~~may~~ *shall* require uniformed peace officers that it employs *and who routinely interact with the public* to wear a portable event recording device while on duty. ~~If a law enforcement agency so requires, the~~ *Each* law enforcement agency shall adopt policies and procedures governing the use of portable event recording devices, which must include, without limitation:

(a) Except as otherwise provided in paragraph (d), requiring activation of a portable event recording device whenever a peace officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter between a uniformed peace officer and a member of the public;

(b) Except as otherwise provided in paragraph (d), prohibiting deactivation of a portable event recording device until the conclusion of a law enforcement or investigative encounter;

(c) Prohibiting the recording of general activity;

(d) Protecting the privacy of persons:

(1) In a private residence;

(2) Seeking to report a crime or provide information regarding a crime or ongoing investigation anonymously; or

(3) Claiming to be a victim of a crime;

(e) ~~Limiting the period for which a~~ *Requiring that any* video recorded by a portable event recording device must be retained ~~for~~ *by the law enforcement agency for not less than 15 days;* and

(f) Establishing disciplinary rules for peace officers who:

(1) Fail to operate a portable event recording device in accordance with any departmental policies;

(2) ~~Manipulate~~ *Intentionally manipulate* a video recorded by a portable event recording device; or

(3) Prematurely erase a video recorded by a portable event recording device.

2. Any record made by a portable event recording device pursuant to this section is a public record which may be:

(a) Requested only on a per incident basis; and

(b) Available for inspection only at the location where the record is held if the record contains confidential information that may not otherwise be redacted.



3. As used in this section:

(a) "Law enforcement agency" means:

- (1) The sheriff's office of a county;
- (2) A metropolitan police department;
- (3) A police department of an incorporated city; ~~for~~
- (4) *A department, division or municipal court of a city or town that employs marshals; or*
- (5) The Nevada Highway Patrol.

(b) "Portable event recording device" means a device issued to a peace officer by a law enforcement agency to be worn on his or her body and which records both audio and visual events occurring during an encounter with a member of the public while performing his or her duties as a peace officer.

Sec. 1.3. NRS 179.425 is hereby amended to read as follows:

179.425 "Electronic, mechanical or other device" means any device or apparatus which can be used to intercept a wire, electronic or oral communication other than:

1. Any telephone instrument, equipment or facility, or any component thereof:

(a) Furnished to the subscriber or user by a provider of electronic communication service in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business;

(b) Furnished by the subscriber or user for connection to the facilities of an electronic communication service and being used by the subscriber or user in the ordinary course of its business; or

(c) Being used by a provider of electronic communication service in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his or her duties.

2. A hearing aid or similar device being used to correct subnormal hearing to not better than normal.

3. A portable event recording device, as defined in NRS 289.830. ~~for 480.365.~~

Sec. 1.7. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370,



119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, ~~480.365~~, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107,



637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:



(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 2. NRS 244A.7641 is hereby amended to read as follows:
244A.7641 As used in NRS 244A.7641 to 244A.7647, inclusive, unless the context otherwise requires:

1. "Mobile telephone service" means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.

2. "Place of primary use" has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.

3. ***"Portable event recording device" has the meaning ascribed to it in NRS 289.830.***

4. "Supplier" means a person authorized by the Federal Communications Commission to provide mobile telephone service.

~~4~~ 5. "Telephone system" means a system for transmitting information between or among points specified by the user that does not change the form or content of the information regardless of the technology, facilities or equipment used. A telephone system may include, without limitation:

(a) Wireless or Internet technology, facilities or equipment; and

(b) Technology, facilities or equipment used for transmitting information from an emergency responder to the user or from the user to an emergency responder.

6. ***"Vehicular event recording device" means a device which is affixed to a marked vehicle of a law enforcement agency, as defined in NRS 289.830, and which records both audio and visual events.***

Sec. 3. NRS 244A.7643 is hereby amended to read as follows:
244A.7643 1. Except as otherwise provided in this section, the board of county commissioners ~~in~~ of a county ~~whose population is 100,000 or more but less than 700,000~~ may by ordinance, for the enhancement of the telephone system for reporting an emergency in the county ~~and for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices,~~ impose a surcharge on:

(a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and



(b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.

~~2. Except as otherwise provided in this section, the board of county commissioners in a county whose population is less than 100,000 may by ordinance, for the enhancement or improvement of the telephone system for reporting an emergency in the county, impose a surcharge on:~~

~~—(a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and~~

~~—(b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.~~

~~3.1~~ A board of county commissioners may not impose a surcharge pursuant to this section unless the board first adopts a 5-year master plan for the enhancement ~~for improvement, as applicable,~~ of the telephone system ~~for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable.~~ The master plan must include an estimate of the cost of the enhancement ~~for improvement, as applicable,~~ of the telephone system *or of the cost of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable,* and all proposed sources of money for funding those costs. For the duration of the imposition of the surcharge, the board shall, at least annually, review and, if necessary, update the master plan.

~~4.1~~ 3. The surcharge imposed by a board of county commissioners pursuant to this section:

(a) For each access line to the local exchange of a telecommunications provider, must not exceed ~~{25-cents}~~ \$1 each month;

(b) For each trunk line to the local exchange of a telecommunications provider, must equal 10 times the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a); and

(c) For each telephone number assigned to a customer by a supplier of mobile telephone service, must equal the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a).

~~5.1~~ 4. A telecommunications provider which provides access lines or trunk lines in a county which imposes a surcharge pursuant to this section or a supplier which provides mobile telephone service to a customer in such a county shall collect the surcharge from its



customers each month. Except as otherwise provided in NRS 244A.7647, the telecommunications provider or supplier shall remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers.

~~6.1~~ **5.** An ordinance adopted pursuant to ~~subsection 1 or 2~~ *this section* may include a schedule of penalties for the delinquent payment of amounts due from telecommunications providers or suppliers pursuant to this section. Such a schedule:

(a) Must provide for a grace period of not less than 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharge to the county treasurer; and

(b) Must not provide for a penalty that exceeds 5 percent of the cumulative amount of surcharges owed by a telecommunications provider or a supplier.

~~7.1~~ **6.** As used in this section, “trunk line” means a line which provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

Sec. 4. NRS 244A.7645 is hereby amended to read as follows:

244A.7645 1. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is 100,000 or more, ~~but less than 700,000,~~ the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must ~~consist~~ :

(a) Consist of not less than five members who:

~~(a)~~ *(1)* Are residents of the county;

~~(b)~~ *(2)* Possess knowledge concerning telephone systems for reporting emergencies; and

~~(c)~~ *(3)* Are not elected public officers.

(b) Subject to the provisions of subparagraph (3) of paragraph (a), include the chief law enforcement officer or his or her designee from each office of the county sheriff, metropolitan police department, police department of an incorporated city within the county and department, division or municipal court of a city or town that employs marshals within the county, as applicable.

2. If a surcharge is imposed pursuant to NRS 244A.7643 in a county whose population is less than 100,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance or improve the



telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must:

(a) Consist of not less than five members who:

(1) Are residents of the county;

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Are not elected public officers. ~~†; and†~~

(b) Include a representative of an incumbent local exchange carrier which provides service to persons in that county. As used in this paragraph, "incumbent local exchange carrier" has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

(c) Subject to the provisions of subparagraph (3) of paragraph (a), include the chief law enforcement officer or his or her designee from each office of the county sheriff, metropolitan police department, police department of an incorporated city within the county and department, division or municipal court of a city or town that employs marshals within the county, as applicable.

3. If a surcharge is imposed in a county pursuant to NRS 244A.7643, the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to NRS 244A.7643. The money in the fund must be used only:

(a) *With respect to the telephone system for reporting an emergency:*

(I) In a county whose population is 45,000 or more, ~~†but less than 700,000.†~~ to enhance the telephone system for reporting an emergency, including only:

~~†(1)†~~ *(I) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;*

~~†(2)†~~ *(II) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;*

~~†(3)†~~ *(III) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and*



~~[(4)]~~ *(IV)* Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

~~[(b)]~~ *(2)* In a county whose population is less than 45,000, to improve the telephone system for reporting an emergency in the county.

(b) With respect to purchasing and maintaining portable event recording devices and vehicular event recording devices, paying costs associated with the acquisition, maintenance, storage of data, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.

4. If the balance in the fund created in a county whose population is 100,000 or more pursuant to subsection 3 which has not been committed for expenditure exceeds \$5,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$5,000,000.

5. If the balance in the fund created in a county whose population is 45,000 or more but less than ~~700,000~~ *100,000* pursuant to subsection 3 which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.

~~[(5)]~~ *6.* If the balance in the fund created in a county whose population is less than 45,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

Sec. 4.3. NRS 331.220 is hereby amended to read as follows:

331.220 1. Except as otherwise provided in subsection 2, it is unlawful for a person to engage in any kind of surreptitious electronic surveillance on the grounds of any facility owned or leased by the State of Nevada without the knowledge of the person being observed.



2. Subsection 1 does not apply to any electronic surveillance:

(a) Authorized by a court order issued to a public officer, based upon a showing of probable cause to believe that criminal activity is occurring on the property under surveillance;

(b) By a law enforcement agency pursuant to a criminal investigation;

(c) By a peace officer pursuant to NRS 289.830; *or*

~~(d) By a uniformed peace officer of the Nevada Highway Patrol Division of the Department of Public Safety pursuant to NRS 480.365; or~~

~~(e)~~ Which is necessary as part of a system of security used to protect and ensure the safety of persons on the grounds of the facility.

Sec. 4.5. NRS 393.400 is hereby amended to read as follows:

393.400 1. Except as otherwise provided in subsection 2, it is unlawful for a person to engage in any kind of surreptitious electronic surveillance on any property of a public school without the knowledge of the person being observed.

2. Subsection 1 does not apply to any electronic surveillance:

(a) Authorized by a court order issued to a public officer, based upon a showing of probable cause to believe that criminal activity is occurring on the property of the public school under surveillance;

(b) By a law enforcement agency pursuant to a criminal investigation;

(c) By a peace officer pursuant to NRS 289.830;

~~(d) By a uniformed peace officer of the Nevada Highway Patrol Division of the Department of Public Safety pursuant to NRS 480.365;~~

~~(e)~~ Which is necessary as part of a system of security used to protect and ensure the safety of persons on the property of the public school; or

~~(f)~~ (e) Of a class or laboratory when authorized by the teacher of the class or laboratory.

Sec. 4.7. NRS 396.970 is hereby amended to read as follows:

396.970 1. Except as otherwise provided in subsection 2, it is unlawful for a person to engage in any kind of surreptitious electronic surveillance on a campus of the System without the knowledge of the person being observed.

2. Subsection 1 does not apply to any electronic surveillance:

(a) Authorized by a court order issued to a public officer, based upon a showing of probable cause to believe that criminal activity is occurring on the property under surveillance;



(b) By a law enforcement agency pursuant to a criminal investigation;

(c) By a peace officer pursuant to NRS 289.830;

~~(d) By a uniformed peace officer of the Nevada Highway Patrol Division of the Department of Public Safety pursuant to NRS 480.365;~~

~~(e)~~ Which is necessary as part of a system of security used to protect and ensure the safety of persons on the campus; or

~~(f)~~ (e) Of a class or laboratory when authorized by the teacher of the class or laboratory.

Sec. 5. NRS 480.365 is hereby repealed.

Sec. 6. This act becomes effective:

1. Upon passage and approval for the purpose of adopting regulations and performing any preliminary administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2018, for all other purposes.



**Appendix B: Ordinance No. 1601 Amending Sections of
Chapter 65 of the Washoe County Code**

SUMMARY: Amends Chapter 65 of the Washoe County Code by expanding the permissible use of the 911 telephone line surcharge to include the purchase and maintenance of portable event recording devices and vehicular event recording devices in accordance with 2017 NV Senate Bill 176; by clarifying the powers and duties of the 911 emergency response advisory committee; by adding related definitions; and by amending the advisory committee membership and terms of appointment.

BILL NO. 1785

ORDINANCE NO. 1601

AN ORDINANCE AMENDING CHAPTER 65 OF THE WASHOE COUNTY CODE BY EXPANDING THE PERMISSIBLE USE OF THE 911 TELEPHONE LINE SURCHARGE TO INCLUDE THE PURCHASE AND MAINTAINANCE OF PORTABLE EVENT RECORDING DEVICES AND VEHICULAR EVENT RECORDING DEVICES IN ACCORDANCE WITH THE 2017 NEVADA LEGISLATURE'S ENACTMENT OF SENATE BILL ("SB") 176; BY CLARIFYING THE POWERS AND DUTIES OF THE 911 EMERGENCY RESPONSE ADVISORY COMMITTEE; BY ADDING THE DEFINITIONS OF "LAW ENFORCEMENT AGENCY", "PORTABLE EVENT RECORDING DEVICE" AND "VEHICULAR EVENT RECORDING DEVICE"; AND BY AMENDING THE ADVISORY COMMITTEE MEMBERSHIP AND TERMS OF APPOINTMENT.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Section 65.400 of the Washoe County Code is hereby amended to read as follows:

65.400. Purpose and authority.

1. The 1995 Nevada Legislature enacted Senate Bill ("SB") 473 which authorized a telephone line surcharge to be imposed in certain counties for the enhancement of existing 911 telephone service. SB 473 required that any county imposing the surcharge create an advisory committee to develop a plan for 911 enhancements and recommend expenditures of money collected for said purpose. Washoe County implemented these provisions to assure that the 911 emergency response system within the county is capable of providing the most efficient service available.

2. The 2017 Nevada Legislature enacted Senate Bill ("SB") 176 which expands the permissible use of the telephone line surcharge to purchase and maintain portable event recording

devices and vehicular event recording devices. Washoe County desires to implement this expansion of the surcharge to purchase and maintain portable event recording devices for uniformed peace officers employed by a law enforcement agency who routinely interact with the public, and to purchase and maintain vehicular event recording devices for the safety of the community.

SECTION 2. Section 65.410 of the Washoe County Code is hereby amended to read as follows:

65.410. Creation of advisory committee; powers and duties. A 911 Emergency Response Advisory Committee is hereby created in order to:

1. Develop a plan for the enhancement of the county's 911 emergency response system;
2. Recommend to the county the expenditures of money collected through the telephone line surcharge for the enhancement of the telephone system for reporting an emergency and in accordance with NRS 244A.7645(3)(a); and
3. Recommend to the county the expenditures of money collected through the telephone line surcharge for the acquisition, maintenance, data storage, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices.

SECTION 3. Section 65.420 of the Washoe County Code is hereby amended to read as follows:

65.420 Definitions.

1. "Board" means the board of county commissioners.
2. "Telephone company" means a company providing local telephone service to customers within the boundaries of Washoe County, including but not limited to cellular or other service to a telephone installed in a vehicle or otherwise portable.
3. "Law enforcement agency" has the meaning as described in NRS 289.830(3)(a), and as it may be amended from time to time.
4. "Portable event recording device" has the meaning as described in NRS 289.830(3)(b), and as it may be amended from time to time.
5. "Vehicular event recording device" has the meaning as described in NRS 244A.7641(6), and as it may be amended from time to time.

SECTION 4. Section 65.430 of the Washoe County Code is hereby amended to read as follows:

65.430 Advisory committee membership; qualifications of members; notification of appointment; terms; removal; rotating chairperson.

1. Membership. The membership of the advisory committee shall be as follows:

(a) Three members appointed by the city of Reno;

(1) One member must be the Reno police department's chief law enforcement officer or designee, and one member must be the Reno municipal court marshal division's chief law enforcement officer or designee;

(b) Three members appointed by the city of Sparks;

(1) One member must be the Sparks police department's chief law enforcement officer or designee, and one member must be the Sparks municipal court marshal division's chief law enforcement officer or designee;

(c) Three members appointed by the county of Washoe;

(1) One member must be the Washoe County sheriff's designee.

2. Qualifications. A member appointed to the committee must:

(a) Be a resident of and a qualified elector in Washoe County;

(b) Possess knowledge concerning telephone systems for reporting emergencies; and

(c) May not be an elected public officer.

3. Notification of appointment. The city of Reno and the city of Sparks shall provide Washoe County with written notification of each of the cities' appointed members, including the member's term.

4. Term. The terms of all existing members shall expire on November 16, 2017. Each member shall serve a four year term, which expires on June 30th of the respective term. However, following enactment of this section, each of the appointing jurisdictions shall appoint one member for an initial 2-year term.

5. Removal. A member may be removed for cause by the appointing body in accordance with procedures established by the appointing body.

6. Chairperson. A chairperson shall be selected from among the members at the first meeting in January of each year and must rotate each year among the appointees from the city of Sparks, city of Reno and Washoe County.

SECTION 5. Section 65.460 of the Washoe County Code is hereby amended to read as follows:

65.460 Effective date: Sunset.

1. Subsection 5 of section 65.450 shall be effective upon publication as provided in NRS 244.100. All other provisions of sections 65.400 to 65.460, inclusive, shall be effective on January 1, 1996.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 26th day of September, 2017.

Proposed by Commissioner Hartung.

Passed on the 10th day of October, 2017.

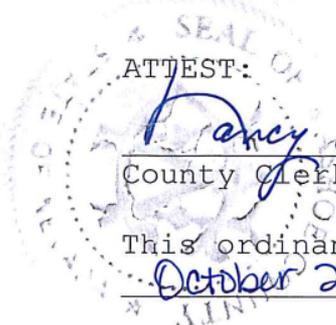
Vote:

Ayes: Bob Lucey, Marsha Berkbigler, Kitty Jung, Vaughn Hartung, and Jeanne Herman

Nays: none.

Absent: none.


Chairman
Washoe County Commission

ATTEST:

Nancy L. Parent
County Clerk

This ordinance shall be in force and effect from and after October 20, 2017.

**Appendix C: Washoe County Board of County Commissioners'
Policy, on Use of 911 Surcharge Funds Set Forth in Nevada
Senate Bill 176 (2017).**



WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS' POLICY

Use of 911 Surcharge Funds for the Body Camera Mandate Set Forth in Nevada Senate Bill 176 (2017)

Whereas, the 1995 Nevada Legislature enacted Senate Bill (“SB”) 473, which authorized certain counties to impose a 911 telephone line surcharge to enhance existing 911 emergency response telephone service;

Whereas, since 1995, Washoe County has utilized the 911 telephone line surcharge to fund expenditures related to the 911 emergency response system;

Whereas, the 2017 Nevada Legislature enacted SB 176, which expands the permissible use of the county’s 911 telephone line surcharge to include the purchase and maintenance of portable event recording devices (“body cameras”) and vehicular event recording devices (“vehicle cameras”);

Whereas, SB 176 authorizes Washoe County, through its Board of County Commissioners (“Board”), to maintain a special revenue fund for the deposit of 911 surcharge monies;

Whereas, SB 176 also authorizes Washoe County, upon recommendation from the Washoe County 911 Emergency Response Advisory Committee to disburse 911 surcharge monies in accordance with NRS 244A.7643(3);

Whereas, on October 10, 2017, the Board enacted Ordinance Number 1601, which expressed the county’s desire to implement the expansion of the 911 surcharge to purchase and maintain body cameras for uniformed peace officers employed by a law enforcement agency who routinely interact with the public, and to purchase and maintain vehicle cameras for the safety of the community;

Whereas, the Board recognizes the need for a Washoe County policy on the categories of expenditures that may be permitted from the 911 special revenue fund related to body cameras and vehicle cameras; and

Whereas, the Board recognizes the need to foster effective communication with all regional partners.

Therefore, it is the policy of the Washoe County Board of County Commissioners that:

1. The City of Reno, City of Sparks and Washoe County shall submit all requests to fund body cameras and vehicle cameras to the Washoe County 911 Emergency Response Advisory Committee (“911 ERAC”), as is currently done with requests to fund components of the 911 emergency response telephone system;



2. The City of Reno, City of Sparks and Washoe County shall provide itemized documentation to support all funding requests related to body cameras and vehicle cameras;
3. The 911 ERAC shall work to ensure that the City of Reno, City of Sparks and Washoe County utilize a mutually agreed upon vendor to provide body cameras and vehicle cameras. This will ensure equipment interoperability between all law enforcement agencies and smooth prosecution of criminal cases by the Reno City Attorney's Office, Sparks City Attorney's Office and the Washoe County District Attorney's Office. Failure to utilize a mutually agreed upon vendor may result in denial of requests for reimbursement of said expenditures by the Board.
4. Each local jurisdiction shall maintain its own contract with the agreed upon vendor.
5. The City of Reno, City of Sparks and Washoe County are responsible for paying all costs assessed by the mutually agreed upon vendor. Each jurisdiction may submit requests for reimbursement to the 911 ERAC. If payment is recommended by the 911 ERAC, the Board may approve requests for reimbursement of permissible expenses, in whole or part, from the 911 surcharge fund; provided however, that expenses will only be reimbursed to the extent that sufficient monies exist in the 911 special revenue fund.
6. Each local jurisdiction shall be responsible for its own public records requests and any redaction that may be necessary in response to a public records request.
7. Each local jurisdiction and/or law enforcement agency is responsible for its own compliance with the body camera mandate set forth in NV SB 176 (2017). Each local jurisdiction and/or law enforcement agency is responsible for developing policies related to the use and operation of body cameras and vehicle cameras and for training its officers on their use and operation.
8. The Board will only reimburse body camera expenses for "uniformed peace officers" employed by a "law enforcement agency" who routinely interact with the public in accordance with Washoe County Code ("WCC") 65.400(2).





9. The 911 ERAC shall work to ensure that the number of body cameras purchased per uniformed peace officer is standardized between the City of Reno, City of Sparks and Washoe County. The 911 ERAC shall also ensure that the number of vehicle cameras purchased per patrol vehicle is standardized between the three local jurisdictions.
10. The 911 ERAC shall work to ensure that there are minimal discrepancies in cost per body camera unit or vehicle camera unit between the City of Reno, City of Sparks and Washoe County. Discrepancies must be properly documented and presented to the 911 ERAC.
11. In accordance with NRS 244A. 7643(3), as amended by NV SB 176 (2017), permissible expenditures related to body cameras and vehicle cameras from 911 surcharge funds may include:
 - a. Costs associated with the acquisition of equipment and software necessary to operate body cameras and vehicle cameras;
 - b. Costs associated with the maintenance of equipment and software necessary to operate body cameras and vehicle cameras;
 - c. Data storage costs
 - d. Costs associated with the upgrade of equipment and software necessary to operate body cameras and vehicle cameras; and
 - e. Costs associated with the replacement of equipment and software necessary to operate body cameras and vehicle cameras.
12. Permissible expenditures related to body cameras and vehicle cameras from 911 surcharge funds may also include:
 - a. Network equipment, components and ongoing costs that support a segmented network dedicated solely to the transport of associated data, video and audio recorded using portable and vehicular event recording devices, as defined in NV SB 176 (2017).
 - i. This includes the following segmentation scenarios: a dedicated physical and wireless network; Virtual Local Area Network ("VLAN") segmentation; and a dedicated internet connection.



13. Any increased personnel costs by City of Reno, City of Sparks or Washoe County employees that may occur as a result of SB 176's body camera mandate will not be reimbursed from 911 surcharge funds.
14. The failure to comply with any of the above policies may result in the Board's denial of a request for related body camera or vehicle camera expenses.

Note: This policy shall not be construed as to confer any rights upon any person or entity. Further, this policy does not purport to contain every policy related to the implementation, use or funding of body cameras or vehicle cameras in Washoe County.

