

State of Nevada  
Governor's Finance Office  
Division of Internal Audits

**Audit Report**

**Department of Public Safety**

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**Investigation Division**

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**Task Force Operations**

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**Collaboration from non-participating counties will enhance  
public safety.**

DIA Report No. 22-06  
June 30, 2022



**EXECUTIVE SUMMARY**  
**Department of Public Safety**  
**Investigation Division Task Force Operations**

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**Objective: Improve Efficiency and Effectiveness of Task Force Operations.**

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**Request Collaboration from Non-Participating Counties and Collect Investigative Data**  
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Requesting collaboration from non-participating counties and collecting investigative data will enhance public safety, improve efficiency and effectiveness of task force operations, and free up overtime funds to reduce General Fund compensatory time payments.

NDI supports local, state, and federal law enforcement activities with four investigative units working together to provide public safety statewide. NDI's 32 sworn investigators are distributed almost evenly across its law enforcement roles with just under a third of investigators committed to Major Crimes and a third of investigators committed to Narcotics Enforcement. NDI collaborates with 12 of Nevada's 17 county local law enforcement agencies through five separate narcotics task forces arrayed geographically throughout the state.

Local law enforcement agencies do not provide resources in Nye, Esmeralda, Mineral, Lyon, and Storey Counties. Washoe and Clark Counties have their own narcotics investigation units and do not provide direct support to NDI task forces. Review of narcotics enforcement investigative caseload revealed that nearly 10% of investigations were conducted in jurisdictions without any local commitment. Counties that do not participate with NDI's narcotics enforcement mission likely have more narcotics activity than what is being reported. Surges in overtime are indicative of gaps that can be filled by officers from non-participating law enforcement agencies.

NDI believes it may be impractical and inefficient to operate a narcotics task force on a full-time basis in a county or city with a very small population base under current staffing levels. Population and growth figures in non-participating counties suggest the need for more collaboration from local law enforcement as growing jurisdictions will inevitably increase the prevalence of narcotics.

There are several options that would allow non-participating counties to participate equitably in NDI's Narcotics Enforcement Task Forces including assigning a full or part-time officer support to an existing task force; establishing a rotating officer support schedule between non-participating rural counties; and/or assessing a monetary fee to non-participating counties to cover cases investigated in that county.

Gathering better data on task force operations to show which counties NDI supports would help optimize decision making, including the way in which NDI allocates its resources, determines how grant money should be distributed, and prioritizes the need for local law enforcement assistance. NDI does not track quantitative data, such as costs accrued per task force or jurisdiction, the cost of an investigation, or time spent on an investigation.

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## INTRODUCTION

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At the direction of the Executive Branch Audit Committee, the Division of Internal Audits (DIA) conducted an audit of the Department of Public Safety (DPS), Investigation Division (NDI). The audit focused on improving the efficiency and effectiveness of NDI's task force operations. The audit's scope and methodology, background, and acknowledgements are included in Appendix A.

DIA's audit objective was to develop recommendations to:

- ✓ Improve the efficiency and effectiveness of task force operations.

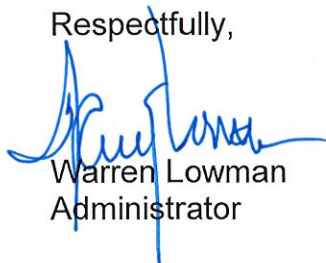
### **Nevada Department of Public Safety Investigation Division Response and Implementation Plan**

DIA provided draft copies of this report to NDI for review and comment. DIA considered NDI's comments in the preparation of this report; NDI's response is included in Appendix B. In its response, NDI accepted the recommendations. Appendix C includes a timetable to implement the recommendations.

NRS 353A.090 requires within six months after the final report is issued to the Executive Branch Audit Committee, the Administrator of the Division of Internal Audits shall evaluate the steps NDI has taken to implement the recommendations and shall determine whether the steps are achieving the desired results. The administrator shall report the six-month follow-up results to the committee and NDI.

The following report (DIA Report No. 22-06) contains DIA's *findings, conclusions, and recommendations*.

Respectfully,



Warren Lowman  
Administrator

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## **Improve Efficiency and Effectiveness of Task Force Operations**

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The Department of Public Safety (DPS), Investigation Division (NDI) can improve the efficiency and effectiveness of task force operations by:

- Requesting collaboration from non-participating counties; and
- Collecting investigative data to optimize decision making.

Improving efficiency and effectiveness of task force operations through heightened state support from some counties and better data collection will help free up overtime funds for other public safety needs and reduce General Fund compensatory time payments.

### ***Request Collaboration from Non-Participating Counties and Collect Investigative Data***

The Department of Public Safety (DPS), Investigation Division (NDI) should request collaboration from non-participating counties to support task forces, specifically Narcotics Enforcement Task Force operations, that protect Nevada families and provide for greater public safety.

Collaboration from non-participating counties will help support law enforcement activities across the state, free up limited overtime funds, and increase public safety of Nevada families that may otherwise be overlooked.

### **NDI Supports Local, State, and Federal Law Enforcement Activities**

As part of its statutory obligations, NDI provides criminal and administrative investigatory response to local, state, and federal law enforcement and criminal justice agencies throughout the state of Nevada.<sup>1</sup> NDI serves as a force multiplier for local law enforcement agencies and generally becomes involved in an incident following request from the impacted agency. These collaborations represent mutually beneficial partnerships to address quality of life and public safety issues in counties throughout the state.

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<sup>1</sup> NRS 480.400-480.520, and 453.271.

Multiple Investigative Units Work Together  
to Provide Public Safety Statewide

NDI is comprised of four operational units. These investigative units work together to provide public safety statewide. Exhibit I highlights the objectives for each investigative unit.

**Exhibit I**

**NDI Investigative Units**

<b>Investigative Unit</b>	<b>Objective</b>
Auto Theft	NDI serves as member of Las Vegas Metropolitan Police Department's VIPER Auto Theft Task Force to conduct auto theft investigations and recover stolen vehicles.
Homeland Security/Nevada Threat Analysis Center	NDI state fusion center established to protect Nevada citizens and visitors through the receipt, analysis, and dissemination of terrorism and criminal activity information.
Major Crimes	<p>NDI personnel assigned in Carson City and Las Vegas to investigate crimes such as homicides, officer involved shootings, in custody deaths, embezzlements, child abuse and sexual crimes against children, threats against public officials, administrative investigations, and other types of felony investigations.</p> <p>NDI also provides polygraph examination services to the Attorney General, any sheriff, chief of police, district attorney, and other law enforcement agencies in Nevada.</p>
Narcotics Enforcement	<p>NDI supervises 5 multi-jurisdictional drug task forces in 12 of Nevada's 17 counties involving the use, sales, and distribution of illegal drugs:</p> <ul style="list-style-type: none"> <li>• Elko Combined Narcotics Task Force (ECNU)</li> <li>• Eastern Nevada Narcotics Task Force (ENNTF)</li> <li>• North Central Narcotics Task Force (NCNTF)</li> <li>• Tri-County Drug Enforcement and Narcotics Task Force (TriDENT)</li> <li>• Tri-County Narcotics Enforcement Task Force (TriNET)</li> </ul> <p>Pharmaceutical Diversion:</p> <ul style="list-style-type: none"> <li>• NDI serves as the primary law enforcement agency in the State of Nevada to investigate crimes involving pharmaceutical diversion.</li> </ul> <p>Marijuana Eradication:</p> <ul style="list-style-type: none"> <li>• NDI assists various local, state, and federal law enforcement agencies with the identification and eradication of illegally cultivated and harvested marijuana plants.</li> </ul>

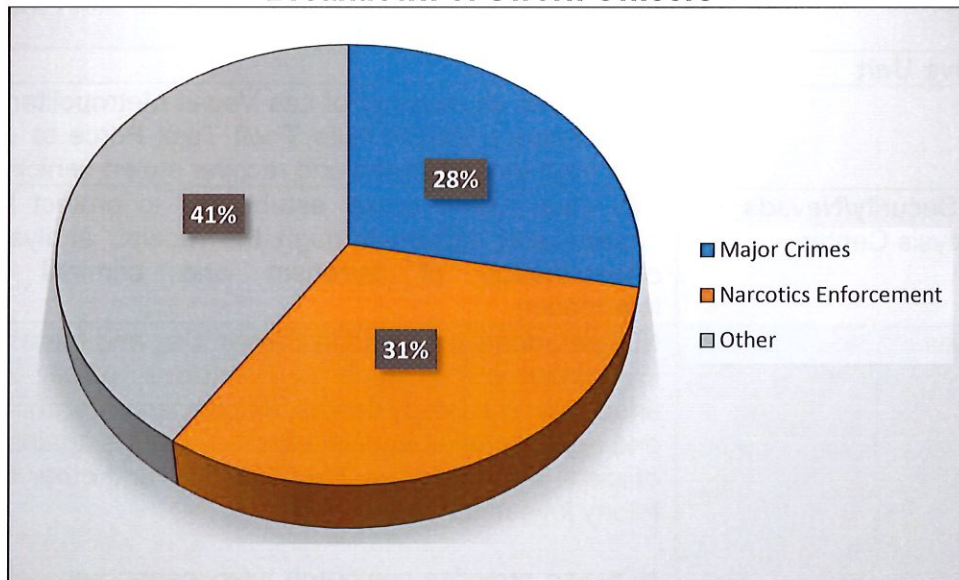
Source: Investigation Division.

## Sworn Officers Distributed Almost Evenly Across NDI's Law Enforcement Roles

NDI has 32 sworn investigative positions to perform its missions, 21 (66%) of which are dedicated to the Major Crimes and Narcotics Enforcement Units.<sup>2</sup> Exhibit II shows a breakdown of sworn officers.

### Exhibit II

**Breakdown of Sworn Officers**



Source: Nevada Executive Budget.

Notes: "Other" includes statewide leadership support positions and sworn positions assigned to other investigative units.

## NDI Commits Just Under a Third of Investigators to Major Crimes

NDI commits just under a third of investigative resources to its Major Crimes Unit. The Major Crimes Unit is divided into two multijurisdictional units. In some rural areas, the unit conducts investigations where law enforcement agencies do not have the manpower, resources, or political separation to conduct sensitive or complex investigations.

NDI allocates nearly equivalent staffing levels for both Major Crimes Units and all five Narcotics Enforcement Task Forces. Each Major Crimes Unit is supervised by a Sergeant. The Major Crimes Unit in the north is assigned four DPS Officer IIs, while the Major Crimes Unit in the south is assigned three DPS Officer IIs. Similarly, each of the five multi-jurisdictional Narcotics Enforcement Task Forces is supervised by a Sergeant and assigned a DPS Officer II. Statewide oversight and leadership of both the Major Crimes Unit and Narcotics Enforcement Unit is conducted by two Lieutenants.

<sup>2</sup> 29 sworn positions are funded by the General Fund, and 3 are funded by the Highway Fund.



## **NDI Commits About a Third of Investigators to Narcotics Enforcement**

Narcotics enforcement accounts for about a third of NDI operations. As part of its narcotics enforcement efforts, NDI oversees five multijurisdictional task forces throughout Nevada, which operate in partnership with impacted local law enforcement agencies. Consistent with Nevada statute, these task forces may engage in law enforcement activity anywhere in the state consistent with and pursuant to the jurisdictional authority of NDI.<sup>3</sup> While the primary focus of these task forces is narcotics enforcement, NDI is expected to assist participating agencies with any type of investigation, emergency, or public safety issue upon request.

## **NDI Collaborates with Local Law Enforcement**

Pursuant to NRS 480.480, "The Chief of the Investigative Division may enter into agreements with any state or local law enforcement agency in this State or in any other state to carry out the duties of the division." Given limited resources available, the creation of task forces involving local law enforcement greatly benefits the state and counties.

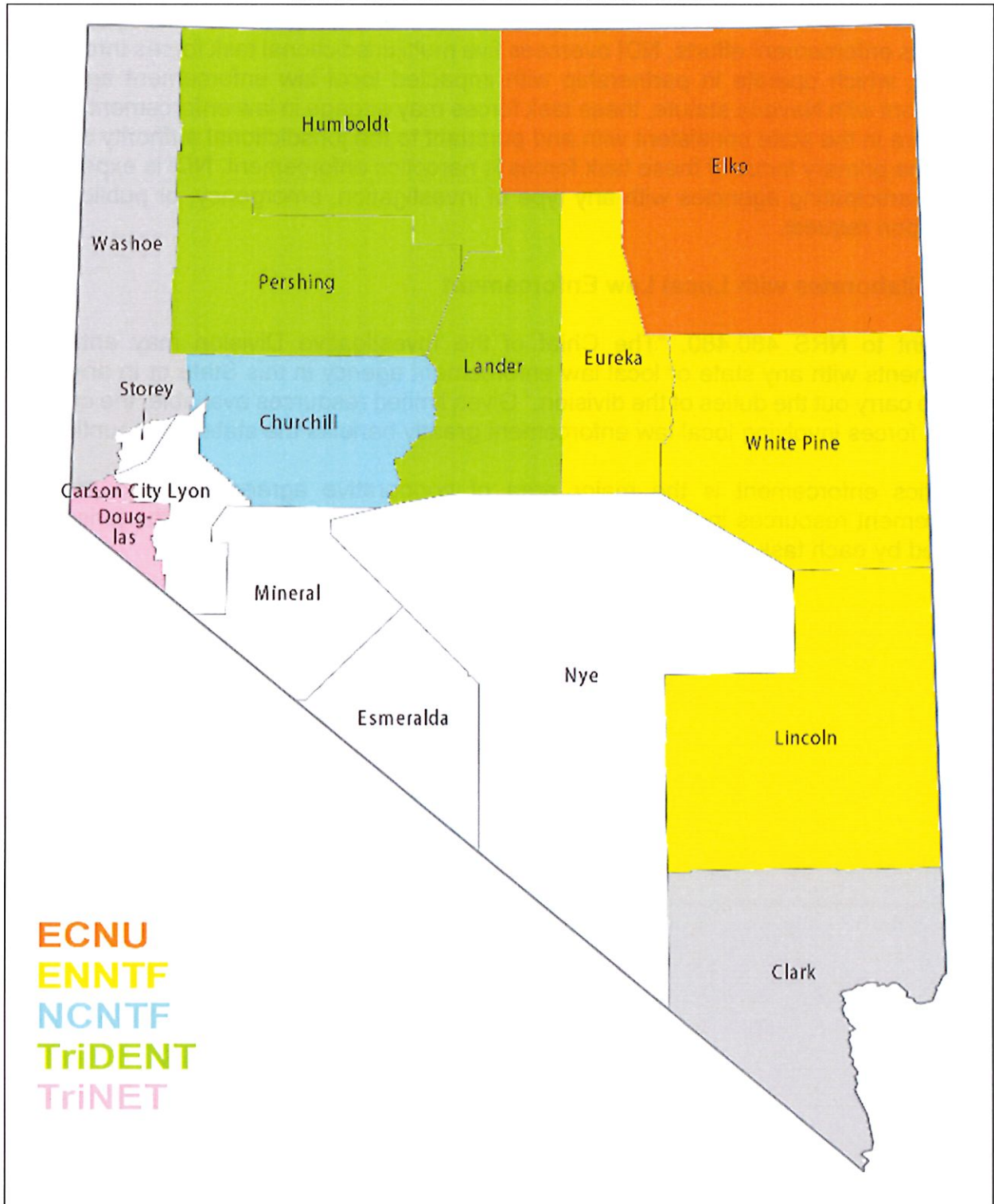
Narcotics enforcement is the major area of cooperative agreements and provides enforcement resources in 12 of Nevada's 17 counties. Exhibit III shows the jurisdiction covered by each task force.

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<sup>3</sup> NRS 480.480.

Exhibit III

Narcotics Task Force Jurisdictions



The following entities provide at least one part or full-time position to narcotics enforcement:

- **ECNU** (Elko Combined Narcotics Task Force) – Elko County Sheriff and Elko Police Department (Primary Jurisdiction: Elko County);
- **ENNTF** (Eastern Nevada Narcotics Task Force) – White Pine County Sheriff and Lincoln County Sheriff (Primary Jurisdiction: White Pine, Eureka, and Lincoln Counties);
- **NCNTF** (North Central Narcotics Task Force) – Churchill County Sheriff and Fallon Police Department (Primary Jurisdiction: Churchill County);
- **TriDENT** (Tri-County Drug Enforcement and Narcotics Task Force) – Humboldt County Sheriff and Winnemucca Police Department (Primary Jurisdiction: Humboldt, Pershing, and Lander Counties); and
- **TriNET** (Tri-County Narcotics Enforcement Task Force) – Carson City Sheriff and Douglas County Sheriff (Primary Jurisdiction: Carson City and Douglas County).

Local law enforcement agencies do not provide resources in Nye, Esmeralda, Mineral, Lyon, and Storey Counties. Washoe and Clark Counties have their own narcotics investigation units and do not provide direct support to NDI task forces.

#### Nearly 10% of Cases in Jurisdictions Without Local Commitment

Review of narcotics enforcement investigative caseload revealed that nearly 10% of investigations were conducted in jurisdictions without any local commitment. In these jurisdictions NDI assumes financial responsibility for investigative operations.

Narcotics Enforcement Task Forces may participate in investigative activity anywhere in the state within the scope of NDI's jurisdictional authority, which often occurs based on investigative leads and/or needs. For example, while the TriNET Task Force is primarily concerned with investigations in Carson City and Douglas County, investigators may also engage in law enforcement activities in other counties.

From fiscal year 2020 to 2022, the TriNET Task Force conducted investigations in Carson (174), Douglas (46), Humboldt (1), Lyon (5), and Washoe (68) Counties.<sup>4,5</sup> Exhibit IV shows a breakdown of caseloads for each task force by county. The highlighted rows represent counties that do not provide full or part-time law enforcement officials to assist task forces.

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<sup>4</sup> One investigation was also conducted in Truckee, CA.

<sup>5</sup> Data includes fiscal years 2020-2022.

## Exhibit IV

### Narcotics Enforcement Investigative Caseload Fiscal Years 2020-2022 Participating vs. Non-Participating Counties

Counties	Caseload by Narcotics Task Force					TOTAL	Investigative Caseload by County
	TriNET	NCNTF	ENNTF	ECNU	TriDENT		
Carson City	174	1				175	16%
Churchill		187				187	17%
Clark			5		1	6	1%
Douglas	46					46	4%
Elko			1	157	3	161	15%
Esmeralda						0	0%
Eureka			6	1		7	1%
Humboldt	1				184	185	17%
Lander		1		1	7	9	1%
Lincoln			17		2	19	2%
Lyon	5	10				15	1%
Mineral						0	0%
Nye			1			1	0%
Pershing					3	3	0%
Storey						0	0%
Washoe	68	7	2	1	1	79	7%
White Pine			192			192	18%
Other <sup>a</sup>	1			1	1	3	0%
<b>TOTAL</b>	<b>295</b>	<b>206</b>	<b>224</b>	<b>161</b>	<b>202</b>	<b>1,088</b>	
Investigative Caseload by Task Force	27%	19%	21%	15%	19%		

Source: Investigation Division.

Notes: <sup>a</sup> "Other" refers to states requesting assistance.

<sup>b</sup> Yellow highlighted rows represent counties that do not provide full or part-time law enforcement officials to assist NDI task forces. Gray highlighted rows represent counties that have their own narcotics investigation units but do not provide full or part-time law enforcement officials to assist NDI task forces.

### Public Safety Impacted by Non-Participating Counties

Public safety is impacted by non-participating counties. Counties that do not participate with NDI's narcotics enforcement mission likely have more narcotics activity than what is being reported. Among the five rural counties that do not provide local assistance, only 16 investigations were reported over a three year period, or an average of 1.1 narcotics crimes per county annually.

There is no mandate, requirement, or effort to convince local counties to participate in a NDI task force. The lack of investigations in non-participating rural counties can, in part, be attributed to budgetary limitations for NDI to establish separate task forces in additional

rural counties as well as the decision of some rural law enforcement entities not to collaborate with the state in narcotics law enforcement.

NDI Believes Additional Task Forces  
May Be Inefficient to Operate

NDI believes that it is impractical and inefficient to operate a narcotics task force on a full-time basis in a county or city with a very small population base under current staffing levels. NDI also contends that due to the sheer geographical size of many counties, especially in rural Nevada, it would be impractical for a local agency to assign a part-time or full-time staff member to assist NDI since the office is located in another county. For example, the primary jurisdiction of ENNTF (Eastern Nevada Narcotics Task Force) is White Pine, Eureka, and Lincoln Counties; however, the office is located in White Pine.

Rural Counties Better Positioned  
to Participate Than in the Past

Rural counties are better positioned to participate in narcotics enforcement than in the past. Population trends across Nevada suggest a greater need for local assistance. Local law enforcement agencies do not provide any support to narcotics enforcement in Esmeralda, Lyon, Mineral, Nye, and Storey Counties, in large part due to smaller population bases and an asserted lack of resources. On the contrary, Clark and Washoe Counties have the resources but choose not to collaborate with NDI because they conduct their own investigations.

Population growth highlights the need for more collaboration from local law enforcement as growing jurisdictions will inevitably increase the prevalence of narcotics. Exhibit V highlights the change in population from fiscal years 2016 through 2021 of counties that do not provide local support to NDI’s narcotics enforcement mission.

**Exhibit V  
Percent Change of Population for Counties that Provide No Local Support**

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	TOTAL
Clark	+2.3	+1.3	+2.6	+1.9	+1.2	0.00	+9.3
Esmeralda	+4.5	+0.6	-0.1	+1.4	+1.7	+0.1	+8.2
Lyon	+0.7	+1.9	+1.6	+1.7	+2.0	+0.7	+8.6
Mineral	+0.9	+2.1	+0.3	+0.9	+3.5	-1.4	+6.3
Nye	-0.7	+1.4	+3.2	+1.3	-0.1	+1.8	+6.9
Storey	+1.5	+1.0	+3.5	+0.7	+1.1	+1.3	+9.1
Washoe	+1.4	+0.8	+1.8	+2.1	+0.8	+2.4	+9.3
Nevada	+1.9	+1.1	+2.4	+1.8	+1.0	+0.4	+8.6

Source: NV State Demographer, NV Department of Taxation.

Several Counties Not Providing Support to Narcotics Enforcement Have Seen More Growth

Several counties that are currently not providing support to Narcotics Enforcement Task Forces have seen similar, if not more growth, than the State of Nevada. The gross domestic product (GDP) highlights growth rates. From 2010-2019, Nevada saw an average annual percent change of just over 2% in the real gross domestic product.<sup>6</sup> Exhibit VI shows how counties that are currently not providing any assistance fared in comparison.

**Exhibit VI**

**Real GDP Growth for Counties that Provide No Local Support  
Annual Average Growth 2010-2019**

	GDP Growth	County Rank <sup>a</sup>
Clark	2.2%	3
Esmeralda	2.0%	5
Lyon	2.0%	8
Mineral	1.4%	13
Nye	1.5%	12
Storey	17.0%	1
Washoe	2.0%	6
Rural Counties Providing Support <sup>b</sup>	1.0%	

Source: Calculations by the Nevada Regional Economic Analysis Project (NV-REAP).

Note: <sup>a</sup> Ranking out of 17 counties for GDP growth.

<sup>b</sup> Includes average of 9 rural counties and Carson City.

<sup>c</sup> Green highlight represents counties that are in the top half of GDP growth. Yellow highlight represents counties that are in the bottom half of GDP growth. Red highlight represents growth in the rural counties providing support to NDI Narcotics Enforcement Task Forces.

Storey (17%) and Clark (2.2%) saw more growth from 2010-2019 than the state of Nevada (2%). Both counties ranked top 3 among all Nevada counties in annual percent change in real GDP. Esmeralda (2%), Washoe (2%), and Lyon (2%) finished in the top half of counties in terms of real GDP growth.

**Surges in Overtime Indicative of Gaps that Can Be Filled by Officers from Non-Participating Law Enforcement Agencies**

Surges in overtime are indicative of gaps that can be filled by officers from non-participating law enforcement agencies. Review of overtime for fiscal years 2020 and 2021 revealed Narcotics Enforcement had 35% more overtime than Major Crimes for fiscal year 2020 and 88% more overtime in fiscal year 2021. Additional support from rural counties would allow NDI to redistribute its federal grant-funded overtime hours without tapping into compensatory time paid by the General Fund.

<sup>6</sup> Real gross domestic product is the inflation adjusted measure that reflects the value of all goods and services produced by an economy.

### Overtime Includes Both Paid Overtime and Accrued Compensatory Time

For purposes of pay calculations, overtime includes both paid overtime and accrued compensatory time. NRS 284.250 provides that the method of compensating an employee for overtime is cash payment or by compensatory time in lieu of cash payment. Compensatory time allows an employee to accrue paid leave at the same rate as paid overtime, which is a rate of time and one-half of the employee's normal rate of pay. The accrued compensatory time is added to the employee's unused leave balance and taken as paid leave at a later date subject to available salary savings across the division. In some cases the employee will be required to take time off in lieu of overtime pay.

### **Equitable Participation Will Enhance Public Safety**

Equitable participation from counties will enhance public safety. While no single approach may fit each county, participation may vary based on resources available. There are several options that would allow non-participating counties to participate equitably in NDI's Narcotics Enforcement Task Forces, including:

- Assign full or part-time officer support to an existing task force;
- Establish a rotating officer support schedule between non-participating rural counties; and/or
- Assess a monetary fee to non-participating counties to cover cases investigated in that county.

### Assign Full or Part-time Officer Support

Local law enforcement could assign a full or part-time officer to support an existing task force. For example, Washoe County accounted for 78% of investigations that occurred in counties without local law enforcement support in fiscal years 2020-22.<sup>7</sup> These Washoe County investigations account for approximately 10% of all narcotics cases during this timeframe. This caseload accounts for approximately one full-time officer to support NDI's narcotics enforcement mission. Support from non-participating counties could help NDI expand narcotics investigations in counties that otherwise may get overlooked, while creating a mutually beneficial partnership between NDI and local law enforcement.

### Establish a Rotating Officer Support Schedule

Local law enforcement in non-participating counties could provide resources on a rotational basis. Creating a rotational program would provide officers from non-participating counties a broader investigative perspective including investigating crimes that otherwise may be overlooked. Additional support from non-participating counties would allow NDI to allocate its overtime more equitably.

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<sup>7</sup> 79 total investigations/101 investigations in counties without local support.

### Assess Monetary Fee for Cases in Non-Participating Counties

NDI could assess a monetary fee for cases in non-participating counties. Ten percent of total narcotics task force investigations were from non-participating counties. Non-participating counties could be assessed for these investigative costs.

In fiscal years 2020 and 2021 the average pay per sworn officer was approximately \$78,000, which equates to \$780,000 in sworn officer costs per year for narcotics enforcement.<sup>8</sup> Narcotics enforcement costs include 10 sworn officers; each task force is assigned one Sergeant and one DPS Officer II.

This cost allocation amounts to an average of \$15,600 per non-participating county. The fee could be adjusted based on other considerations. For example, more precise allocation of costs based on actual caseload in other non-participating counties or credit for support-in-kind assistance for other NDI law enforcement activities.

### **NDI Asserts Support-in-Kind from Rural Law Enforcement May Be Impacted**

NDI asserts that requiring non-participating rural law enforcement agencies to share the burden of narcotics investigations may impact long-standing support-in-kind relationships with NDI. This support includes task force and non-task force operations.

NDI states most local law enforcement agencies provide operational and investigative support as requested but may not be willing to do so if required to pay for narcotics investigations in non-participating counties. NDI leadership cited the post-2020 election protests and other emergent civil disturbances as examples of when local law enforcement assisted NDI.

It is unclear what the extent or magnitude of support-in-kind is from rural counties to NDI. NDI could not provide data on how many times rural support occurred or the last time it occurred.

### **Better Data Necessary to Manage Task Force Operations**

NDI needs better data to manage task force operations more efficiently and effectively. Discussions with management revealed that NDI does not track quantitative data, such as costs accrued per jurisdiction, the cost of an investigation, or time spent on an investigation. NDI is unable to characterize the costs associated with each Narcotics Enforcement Task Force and Major Crimes Unit.

Gathering more comprehensive investigative data to show which counties NDI task forces support would help optimize the way in which NDI allocates its resources, determines how grant money should be distributed, and prioritizes the need for local law enforcement assistance.

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<sup>8</sup> \$780,000 in sworn officer costs per year x 10% of cases in jurisdictions without local support.



## ***Conclusion***

Improving efficiency and effectiveness of operations through heightened state support from some non-participating counties will free up overtime funds for other public safety needs and reduce General Fund compensatory time payments. Nearly 10% of investigations by Narcotics Enforcement Task Forces were conducted in jurisdictions without any local commitment. Counties that do not participate with NDI's narcotics enforcement mission likely have more narcotics activity than what is being reported. Rural counties are better positioned to participate in narcotics enforcement than in the past and should choose a strategy to achieve equitable contributions for NDI investigative services. Additionally, more comprehensive investigative data will support decision making about allocating resources, determining how grant money should be distributed, and prioritizing the need for local law enforcement assistance from rural jurisdictions.

## ***Recommendation***

1. Request collaboration from non-participating local law enforcement agencies.
2. Collect investigative data to optimize decision making.

## Appendix A

### Scope and Methodology, Background, Acknowledgements

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#### Scope and Methodology

We began the audit in November 2021. In the course of our work, we interviewed members of management and staff from the Investigation Division to discuss processes inherent to NDI's operations. We reviewed NDI records and researched legislative history, applicable Nevada Revised Statutes, Nevada Administrative Code, Nevada State Administrative Manual, governmental generally accepted accounting principles, and other state guidelines. We concluded fieldwork in May 2022.

We conducted our audit in conformance with the *International Standards for the Professional Practice of Internal Auditing*.

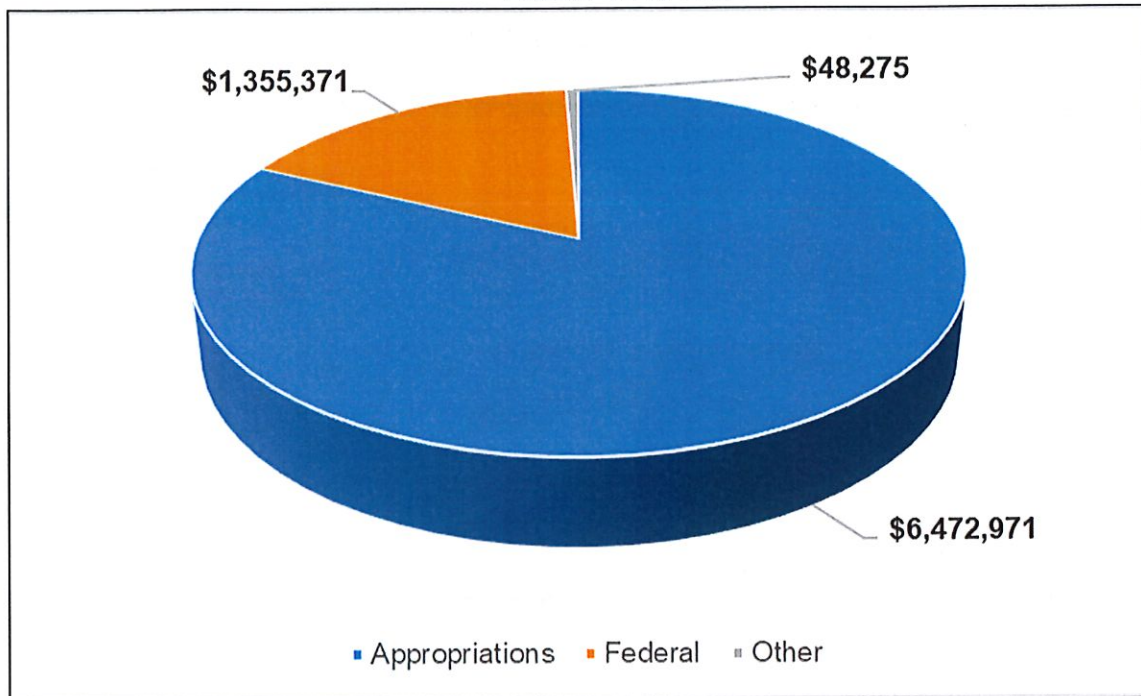
#### Background

The Department of Public Safety (DPS), Investigation Division (NDI), is a law enforcement agency with statewide jurisdiction dedicated to public safety. NDI's missions are to provide comprehensive investigative services upon request to all criminal justice agencies; to support federal, state, local, and private sector partners through the collection, analysis, and dissemination of relevant and timely information on terrorism, criminal activity, and other public safety hazards; and to deter and disrupt the trafficking and availability of narcotics and other dangerous drugs, statewide, through the supervision of multi-jurisdictional task forces, within 14 of Nevada's 17 counties. Statutory authority includes NRS 480.140, NRS 480.400 through NRS480.610, NRS 453.271, NRS 179, and NRS 453 and 454.

NDI is funded mostly by General Fund appropriations representing 82% of fiscal year 2021 funding. The remainder is provided by federal funds and other funding. NDI's funding was \$7.9 million for the most recently completed state fiscal year, 2021. Exhibit VII summarizes NDI's budget by funding source for fiscal year 2021.

**Exhibit VII**

**Investigation Division Funding Sources  
Fiscal Year 2021**



Source: Derived from state accounting records.

Notes: "Other" includes cash balances, sales of equipment, restitution payments, and prior year refunds.

**Acknowledgments**

We express appreciation to the Department of Public Safety, Investigation Division management and staff for their cooperation and assistance throughout the audit.

Contributors to this report included:

Warren Lowman  
Administrator

Saranjeet Bains, MBA  
Executive Branch Auditor

## Appendix B

### Department of Public Safety, Investigation Division Response and Implementation Plan

Steve Sisolak  
Governor



Nevada Department of  
**Public Safety**  
Dedication Pride Service

George Togliatti  
Director

Sheri Brueggemann  
Deputy Director

#### Investigation Division

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#### Memorandum

DATE: June 8, 2022

TO: Warren Lowman, Administrator – Division of Internal Audits  
Saranjeet Bains, Executive Branch Auditor – Division of Internal Audits

FROM: Ryan Miller, Chief

SUBJECT: Department of Public Safety – Investigation Division (NDI) Audit Response

1. **Recommendation #1 - Request Collaboration from Non-Participating Local Law Enforcement agencies** – *“NDI should request collaboration from non-participating counties to support task forces, specifically Narcotics Enforcement Task Force operations.”*

Consistent with their statutory authority outlined in Nevada Revised Statute (NRS) 480.460 (6), the Nevada Department of Public Safety – Investigation Division (NDI) is mandated to enforce the provisions of NRS 453 as it relates to controlled substances (narcotics enforcement.) This is a significant undertaking given the proliferation, clandestine nature, and multijurisdictional attributes (crosses city, county, state, and national boundaries) of the illegal/illicit narcotics trade. Not only does this require cooperation between local, state, and federal law enforcement agencies, but almost none of them have the resources to address it independently, especially the smaller/rural jurisdictions. In fact, for many decades federal, state, and local policy makers have understood that collaboration was necessary. To that end and consistent with NRS 480.480, the Division has historically operated and/or participated in multi-jurisdictional narcotics task forces.

Narcotics Task Forces represent a collaborative effort to disrupt and dismantle the illegal/illicit manufacture, importation, transportation, distribution, cultivation, and use of controlled substances. Such efforts involve complex investigations and require significant number of dedicated resources. Task Forces act not only a force multiplier to overcome resource limitations, but remove jurisdictional boundaries that criminal activity, especially the illegal/illicit narcotics trade, readily exceeds.

Capitol Police • Highway Patrol • Investigations • Parole and Probation • State Fire Marshal • Training Division  
• Office of Traffic Safety • Office of Professional Responsibility • Office of Criminal Justice Assistance  
• Records, Communications and Compliance • Office of Cyber Defense Coordination • Emergency Response Commission

Currently, the NDI operates and manages five (5) narcotics task forces; many of which have operated for decades. Each task force is strategically positioned with consideration given to current NDI staffing/resources levels, county/city population, local participation, historical/existing agreements, and the ability to cover multiple geographical locations within a region. Although the Division has historically participated in and/or operated more task forces throughout the state, current funding and resources are prohibitive. In fact, despite significant increases in the state's population, budget cuts that were the result of the economic crisis that began in 2008 resulted in an approximately 46% reduction of NDI sworn staff; positions that have not been restored.

Each of NDI's task forces have primarily jurisdiction in which they operate, covering about ten (10) of the state's seventeen (17) counties. Each of the task forces have full or part-time sworn staff members assigned to them from the local agencies, an identified liaison with the local agencies, and/or the local agencies provides staff/other resources upon specific request. Narcotics enforcement services are provided to the remaining seven (7) counties based on investigative leads developed by NDI's existing task forces and/or on case-by-case basis as requested/needed. This includes Clark, Esmeralda, Lyon, Mineral, Nye, Storey, and Washoe Counties.

Although NDI does not currently have the staff/resources to operate and/or participate in a narcotics task force in Clark and Washoe Counties, both have narcotics task forces of their own. Likewise, Lyon and Nye Counties have internal units that address illegal/illicit narcotics. Anytime an NDI narcotics task force investigative lead crosses into one of these counties, the local task force or unit is contacted who provides staff/resources to support the investigation and/or the information is passed to them to address on their own. Therefore, each of these counties is providing staff and/or other resources for NDI narcotics investigations in those areas and/or addressing it themselves. Although NDI used to operate and/or participate in task forces in Clark and Washoe, they had to discontinue their operation/participation due to the budget cuts associated with the economic crisis that began in 2008.

Regarding Esmeralda, Mineral, and Storey Counties, NDI does not currently have the staff/resources to operate a narcotics task force in those areas. Additionally, NDI does not believe that these counties have a narcotics task force and/or unit of their own. As such, the scope and nature of the narcotics problem in those areas is relatively unknown. Nevertheless, NDI will continue provide resources to these areas as investigative leads are developed and/or on a case-by-case basis as requested/needed. Likewise, NDI is amenable to placing a narcotics task force and/or resources in those areas, as well as Clark, Lyon, Nye and Washoe Counties, if they are provided with additional staff/resources for that purpose.

Consistent with the DIA's recommendation, NDI will reach out to Esmeralda, Mineral, and Storey Counties to request they assign a full-time sworn staff member, part-time sworn staff member, rotational officer, or liaison to one of their existing narcotics task forces. It should be noted that both Lyon and Mineral Counties used to have sworn staff assigned to an NDI task force; however, it is NDI's understanding that reduced grant funding and/or geographical considerations associated with the location of nearest task force office made this impractical

and/or ineffective. Such factors may continue to be a barrier for many of the "non-participating" agencies.

Although the DIA reports that *"surges in overtime are indicative of gaps that can be filled with by officers from non-participating law enforcement agencies,"* NDI respectfully disagrees. Narcotics related overtime is primarily related to operational needs/factors, rather resource issues that result in time delays. For example, most narcotic operations involve controlled (undercover) purchases of illegal/illicit controlled substances from a narcotics dealer. Although NDI attempts to conduct controlled (undercover) purchases of illegal/illicit controlled substances during scheduled business hours, timeliness is dependent on the narcotics dealer and when they are available, have the product, and *actually show* up. In fact, narcotics operations almost always occur several hours after they are scheduled as illegal/illicit narcotics dealers are not bound by time and show up when they want to; none of which generally affects their ability to conduct a sale or their bottom line. Likewise, each narcotics operation has specific duties that must be addressed concurrently, as well as a minimum number of staff that is required for each of those duties to be completed effectively and safely. Therefore, while increased staffing from "non-participating" agencies is desirable to increase enforcement efforts, it will likely have little to no effect on the operational needs/factors that result in most of the narcotic related overtime. In fact, it will likely generate more narcotics investigations; thereby increasing operational overtime.

NDI takes no position as it relates to the (Department of Administration's) DIA's suggestion NDI could *"assess a fee for (narcotics) cases in non-participating counties."* Fee assessments are at the discretion of the Governor and Nevada Legislature. Most of NDI's narcotics cases that occurred in "non-participating" counties occurred in counties that have their own narcotics task forces and/or units, all of whom provide NDI with staffing/resources when working narcotics cases in their county. Furthermore, each of these counties maintains prosecutorial authority via the District Attorney's Office, providing NDI with significant prosecutorial resources throughout the adjudication of these cases. Moreover, many of the "non-participating" counties provide not only NDI, but DPS as whole, with a significant amount of operational/administrative assistance and support throughout the state, especially during times of staffing/resource shortages, without compensation.

In summary, NDI accepts the DIA's recommendation to "request collaboration from non-participating local law enforcement agencies" to support narcotics task force operations. Nevertheless, several of "non-participating" counties have narcotics task forces or internal units of their own which are readily collaborating with NDI by providing staff and/or other resources for NDI narcotics investigations occurring in their jurisdiction and/or they address the problem themselves. For the remaining "non-participating" counties, NDI will request they assign a full-time sworn staff member, part-time sworn staff member, rotational officer, or liaison to one their existing narcotics task forces. However, geographical considerations associated with the location of nearest NDI task force office may make such collaboration impractical and/or ineffective. To resolve this issue, NDI is amenable to operating or participating in a narcotics task force in every county in Nevada if they are provided with additional staff/resources for that purpose.

In addition, narcotics overtime is primarily driven by operational needs/factors, rather than resources issues that result in delays. As such, increased staffing from "non-participating" agencies will likely have little to no impact on overtime. In fact, increased collaboration, while desirable to increase enforcement efforts, will likely generate more narcotics investigations resulting in more operational overtime.

Lastly, NDI takes no position regarding the DIA's suggestion that a fee could be charged to non-participating agencies for narcotics cases in their county. Fee assessments are at the discretion of the Governor and Nevada Legislature. "Non-participating" counties participate/collaborate via their own narcotics task force/unit, prosecutorial services, and/or assisting and supporting DPS/NDI with day to day operational/administrative needs, especially in times staffing/resource shortages, without compensation.

2. **Recommendation #2 – Collect Investigative Data to Optimize Decision Making**

NDI accepts the DIA's recommendation to collect quantitative investigative data such as "*cost accrued per jurisdiction, the cost of investigation, or the average time spent on investigation,*" to optimize decision making. Nevertheless, NDI does not currently possess or have access to a technological solution, nor are they aware of a technological solution, to capture this data. Likewise, NDI does not currently possess the staff to collect, organize, and analyze such data. As such, NDI is unable to implement this recommendation at this time.

## Appendix C

### Timetable for Implementing Audit Recommendations

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In consultation with the Department of Public Safety (DPS), Investigation Division (NDI), the Division of Internal Audits categorized the recommendations contained within this report into two separate implementation time frames (i.e., *Category 1* – less than six months; *Category 2* – more than six months). NDI should begin taking steps to implement all recommendations as soon as possible. The target completion dates are incorporated from Appendix B.

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#### **Category 2: Recommendations with an anticipated implementation period exceeding six months.**

<u>Recommendation</u>	<u>Time Frame</u>
1. Request collaboration from non-participating local law enforcement agencies. (page 13)	July 2023
2. Collect investigative data to optimize decision making. (page 13)	July 2023

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The Division of Internal Audits shall evaluate the action taken by NDI concerning the report recommendations within six months from the issuance of this report. The Division of Internal Audits must report the results of its evaluation to the Executive Branch Audit Committee and NDI.