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February 13, 2003

Senator Mark Amodei
Chairman, Senate Judiciary Committee
402 North Division Street
Carson City NV 89703-4168

Dear Senator Amodei:

I apologize for both Director Kirkland and myself for being unable to attend your committee meeting. The Director had knee replacement surgery on Monday and will be out of the office for several weeks. I am appearing at the Joint Subcommittee meeting regarding several of the Department of Public Safety budgets. This meeting begins at 8:00 a.m. on February 14, 2003 also. I am providing this letter as my effort to address your questions without really knowing what those questions are. I hope it helps and please do not hesitate to contact me if I can be of further assistance.

The Department of Public Safety has been affected by the weak economy and diminishing income to the state in ways similar to all other governmental agencies. The Department has engaged in extensive discussions and planning sessions examining strategies to deal with the reductions in resources and still maintain the ability to provide the base of services that our customers have every right to expect. We have been involved in discussions with the Governor's Office over these many issues and they have included our concerns in their final decisions regarding the Governor's recommended budget for the Divisions in our Agency.

While my first comments are not specifically a budgetary issue, they are very relevant to this discussion. We understand and agree with the Governor's philosophy that he does not support duplicating services. In our case, of course, law enforcement services. All of the political subdivisions in Nevada have duly constituted law enforcement responsibility and authority for their geographical area. Notwithstanding some specific, but limited, jurisdiction granted to a few of the Divisions of DPS, the local law enforcement agency's responsibility, authority and jurisdiction take precedence over the jurisdiction of any of the Divisions of Public Safety.

The Divisions granted the limited jurisdiction are most notably represented by the Divisions of the Highway Patrol and Parole and Probation. Their authority and jurisdiction are unique to them and do not represent a duplication of the services provided by other agencies.

Capitol Police • Criminal Justice Assistance • Division of Emergency Management • Emergency Response Commission
State Fire Marshal • Nevada Division of Investigation • Nevada Highway Patrol • Office of Traffic Safety
Parole and Probation • Public Safety Technology • State Board of Public Commissioners • Training Division

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Senator Amodei

As a practical matter we understand the attraction of some local officials and citizens to having additional state-provided, law enforcement resources. This very issue was at the core of some discussions with the Governor's Office and with the Governor himself. These discussions were some of the foundation of the Governor's recommended budget resulting in what we believe to be a logical accommodation to provide some availability of state law enforcement support to those geographical areas throughout the state that may have a need.

On the other hand, it makes little or no sense to us for the state to provide law enforcement support to LV Metro, for example. They have approximately 2000 sworn officers. The state has the current ability to support their efforts with 19 sworn officers, once again, notwithstanding the specific, limited jurisdiction granted some of our Divisions in Clark County. The same discussion applies to numerous other agencies that also have appropriate law enforcement resources for their jurisdiction.

The condition of the current and developing budget has caused most of our Divisions to implement budget cuts resulting in the reduction of some services in some areas. All budgets, regardless of the funding source, have designed their FY 04 and 05 budgets as a continuation of the flat line budgets of FY 02 and 03.

The Department and all the Divisions understand the need to continue to become even more financially conservative and we accept the responsibility to do our part. We have all reviewed the Governor's recommended budgets for our Divisions and support his decisions.

The discussion always naturally evolves to the basic question of needing more resources. While it is a very unnatural response for any governmental agency to say no to that question, that is the position we take at this time. We are very confident in the Governor's analysis of the current situation and in his decisions regarding the distribution of resources. We believe the Governor's recommended budgets provide the necessary resources for the various Divisions of the Department of Public Safety to provide the critical aspects of their service programs.

However, we also believe that the Governor is open to discussion regarding the expansion of the scope of services should additional budgetary resources be identified. If that turns out to be the case, we are confident he will include us in the discussion and planning leading up to his decisions regarding the use of those resources.

Respectfully submitted for your information.

Sincerely,



David A. Kieckbusch
Deputy Director

DK/ds
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