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James P. Weller
Carson City, Nevada

884-1432

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Good morning Senator Amodei and members of the Senate Judiciary Committee.

For the record, my name is James P. Weller. I live in Carson City. As a former director of the Department of Motor Vehicles & Public Safety, I believe that I am well qualified to address this committee pertaining to the proposed staff reductions at the agency I know, and will refer to as, the Nevada Division of Investigation (NDI). I know it was recently renamed the Investigations Division.

For those of you who don't know of me or my background, after being discharged from the U.S. Marine Corps in 1967, I joined the FBI where I served for over 24 years. That service took me to many locations throughout the U.S. In August 1986, I was assigned as the Special Agent in Charge (SAC), responsible for all FBI operations here in Nevada. In January 1992, I retired from the FBI.

In February 1992, Governor Miller appointed me director of the DMV&PS, now two separate departments. In late December 1996, I was given the additional duty of managing the flood emergency and then the flood recovery efforts for the State. I retired from state service in April 1997. Today I am the President of The Trident, Group, Inc. a security management consulting and private investigations firm.

I first became acquainted with NDI shortly after arriving in Nevada in 1986. FBI agents and NDI investigators worked on several major cases together. As Director of DMV&PS, I became more familiar with NDI, and their work. Both as the SAC of the FBI and as Director of DMV&PS, I became aware of many investigations in which NDI played a, or the, major role.

In the late 1980's, the FBI received source information on a west coast drug organization attempting to launder money at a Reno casino. As the investigation developed, NDI joined the task force. Initially \$7.6 million in cash (17 military duffle bags full of bills of all denominations) was recovered. Continuing investigation resulted in the additional recovery of approximately \$15 million of the organization's assets. NDI, as a major partner in the task force, shared in those forfeitures. I note that when the first portions of the forfeiture monies were distributed, I was on the receiving end as the Director. In another Nevada task force operation, centered in southern Nevada, an NDI investigator, working with the FBI, prepared an affidavit in support of a federal Title III (wire tap) application. At that time using someone other than an FBI agent to prepare such an affidavit was very rare in the FBI.

NDI played a major role in two high profile cases involving Nevada Highway Patrol (NHP) troopers. The first involved the shooting death of a trooper. The second case was that of another trooper who was severely wounded by a bomb. Both cases required inter-

county and interstate coordination and resulted in successful prosecutions. Through narcotics task force investigations, white collar crime, general criminal and internal affairs-type queries, NDI has provided a valuable service to county and local agencies. Taking away those task forces and their presence in the rural communities will, in my opinion, allow narcotics to flourish in many areas of the state. Through the years, I received many, many favorable comments on NDI's services from sheriffs, chiefs of police, federal agency administrators and prosecuting attorneys.

As this country moves into the 21st century, the threat of terrorism with potential for biological, chemical and nuclear (dirty bomb or whatever type of device), is now real. I would consider NDI to be the lead agency, at the state level, in answering this threat. It will take a coordinated, statewide effort with personnel 'on the ground', in various locations throughout the state, personnel who have the established liaison, knowledge of the community, the surrounding environment and, necessary training.

Cutting staff at NDI would, in my opinion, be a disservice to Nevada's law enforcement community and the citizens of Nevada. In fact, I would recommend additional personnel to NDI to address the terrorism law enforcement responsibilities.

The state's number one concern must be the safety of our citizens, and visitors. I understand the need for the state to cut expenditures. Those monies should not be taken from law enforcement at this critical time. Proposed enhancements to other state programs, and new programs, should be closely scrutinized. There are other places in Nevada's criminal justice system, where savings can be found. Those areas include: 1) training consolidation, including shifting the basic POST requirement to the community colleges; 2) reorganization / restructuring of the individual state law enforcement agencies and, 3) merging those law enforcement entities from various state departments into one department.

In conclusion, let me state that during my career I worked with approximately twenty-eight (28) to thirty (30) state police and state public safety investigative agencies all over this country. Without hesitation, I would include NDI in the top five (5).

This is not the time, nor is NDI the agency to use, in trying to balance the budgets.

Thank you