



CRIME COMMISSION

SEMI-ANNUAL REPORT
Created by Chairman Patricia Lee

June 30, 2012

Members as of last regularly scheduled Commission Meeting i.e. June 20, 2012:

Patricia Lee
Chris Perry
Terry Johnson
Greg Cox
Michael Wilden
David Gustafson
Leo Drozdoff
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~~Mark Lipparelli~~
~~Shawn Reid~~
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~~David Roger~~
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~~Samantha Ladich Gen. Counsel~~
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Linda Herron, Executive Secretary
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SUMMARY/OVERVIEW : The Crime Commission, (“Commission”), has convened on two separate occasions since its submission of its last semi-annual report. The Governor’s Office has asked that the Commission report on the current status of Cyber-Crime in our State. No other specific requests have been made of the Commission from the Governor’s Office since its last report. In response to the Governor’s request, the Commission hereby submits a preliminary report outlining both local and federal efforts to combat cyber crime. *See* Cyber Crime Report, attached hereto as Exhibit 1. In subsequent reports, the Commission intends to supplement with more information on outstanding initiatives, efforts and legislation related to cyber crime that are anticipated and pending with the State, and will make recommendations to the Governor regarding the same.

The following represents the official semi-annual report to the Governor, parsed out by meeting date. Please contact Patricia Lee for any questions about this Report.

I. March 21, 2012

During this meeting of the Commission, the Commission welcomed Linda Herron as its new Administrative Assistant replacing Chris Molnar and its new General Counsel, Michael Jensen from the State’s Attorney General’s Office, replacing former General Counsel, Samantha Ladich. The Commission further elected David Gustafson from the Department of Information Technology as Vice Chair of the Commission to replace Sheriff Mike Haley. The Commission further elected committee chairs as follows:

Michael Harris: Chairman of the Public Education Committee
Chris Perry: Chairman of the Crimes Solutions Committee
Mike Haley: Chairman of the Crime Trends Committee
Greg Cox: Chairman of the Reduction of Recidivism Committee
Dick Gammick: Chairman of the Legislative Committee
Tom Lozich: Chairman of the Fundraising Committee

In response to the Governor’s request for information regarding cyber-crime in Nevada, Christopher Ipsen, the Chief Information Officer for the Department of Information Technology, addressed the Commission about various issues surrounding cyber-crime in our State. *See* full Report at Exhibit 1. *See also* Agenda and Minutes from March 21, 2012 Crime Commission Meeting, attached hereto as Exhibit 2.

II. June 20, 2012

In light of the impending legislative session to be held in 2013, the Commission invited Charles Calloway, Director of Intergovernmental Services for the Las Vegas Metropolitan Police Department, (“Metro”), to discuss hot button law enforcement related legislation

enforcement related legislation is likely to resurface and/or appear for the first time in the upcoming legislative session.

The opinions expressed by Mr. Calloway are those that are purportedly held by Metro and do not necessarily reflect those of the Commission. As there are no pending Bills currently before the legislature, the Commission will reserve its recommendations until such time as legislation is actually proffered in written form, unless otherwise asked for by the Governor.

Preliminarily Mr. Calloway represented that Metro, would oppose any legislation that came with an unfunded mandate. In each instance, Metro and other law enforcement agencies are essentially being asked to do more with less. One way Metro intends to address these unfunded mandates is by seeking funding from the “More Cops” Clark County sales and use tax, which was enabled by the legislature in 2005, and further seek some flexibility with how those dollars can be used.

Mr. Calloway then went on to address various substantive areas of legislation that he believes will be making headlines in the impending 2013 Session, which include:

1. Traffic Fatalities

According to the Las Vegas Review Journal, the number of Nevada traffic related deaths jumped by nearly 25 percent in the first quarter of 2012 when compared with the same period last year.¹ From January through March, 57 people died in Nevada traffic accidents, which is 11 more than last year.² Moreover, a report from state public safety officials stated that 12 pedestrians died in the first quarter, double the number from the same time last year.³ Elsewhere, there were three deaths each so far this year in Elko and Nye counties, two in Washoe and one each in Douglas, Humboldt, Lander and Mineral.⁴ There has been varying speculation as to the cause of increased fatalities including the strained economy which increases the number of motorcyclists on our streets, confusing roadways caused by evolving construction projects, use of cell phones and other hand held electronic devices while driving, driving under the influence, lack of crossing guards, and excessive speed at intersections. It does not appear however, that anyone has been able to pin point the exact cause for the alarming increase in traffic fatalities this year.

Mr. Calloway noted that in every legislative session there are a number of traffic related Bills introduced directly impacting traffic safety, including the repeal of the helmet law for motorcycle riders and the primary seat belt law. Generally speaking, Metro is opposed to any legislation that decreases safety on the road ways including efforts to reduce fines or fees for traffic infractions.

¹ See Las Vegas Review Journal, *Nevada Traffic Deaths Jim in First Quarter of 2012*, Sandra Chereb, The Associated Press, April 3, 2012.

² See *id.*

³ See *id.*

⁴ See *id.*

2. Illegal Drug Use

Marijuana: NRS 453A and NAC 453A permit the citizens of our State to legally use and possess small amounts of marijuana for medicinal purposes. To avoid prosecution at the State level, medicinal users must register for a medical marijuana card through the Nevada Department of Health and Human Services, (“DHHS”), Nevada State Health Division’s Medical Marijuana Program. Because DHHS does not dispense the drug, nor can it refer its registrants to any location from which they can purchase the drug, the law itself creates a quandary for both law enforcement agents and medical marijuana users. In Nevada, Marijuana cultivation and the costs associated with the clean-up of grow houses has increased significantly over the last few years. Mr. Calloway notes that we have also seen an increase in marijuana cultivation in rural areas and recreation areas such as Mt. Charleston. Metro has tried unsuccessfully in the last two sessions to increase the penalties for cultivation. While some citizens are pushing for the legalization of dispensaries, Metro is concerned about how they would be implemented and regulated. There are also concerns about the clash between Federal and State law where the drug itself is still outlawed at the Federal level. A bipartisan measure that would have eliminated funding for federal raids on medical marijuana dispensaries in states where they are legal failed in May of 2012 in the House of Representatives.⁵ Thus, the Federal government continues to unleash its interagency crackdown on the cannabis industry, with raids on marijuana dispensaries in States where they are otherwise legal.

Needle Exchange: There has also been proposed legislation to create needle exchange programs and to remove hypodermic needles from the drug paraphernalia section of NRS. While the needle exchange program is a well intentioned piece of legislation designed to decrease the health risks associated with the use and sharing of dirty needles, Metro is concerned that any such program would actually encourage the use of illicit drugs and have the unintended consequence of increasing crime where implemented. Mr. Calloway therefore proposes supporting any law that ensures public health and safety, but not those that diminish our existing laws.

Prescription drug use: There has been an alarming rise in illegal prescription drug use. According to Mr. Calloway, more people died last year from prescription drug abuse than from traffic fatalities with about one death every 19 minutes nationwide. There are efforts being made to introduce potential legislation that changes the language for trafficking prescription pills from a specific weight to a specific number of pills. As a practical matter, the weight per pill is small and thus requires larger quantities to trigger penalties. Given that the drug is in pill form, it makes more sense to apply a per pill unit of measurement versus overall weight of the trafficked product.

Synthetic marijuana and bath salts: In the last legislative session, there were several bills that attempted to criminalize these substances, however they were all based on criminalizing the compounds used to make them. This approach, however, has proven largely unsuccessful because criminals can simply swap out or slightly alter any one of the ingredients in order to avoid prosecution under the law. Nonetheless, the Nevada

⁵ See Huffington Post, *Medical Marijuana Raids to Continue After House Defeats Defunding Bill*, Lucia Graves, May, 10, 2012.

Board of Pharmacy continues to issue emergency mandates to meet the ever changing formulas that continue to evolve to elude the law.

Sudafedrin Law: While not specifically addressed by Mr. Calloway, 2013 may see the resurgence of AB 150 which generally proposed various changes to the regulation of methamphetamine and other controlled substances. The controversial aspect of this Bill was the portion that proposed a mandate requiring a prescription for any drug containing the precursors used in making methamphetamine. Those critical of the bill objected to forcing members of our community without insurance, to bear the (perhaps cost prohibitive), expense of seeing a doctor to simply combat allergies or the common cold. Although the Bill did not pass, there is a possibility that alternative solutions including cross-pharmacy tracking of consumer purchases, may be introduced in the next session. There may also be a resurgence of the bill in same form as the last legislative session in light of the United States Supreme Court's recent ruling upholding the Patient Protection and Affordable Care Act mandating insurance coverage for all citizens.

3. DNA Testing under “Brianna’s Law” and similar legislation

There were several attempts in past sessions to pass “All Felony Arrestee DNA” Bills, one of which was AB 552, commonly referred to as “Brianna’s Law.” These laws would mandate DNA testing of all persons arrested on felony charges (versus taking samples at the time of conviction). Similar legislation was introduced during the 2009 Legislative Session (AB 234). Generally, Metro supports the collection of DNA from all felony arrestees, however, there are concerns about funding crime labs, expunging samples and overall logistics. Both Las Vegas and Washoe County police departments are currently working with Assemblywoman Debbie Smith and the Denison family to provide some suggested language. Generally speaking, Metro would be opposed to any measures that limit or restrict our current DNA laws.

4. Immigration Issues

In the last session of the legislature, Senators Gustavson, Cegavske, Halseth, McGinness and Settlemeyer introduced SB 380 which attempted to revise provisions governing aliens unlawfully present in the United States. The Bill, which was unsuccessful, essentially addressed the following:

Providing under certain circumstances for the verification of the immigration status of persons who are arrested and booked;

Requiring certain applicants for the issuance or renewal of a State business license to submit with the application a copy of certain tax forms;

Requiring the Office of the Attorney General to negotiate and implement a cooperative law enforcement agreement with the Attorney General for the United States regarding the enforcement of federal immigration laws by certain state and local employees;

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Requiring public employers to use E-Verify to verify eligibility for employment for current and prospective employees;

Requiring contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work; and

Prohibiting the misclassification of unauthorized aliens as legal aliens.

In a highly anticipated decision involving a similar law, the Arizona Supreme Court recently struck down three parts of Arizona's controversial SB 1070, i.e. Sections 3, 5C and 6. Section 3 would have made it a state crime for undocumented immigrants not to carry an alien registration document (held to be duplicative of and thus superseded by Federal law). Section 5C would have made it a state crime for undocumented immigrants to look for a job or perform work in Arizona. Section 6 would have allowed a state or local police officer to conduct an arrest without a warrant when police had probable cause to believe an individual committed a felony, a misdemeanor or a crime that would make them removable from the United States.

The Arizona Supreme Court did, however, uphold Section 2B of SB 1070 which states that local law enforcement officers in Arizona are authorized to determine the immigration status of anyone they reasonably suspect might be in the United States illegally. Forms of identification suggested by the Bill include an Arizona driver's license, Arizona ID card, tribal enrollment card or any other official ID issued by a US Federal, State or local government.

Nevada was no doubt monitoring the outcome of this case very closely in seeking guidance for introducing similar legislation in our State. With the Arizona Supreme Court offering some guidance by its ruling, we may see some BDRs surface seeking to introduce similar Section 2B language to the State. The general consensus amongst members of Metro, however, is that laws such as SB 1070 have the potential of harming law enforcement's relationships with the Hispanic community, tying up local police resources, and deterring certain victims of, or witnesses to crimes from reporting them.

5. Funding for prisons and jails

Like many other areas in both the public and private sector, funding and resources for prisons and jails is currently scarce. Presently, it costs on average \$130.00 per day to house an inmate at the Clark County Detention Center. Metro logically supports programs that have a proven track record of reducing recidivism and diverts low level offenders from prison, so long as there is funding in place to support those programs. On the other hand, Metro is concerned about any legislation that would allow high level offenders to serve only a small fraction of their sentence and then become eligible for early release. Similarly, Bills designed to reclassify category B felonies, which make up a significant portion of the prison population, would cause some concern for Metro. Finally, Metro would generally not be supportive of any mandate that would strip a Judge of his or her discretion to send an offender back to prison for a probation or parole violation.

6. Firearms including campus carry and constitutional carry

Stricter Penalties for Using Guns to Commit Crimes: Bills related to the regulation of firearms are typically a hot topic during any legislative session and is arguably the most divisive amongst law enforcement officials. Notwithstanding, there is a general consensus amongst law enforcement agencies that while they do not necessarily support legislation that would control or ban the use of assault weapons, they do support any law that imposes stricter penalties for offenders who use guns in the commission of a crime.

National Reciprocity: There has been some debate about adopting national reciprocity which would force Nevada to recognize and accept concealed carry weapons permits, (“CCWs”), issued by all of the other states. Nevada currently has reciprocity with 16 other states, all of which have similar CCW requirements. Metro generally opposes any law encouraging blanket reciprocity since other States may have more relaxed standards for issuing CCWs.

Campus Carry: SB 231, which would have legalized the licensed concealed carry of firearms on Nevada college campuses, was a highly controversial Bill in the last legislative session. There was a clear divide amongst law enforcement officials both for and against the law. Opponents of the bill suggested, among other things, that the law would encourage vigilantism, increase unintended injuries, and create confusion amongst responding officers. Proponents of the bill cited to the training involved in obtaining a CCW in the first instance which would minimize the chances for any unintended injuries, that it would allow students to protect themselves from shooting sprees, and that holders of CCWs are deemed responsible enough to carry their concealed weapons in virtually any other location and that college campuses should not be treated any differently. Although this Bill did not pass in the last legislative session, it is likely that the National Rifle Association, (“NRA”), will push for Campus Carry in the next legislative session.

Constitutional Carry: Senators James Settemeyer and John Lee introduced SB 126 during the last legislative session which would allow for non-weapon specific concealed carry licensing. While Mr. Calloway did not express any opinions about this proposed legislation one way or another, we can expect to see an updated version of it during the next legislative session.

The Commission meeting ended with an affirmative plan to explore these, and other hot topics that will likely surface/re-surface during the next legislative session. See Agenda for June 20, 2012 Crime Commission Meeting, attached hereto as Exhibit 3.⁶

⁶ The minutes reflecting the actions taken at the June 20, 2012 Crime Commission meeting were not yet available for inclusion at the time of this report. The Commission will supplement this Report to include such minutes once they are made available.

III. Conclusion/Forecast

In addition to any specific issues on which the Governor would like recommendations, the Commission intends to report and make recommendations on those law enforcement issues that are likely to have a significant impact on law enforcement, the community at large and/or to our State's budgetary bottom line. Because most BDRs should be submitted by August 2012 (with the exception of those drafted by members of the legislature, some of whom may be newly elected come November), the Commission will tap into various law enforcement agency groups, including the Sheriff's and Chiefs Association, to reach a general consensus regarding recommendations to the Governor towards the end of the year. The Commission encourages the Office of the Governor to submit any specific issues upon which it seeks guidance at any time. Otherwise, the Commission intends to further explore the issues outlined herein, as well as potential legislation concerning human trafficking, mental health, juvenile justice, pandering/prostitution, fraud/forgery, sexual assault, collective bargaining, Homeland security and any other issues germane to the health, safety and prosperity of our citizens and to our State.

EXHIBIT 1



CRIME COMMISSION

CRIME COMMISSION REPORT AND RECOMMENDATIONS ON CYBER-CRIME – Volume I

Purpose of Report

This report is being generated at the specific request of the Governor who has tasked the Crime Commission with researching the scope of cyber crime threats in Nevada, the resources available to combat such crime, additional resources needed to continue the fight against cyber crime and a recommendation for legislation that supports that mission. Because this area of crime is substantially expansive, the Commission will continue to research this area of crime and produce subsequent volumes as information becomes available.

Introduction

FBI Director Robert S. Mueller recently addressed the attendees of the 2012 RSA Conference about combating threats in the cyber world, including outsmarting terrorists, hackers and spies. In the introduction of Director Mueller, the announcer poignantly noted the following:

“We depend on the internet every day – to communicate, to shop, to grow ideas and to build businesses. But the technology we use for innovation and convenience is employed by criminals and nation-states to steal research and personal data. Terrorists use it to recruit and train operatives, and to plan and execute attacks. We cannot merely react to these threats. Hackers and spies will continue to exploit every vulnerability; terrorists will continue to use the internet to nefarious ends.”

After this introduction, Director Mueller went on to give a 23 minute presentation on the cyber threat to our nation’s security and economic prosperity, what the FBI is doing to combat this threat, and why it is imperative that law enforcement and the private sector work together to protect the safety and security of our citizens. In this first installment of the Commissioner’s Report and Recommendations, the Commission offers this summary of some of the Federal and national mobilization efforts that have thus far been implemented in order to protect our nation as a whole from “the most serious threat that faces our nation today.”¹ The Report further summarizes our State’s local efforts and describes the intersection with Federal efforts where applicable. It is the intent of the Commission to file future reports describing the projects in progress relative to each identified State body, identify areas of vulnerability due to deficient resources, and identify any anticipated legislation that may be introduced during the next legislative session related to combating cyber-crime and make recommendations relative thereto.

¹ FBI Director, Robert Mueller- 2012 RSA Conference Address

Federal Efforts

The Federal Government, including, but not necessarily limited to, the FBI, CIA, DHS, and Secret Service, has expended tremendous resources in addressing the threat of cyber crimes on our national security. More and more, terrorists are using the internet to recruit members into their networks and conduct their operations. Moreover, both terrorists and non-terrorists use the internet to commit economic espionage, selling our nation's intellectual property and other trade secrets to the highest bidder.

The Federal Government has responded by implementing a series of joint task forces, committees, and groups designed to identify, report and prevent the spread of cyber crime. The FBI for instance, has implemented a Cyber Division dedicated to addressing cyber crime in a coordinated and cohesive manner. The following is a brief summary of some of the resources implemented by the Federal Government, some in conjunction with other nation-states, to effectuate that goal.

Cyber Squads

Specially trained cyber squads at FBI headquarters and in each of its 56 field offices, are staffed with agents and analysts who protect against and investigate computer intrusions, theft of intellectual property and personal information, child pornography and exploitation and on-line fraud.²

Cyber Action Teams

Cyber Action Teams, or "CATs," are small, highly trained teams of FBI agents, analysts, and computer forensics and malicious code experts who travel around the world on a moment's notice to respond to cyber intrusions. Along the way, they gather vital intelligence on emerging threats and trends that help the FBI identify cyber crimes that are most dangerous to our national security and to our economy.³

Computer Crimes Task Forces

The FBI has established no less than 93 Computer Crimes Task Forces throughout the United States each combining state-of-the-art technology and the human resources of the FBI's federal, state and local counterparts.⁴ By way of illustration, the Connecticut Computer Crimes Task Force, ("CCCTF"), housed in the FBI's New Haven field office, is comprised of agents from the bronze seals of the U.S. Secret Service, the U.S. Postal Inspection Service, the Department of Defense Inspector General, the Internal Revenue Service, and the FBI. State representative members of the CCCTF include investigators from the Connecticut State Police, the Connecticut Chief State Attorney's Office, and the Bridgeport, Glastonbury, Milford and Avon Police Departments.⁵ Nearly a dozen government agencies from across the State of Connecticut combine their skills, resources, investigative strategies, and intelligence into a unified attack on virtual crime.⁶

² <http://www.fbi.gov/about-us/investigate/cyber/computer-intrusions> (last viewed May 9, 2012).

³ <http://www.fbi.gov/news/stories/2006/march/cats030606> (last viewed May 9, 2012).

⁴ <http://www.fbi.gov/about-us/investigate/cyber/computer-intrusions> (last viewed May 9, 2012).

⁵ <http://www.fbi.gov/news/stories/2006/january/ccctf012506> (last viewed May 9, 2012).

⁶ Id.

The Connecticut CCTF is expanding its capabilities with the inception of its high-tech training lab where hundreds of law enforcement agents come each year to learn everything from how to analyze computer log files to how to interview cyber victims. The lab is also used to teach parents and civic groups on-line safety tips. There are a total of 93 CCTFs around the country.⁷

InfraGard

At its most basic level, InfraGard is a partnership between the FBI and the private sector. InfraGard is an association of businesses, academic institutions, state and local law enforcement agencies, and other participants dedicated to sharing information and intelligence to prevent hostile acts against the United States. InfraGard chapters are geographically linked with FBI field office territories. InfraGard boasts more than 50,000 members across the United States, all of whom are dedicated to protecting our country's critical infrastructure, (hence the name "InfraGard"), including power plants, water supply, security, financial services and the internet.⁸

National Cyber Investigative Joint Task Force

In 2008, the U.S. President mandated the National Cyber Investigative Joint Task Force, ("NCIJTF"), to be the focal point for all government agencies to coordinate, integrate, and share information related to all domestic cyber threat investigations. Accordingly, the FBI, along with the Department of Defense Cyber Crime Center, forged a strong alliance within the federal government and then expanded this model to critical infrastructures, industry and international partners. The FBI is responsible for developing and supporting the joint task force, which includes 18 intelligence agencies and law enforcement, working side by side to identify key players in schemes. Its goal is to predict and prevent what's on the horizon and pursue the enterprises behind cyber attacks. Instead of focusing on reducing cyber vulnerabilities, the NCIJTF focuses on making the internet safer by pursuing the terrorists, spies, and criminals who seek to exploit our systems. Because they act globally across many jurisdictions, the collaboration at the NCIJTF is critical to ensure all legal means and resources available are used to track, attribute, and take action against these cyber threats and to ultimately place international cyber criminals behind bars and off our global networks. The NCIJTF also ensures that the privacy rights of all Americans are protected during the course of any cyber investigation it conducts (presumably to lessen the financial impact caused by public scrutiny and uncertainty with shareholders). The NCIJTF contributes heavily to tracking down cyber threats domestically – whether the perpetrators physically reside in the U.S. or attack computers inside our country from abroad. The NCIJTF maintains extensive partnerships with industry and the private sector to raise threat awareness and proactively identify emerging dangers. By following the letter and spirit of our laws, the NCIJTF is able to establish predictions to work with cyber crime victims or to obtain court orders to access information needed to track threats. The unique functions of the NCIJTF allow the U.S. to leverage technology, tactics, and partnerships to best address the global cyber threat.⁹ This resource is used by the Las Vegas Metropolitan Police Department through its relationship with the Secret Service under the USA PATRIOT Act (discussed more fully below).

⁷ *Id.*

⁸ <http://www.infragard.net> (last viewed May 9, 2012).

⁹ <http://www.fbi.gov/about-us/investigate/cyber/ncijtf> (last viewed May 9, 2012).

National Cyber Forensics & Training Alliance (NCFTA)

Since its creation in 1997, NCFTA, based in Pittsburgh, has become an international model for bringing together law enforcement, private industry, and academia to share information to stop emerging cyber threats and mitigate existing ones. The organization, with the assistance of the Cyber Initiative and Resource Fusion Unit, (CIRFU), which is assigned to the NCFTA, deals with malicious computer viruses, stock manipulation schemes, telecommunication scams, and other financial frauds perpetrated by organized crime groups who cause billions of dollars in losses to companies and consumers. The NCFTA essentially works as an early-warning system. If investigators for a major banking institution, for example, notice a new kind of malware attacking their network, they immediately pass that information to other NCFTA members. The organizations draw its intelligence from hundreds of private-sector members, Carnegie Mellon University's Computer Emergency Response Team (CERT), and the FBI's Internet Crime Complaint Center (IC3). Training is another important role of the NCFTA. In 2010, an international internship program was held in which cyber investigators from Germany, Great Britain, Australia, the Netherlands, Lithuania, and the Ukraine came to the alliance headquarters for 90 days to share knowledge, build relationships, and help with each other's investigations.¹⁰

Strategic Alliance Cyber Crime Working Group

Five countries from three continents have banded together to fight cyber crime in a synergistic way by sharing intelligence, swapping tools and best practices, and strengthening and even synchronizing their respective laws. It all began in September of 2006, when high-level cyber cops from Australia, Canada, New Zealand, the United Kingdom, and the United States met at FBI Headquarters and formed the Strategic Alliance Cyber Crime Working Group. The group is the progeny of the larger Strategic Alliance Group – a formal partnership between these nations dedicated to tackling larger global crime issues, particularly organized crime.¹¹

Electronic Crimes Task Forces and Working Groups

On October 26, 2001, President Bush signed into law H.R. 3162, commonly known as the USA PATRIOT Act.¹² Under this Act, the U.S. Secret Service was mandated to establish a nationwide network of Electronic Crimes Task Forces, ("ECTF")¹³. The ECTF networks brings federal, state and local law enforcement together with prosecutors, private industry and academia, to prevent, detect, mitigate and aggressively investigate attacks on our nation's financial and critical infrastructures which have a significant economic or community impact, involve organized crime groups involving multiple districts or transnational organizations and that use schemes involving new technology.¹⁴ Las Vegas is the home base for one of the Secret Service's Electronic Crimes Task Forces and is discussed more fully below.

¹⁰ http://www.fbi.gov/news/stories/2011/september/cyber_091611 (last viewed May 9, 2012).

¹¹ http://www.fbi.gov/news/stories/2008/march/cybergroup_031708 (last viewed May 9, 2012).

¹² <http://www.secretservice.gov/ectf.shtml> (last viewed June 13, 2012).

¹³ Id.

¹⁴ Id.

Local Efforts

Las Vegas Metropolitan Police Department / Computer Forensic Laboratory – Las Vegas Electronic Crimes Task Force

The Las Vegas Electronic Crimes Task Force, hosted by the U.S. Secret Service under the USA PATRIOT Act, and the Las Vegas Metropolitan Police Department's Computer Forensics Laboratory, combats computer-related crimes.¹⁵ The ECTF equips our local law enforcement with national resources that otherwise would not be available, such as the NITRO program which specializes in network intrusion incident response.¹⁶ NITRO is part of the National Computer Forensics Institute, and is a combined program of the Department of Homeland Security and the United States Secret Service.¹⁷ Another resource afforded by the ECTF is access to the national Cyber Investigative Joint Task Force discussed more fully above.¹⁸

The LVMPD Computer Forensics Laboratory is co-located with the Secret Service in the Molasky-Arman building at 100 North City Parkway, Las Vegas, Nevada 89106. Currently headed by Captain Brett Zimmerman, the Forensics Lab is dedicated to the examination of electronic storage devices that have been used to commit a crime, to further a crime, or to find evidence of a crime that has been committed.¹⁹ The Forensics Lab is currently staffed with 5 commissioned examiners and 1 civilian examiner.²⁰ The Forensics Lab has recently established the Electronic Tactical Response program, ("ETR").²¹ ETR is a grant funded program dedicated to facilitating a "coordinated, electronic tactical response team to a critical incident, equipped for immediate acquisition of electronically stored intelligence and evidence."²² The ETR is designed to facilitate a field response to a critical incident providing as close to real-time intelligence from stored electronic data as possible.²³ The three part mission of the LVMPD Computer Forensics lab is (1) Electronic Tactical Response; (2) Electronic Storage Device Acquisition and Analysis; and (3) Network Intrusion Incident Response Triage.²⁴

State of Nevada Information Technology Security Committee

This Committee was created by the powers conferred under NRS 242. It is headed by Christopher Ipsen, the Chief Information Security Officer for the State of Nevada, and was formed to establish standard requirements regarding the management of IT systems by State Agencies. The standards set forth by the Committee apply to all State agencies regarding the operation, management or maintenance of the State's IT services or equipment. The committee itself is comprised of each State Agency's Chief Information Security Officers. The committee convenes to discuss and address various policy issues related to information technology standards set for the State.

¹⁵ http://www.secretservice.gov/ectf_lasvegas.shtml

¹⁶ Las Vegas Metropolitan Police Department Electronic Tactical Response Handbook dated December 7, 2011.

¹⁷ Id.

¹⁸ Id.

¹⁹ Interview with Sergeant Skehan of the Las Vegas Metropolitan Police Department on June 12, 2012.

²⁰ Id.

²¹ Id.

²² Las Vegas Metropolitan Police Department Electronic Tactical Response manual, dated December 7, 2011.

²³ Id.

²⁴ Id.

Tangentially related to the Information Technology Security Committee, is the role Mr. Ipsen plays with respect the multi-state Information Technology Information and Analysis Center (“IT-ISAC”). IT-ISAC is a facility founded in January, 2001 by nineteen prominent IT industry companies (including Oracle, IBM, EDS, and Computer Sciences) to serve as a central repository for security-related information.²⁵ The group's purpose is to share each organization's information about security attacks and vulnerabilities among all the members.²⁶ Member companies are expected to report information concerning security problems that they have or solutions to such problems that they have found.²⁷ In May of 1998, President Clinton issued Presidential Decision Directive 63, appealing to US industry leaders to form information sharing and analysis groups to protect the nation's critical infrastructures against attacks, and establishing that purpose as a national security policy. Because much of the nation's infrastructure is privately owned and operated, effective security measures depend upon collaboration between the public and private sectors. In response to the directive, the Financial Services industry formed FS-ISAC (Financial Services Information Sharing and Analysis Center) in 1999. Mr. Ipsen is our State's representative for the ISAC such that any threats would first be transmitted to Mr. Ipsen, who would then process that information through one or all of our State's Fusion Centers.

Nevada currently has 3 Fusion Centers, which will soon be reduced to 2; one in Northern Nevada²⁸ (with oversight provided by Sheriff Mike Haley) and one in Southern Nevada²⁹ (with oversight provided by Sheriff Doug Gillespie) and one at Department of Emergency Management/Homeland Security Division(with oversight provided by Lt. Ryan Miller). Fusion Centers serve as the focal points within the state and local government for the receipt, analysis, gathering and sharing of threat-related information and have additional responsibilities related to the coordination of critical operational capabilities across the statewide fusion process with other recognized fusion centers.³⁰ According to the Department of Homeland Security, Nevada is *not* the home of any of the Federally-designated primary fusion centers, which receive the highest priority for the allocation of available federal resources, including the deployment of personnel and connectivity with federal data systems.³¹

Nevada Tech Crime Advisory Board

The Technological Crime Board is a statutorily created body per NRS 205A. The Board is chaired Nevada's Attorney General, Catherine Cortez-Masto and is further comprised of 2 members from the State Legislature (one from the Senate and one from the Assembly), and representatives from the FBI, Banking Association, and others. Nine of the members are Governor appointees.³² The Board:

²⁵ <http://searchsecurity.techtarget.com/definition/IT-ISAC> (last viewed June 15, 2012)

²⁶ *Id.*

²⁷ *Id.*

²⁸ The Northern Nevada fusion center requested \$482,772.00 in funding this year from Nevada's Homeland Security Commission, but was only allocated \$283,240. See on-line article published by Nevada News Bureau: "Nevada Homeland Security Commission Adopts Drastically Reduced Funding Plan for 2012," authored by Sean Whaley and dated April 26, 2012.

²⁹ The Southern Nevada fusion center requested \$1.46 million in funding this year from Nevada's Homeland Security Commission, but was only allocated \$1 million. See on-line article published by Nevada News Bureau: "Nevada Homeland Security Commission Adopts Drastically Reduced Funding Plan for 2012," authored by Sean Whaley and dated April 26, 2012.

³⁰ http://www.dhs.gov/files/programs/gc_1301685827335.shtm (last viewed June 15, 2012).

³¹ *Id.*

³² Interview with Christopher Ipsen, June 14, 2012.

Facilitates cooperation among state, local and federal officers in the detection, investigation and prosecution of technological crimes;

Establishes and oversees two multi-agency task forces, one based in Reno and one based in Las Vegas;

Coordinates and provides training and education to prevent and detect technological crimes;

Assists the Department of Information Technology to secure government information systems against intrusion; and

Recommends changes to Nevada laws to respond to technological changes and law enforcement requirements.³³

Statewide Cyber-Security Committee

The Statewide Cyber-Security Committee is an informal ad hoc committee comprised of various members from the State, various counties and cities. The Committee is co-chaired by Chris Ipsen and Laura Fuccia and meets on a quarterly basis to discuss cyber-issues.³⁴

Nevada Commission on Homeland Security/Critical Infrastructure Committee

The Critical Infrastructure Committee is a sub-committee of the Nevada Commission on Homeland Security. Chaired by Robert Doresey, the sub-committee acts as a venue to discuss potential attacks on Critical Infrastructure within our state, including our water and power supply.³⁵ According to a recent on-line article published by the Nevada News Bureau, Nevada's Homeland Security Commission adopted a "drastically reduced plan to continue the fight against potential terrorist attacks, leaving six ongoing programs without funding because of declining federal support."³⁶ The Commission unanimously adopted a plan that approves \$4.3 million in total federal funding for 2012, which is a 60% reduction in funding allocated to critical infrastructure to our State last year, i.e. \$10.8 million.³⁷ Federal funding comes from two programs, the Urban Area Security Initiative ("UASI") and the State Homeland Security Program ("SHSP") through the U.S. Department of Homeland Security.³⁸ Federal support for both programs was reduced significantly this year. The UASI funding totaled \$2.66 million, down from \$5.7 million last year, and the SHSP funding totaled \$1.6 million, down from \$5.14 million in 2011.³⁹ During an April 26, 2012 meeting of the Commission, it was agreed to amongst its members that it would seek federal approval to use approximately \$569,000.00 in "de-obligated" homeland security funding allocated to Nevada in prior years to support some of the 11 projects and programs that received no funding, including those designed to sustain existing programs from the Washoe County Silver Shield program and the Carson City Regional Citizen Corps. Silver Shield programs designed to protect critical infrastructure.⁴⁰

³³ <http://ag.state.nv.us/org/admin/fiscal/techcrime/techcrime.html> (last viewed June 15, 2012).

³⁴ Interview with Christopher Ipsen on June 14, 2012.

³⁵ Id.

³⁶ Nevada News Bureau: "Nevada Homeland Security Commission Adopts Drastically Reduced Funding Plan for 2012" by Sean Whaley, April 26, 2012.

³⁷ Id.

³⁸ Id.

³⁹ Id.

⁴⁰ Id.

Center for Infrastructure Assurance and Security (“CIAS”) Grant

Nevada was one of the fortunate beneficiaries of a DHS grant for the statewide cyber assessment, which is actually awarded to CIAS at the University of Texas. CIAS provides a series of programs and table top exercises which are facilitated over a 14 month period. Two table top exercises have recently been held here in our State; one on May 23, 2012 in Reno and June 21, 2012 in Las Vegas.

Cyber Teaching Hospitals

Through the combined efforts of the Governor’s Office, the State Economic Development and the Department of Information Technology, Nevada is working towards establishing its first cyber teaching hospital which focuses on providing training, workforce development and national cyber initiatives in the private sector.

EXHIBIT 2



CRIME COMMISSION

AGENDA MEETING OF THE CRIME COMMISSION March 21, 2012, 1:30 pm

Carson City Location
Division of Emergency Management
2478 Fairview Dr., Exec. Conf. Room
Carson City, NV 89701

Las Vegas Location
Nevada Highway Patrol
4615 W. Sunset Road – Room 105
Las Vegas, NV 89118

THIS MEETING WILL BE VIDEO CONFERENCED BETWEEN THE LOCATIONS SPECIFIED ABOVE, BEGINNING AT 1:30 PM.

The Commission may take action on items marked "Discussion/For Possible Action". Items may be taken out of the order presented on the agenda at the discretion of the chairperson. Items may be combined for consideration by the Commission at the discretion of the chairperson. Items may be pulled or removed from the agenda at any time.

Please Note: Individuals wishing to have their complete testimony/handouts included in the permanent record of this meeting should provide a written or electronic copy to the Crime Commission staff. Minutes of the meeting are produced in a summary format and are not verbatim.

1.	CALL TO ORDER AND ROLL CALL
2.	COMMENTS BY THE CHAIRWOMAN
3.	PUBLIC COMMENT (Discussion only) No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Commission elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
4.	APPROVAL OF November 4, 2011 MINUTES - (Discussion/For Possible Action)
5.	Discussion on whether non-Crime Commission members can serve on the sub-committees established by the Crime Commission (Mike Jensen, Legal Counsel). (Discussion only)
6.	Confirm Commission members who will serve as sub-committee chairs and identify Commission members who are willing to serve on subcommittees. (Discussion/For Possible Action)
7.	Discussion on S.B. 251 (NRS 232A.020(6)) which provides that the Governor shall not appoint a person to a board, commission, or similar body if the person is a member of any other board, commission or similar body. (Mike Jensen, Legal Counsel). (Discussion only)

8.	Cyber Crimes: Presentation by Chris Ipsen from Department of Information Technology. (Discussion/For Possible Action)
9	Governor Report and Recommendations: Discussion on general content of report and recommendations to be made to Governor on issue of cyber crime based on presentation from Mr. Ipsen. (Discussion/For Possible Action)
10.	Semi annual report to the Governor: Review, discuss and vote upon any proposed amendments or addendums to the draft Semi-annual Report, and vote to approve a final draft of the Report to be submitted to the Governor. (Discussion/For Possible Action)
11.	Amended Executive Order Governing Crime Commission; Distribute and Discuss the Amended Executive Order. (Discussion/For Possible Action)
12.	Memorandum issued by the Governor discussing the Executive Order adopting the recommendation of the Sunset Task Force; Distribute and discuss the Memorandum. (Discussion/For Possible Action)
13.	Status of Crime Commission web site including status of submission of members' biographies. David Gustafson (Discussion/For Possible Action)
14.	Elect new Vice-Chairman of Crime Commission (Discussion/For Possible Action)
15.	Discussion related to current issues of crime of particular concern to the public and assignment of further exploration by sub-committees regarding the same for presentation at next regularly-scheduled Crime Commission Meeting. (Discussion/For Possible Action)
16.	PUBLIC COMMENT (Discussion only) No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Commission elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
17.	Adjournment (Discussion/For Possible Action)

This Notice and Agenda has been posted on or before 9:00 a.m., March 16, 2011 in accordance with NRS 241.020, at the meeting locations and the following:

Carson City Governor's Office, 101 N. Carson Street, Carson City, NV
Las Vegas Governor's Office, 555 E. Washington Avenue, Las Vegas, NV
State Emergency Operations Center, 2478 Fairview Drive, Carson City, NV
State Library & Archives Building, 100 North Stewart Street, Carson City, NV
Blasdel Building, 209 E. Musser Street, Carson City, NV
Nevada Highway Patrol, 4615 Sunset Road, Las Vegas, NV

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements are necessary, please contact Linda Herron. She can be reached by phone at (775) 684-4556; by fax at (775) 684-4809; or by email at lherron@dps.state.nv.us. Seventy-two hour notice is requested. Thank you.

MINUTES
CRIME COMMISSION QUARTERLY MEETING

DATE: March 21, 2012
TIME 1:35pm – 3:00pm

LOCATION: DEM Conference room
2478 Fairview Dr., Carson City, NV
NHP Southern Command
4615 W. Sunset Rd., Las Vegas, NV

METHOD: Conference **RECORDER:** Linda Herron

MEMBERS	PRESENT	ABSENT	PROXY
Patricia Lee	X		
Chris Perry	X		
Terry Johnson		X	
Greg Cox	X		
Michael Wilden		X	
David Gustafson	X		
Leo Drozdoff	X		
Claudia Vecchio		X	
Mark Lipparelli	X		
Richard Clark	X		
Connie Bisbee	X		
Mike Haley		X	Todd Vinger
Robert Roshak	X		
Dick Gammick		X	
Doug Gillespie	X		
Robert Fisher		X	
Tom Lozich	X		
Greg Smith	X		
Lucas Foletta		X	
Richard Varner	X		
EX-OFFICIO MEMBERS			
Stephen Herkins ATF		X	
Kevin Favreau FBI		X	
Tim Landrum		X	
Michael Harris ICE		X	
ADMINISTRATIVE STAFF			
Michael Jensen Gen. Counsel	X		
Linda Herron Exec. Sec.	X		

#1. CALL TO ORDER AND ROLL CALL

Chairwoman Patricia Lee called the meeting to order at 1:35pm. Chris Molnar called the roll and a quorum was established.

#2. COMMENTS BY THE CHAIRWOMAN

The Chairwoman introduced Linda Herron as the new Administrative Assistant for the Crime Commission. Chairman Lee asked each member to identify themselves before they speak to report their names properly for the record.

#3. PUBLIC COMMENT

There was no public comment.

#4. APPROVAL OF THE NOVEMBER 4, 2011 MINUTES

Dick Clark made a motion to approve the minutes and Leo Drozdoff seconded the motion. Motion passed.

#5. DISCUSSION ON WHETHER NON-CRIME COMMISSION MEMBERS CAN SERVE ON THE SUB-COMMITTEES ESTABLISHED BY THE CRIME COMMISSION

Chairwoman Lee introduced Mr. Mike Jensen as the new legal counsel for the Crime Commission replacing Samantha Ladich. At the last meeting a member of the public asked if a non crime commission member can serve on a sub-committee of the commission. Mr. Jensen explained that there was an Amended Executive Order that clarifies how the process works for sub-committee members, the amended Executive Order specifically states under that order the commission may form sub-committees comprised of members of the commission to aid in its performance of its duties, but the sub-committee members must be members of the commission. Members of the public may attend these sub-committee meetings. Mr. Jensen will look into the open meeting law regarding sub-committee's. Response will be tabled until the next meeting, as for now we will comply with the open meeting law for sub-committee meetings.

#6. CONFIRM COMMISSION MEMBERS WHO WILL BE SERVING AS SUB-COMMITTEE CHAIRS AND IDENTIFY COMMISSION MEMBERS WHO ARE WILLING TO SERVE ON SUB-COMMITTEES

PUBLIC EDUCATION: Chairman Michael Harris
CRIME SOLUTIONS: Chairman Chris Perry/ Richard Varner and Dick Clark
MONITOR CRIME TRENDS: Chairman Mike Haley
REDUCTION OF RECIDIVISM: Chairman Greg Cox
LEGISLATIVE FUNCTION: Chairman Dick Gammick
FUND RAISING: Chairman Tom Lozich

Chairwoman Lee asked if anyone would like to be a part of the sub-committees, the following chairperson's volunteered for the following committees;

Sheriff Gillespie – Monitor Crime Trends and Crime Solution Committee’s
Connie Bisbee – Recidivism Committee
Leo Drozdoff – Recidivism Committee

Chairwomen Lee requested that if additional members decide to volunteer for a sub-committee please contact the chair head for the upcoming meetings. Please inform Chairwomen Lee at the next meeting what committee you have joined. The Sub Committee heads may also email Chairwomen Lee if they need assistance contacting members to volunteer for the sub-committees.

#7. DISCUSSION ON S.B. 251 (NRS 232A.020(6) WHICH PROVIDES THAT THE GOVERNOR SHALL NOT APPOINT A PERSON TO A BOARD, COMMISSION, OR SIMILAR BODY IF THE PERSON IS A MEMBER OF ANY OTHER BOARD

Mike Jensen, Legal Council, researched S.B.251 and spoke briefly with Lucas Foletta regarding this issue. S.B. 251 in last session had a provision that amended NRS 232A.020 – “specifically providing that the Governor shall not appoint a person to a board, commission or other similar body if the person is a member of another board, commission or similar body”. In talking to Lucas he stated the Governor’s office has looked at amended NRS 232A.020 and they interpreted it to mean” Statutory Boards”. Mr. Jensen’s understanding is that the crime commission is an executive order board and it wouldn’t be considered as one of the boards members would be serving on based on the interpretation from the Governors office.

Sheriff Doug Gillespie asked if the Commission would get something in writing on the interpretation and implementation from the Governors office. He feels he will be confronted about the number of boards he resides on. Chairwoman Lee will speak to Lucas Foletta the liaison with the Governor office about a written statement Sheriff Gillespie could utilize in the event he was confronted with the conflicts of serving on to many boards.

#8. CYBER CRIMES PRESENTATION BY MR. CHRIS IPSEN

Mr. Ipsen was invited to the meeting to discuss Cyber Crimes, possibly memorializing his presentation into a report and recommendation’s to the Governor, apprising the Governor of the major issues, major concerns, to detect it, prevent it and educate the public.

Mr. Ipsen spoke about the following topics;

1. Cyber security – security of systems / Cyber Crime – the way Cyber is being used. We must bridge the gap between technology and crime. He will send a link referencing a presentation by Secretary Robert Molar of the FBI at the RSA conference
2. What is the probability that this is happening and what is the vulnerability around this? He will provide links to different references such as 60 minute discussion of Stuxvin - (A large portion of the Iranian centrifuge capabilities was destroyed by a computer virus).
3. What is being done about the above situations.

Specific to Homeland Security they are using continuous monitoring program and testing environments – hoping to have actionable information by the end of the year on this project. They are looking to see what controls work best. There have been a number of projects that are looking at critical controls and four have been identified as being very important. Mr. Ipsen will send the Commission the information on the controls.

1. Your Operating Systems
2. 3rd party applications
3. Administrative Control over workstations
4. Application White Listing

If all these controls are done there should be a 90% security in our environment. Continuous monitoring, Application White Listing as a technique and Disaster recovery plan are very important for the most secure environments.

University of Texas San Antonio has received grant funding to provide awareness training inside the States, Nevada competed and won 1 of 2 slots available – CIAS training – Center for Infrastructure Assurance & Security

The Governors position at the recent Homeland Security Commission Meeting was that Cyber Security is the number one priority.

A project that is being working on in the background is how to take cyber security and move us to the forefront both to protect infrastructure and the economic resilience of our community to attracting technology companies. Director of the Sands Institute included Nevada as a potential site for a Cyber training facility.

Chairwoman Lee says the ultimate goal is to write a report based on the presentation of Mr. Ipsen, he will forward presentation of Allen Poweller, links to Secretary Molar's speech, and other articles.

The Cyber Crime committees already in Existence:

Nevada Cyber Crime

Nevada Tech Crime Advisory Board

Statewide Cyber Security Committee

NV Commission on Homeland Security / “Critical Infrastructure Committee”

Crime Commission

National

Multi State ISCA

Homeland Security

Office of the Director of Intelligence

Dick Clark inquired about a grant funded consortium in California call “Search”; Mr. Ipsen was unaware of “Search; Chairwoman Lee inquired about a local Nevada system infrastructure assessment –how do we fare, what needs to be done, is it sufficient? Mr. Ipsen said yes and no to her question. There is a challenge, there is inter-dependency to all systems – they are interconnected so there can be breaches. There is constant monitoring, assessment, Legislative authority to break in systems, physical evaluations and cyber tests. Chairwomen Lee questioned if there has ever been a major security

breach. One million attempts a day try to break into our system by different nations, states and organized crime. On 9-11 attacks on our system increased 10 fold in 10 minutes checking to seek out response time.

Dave Gustafson added that the CIAS program that was kicked off recently is addressing concerns such as stuxnet in the power grid or our water being turned off, how do we as both private and public entities get together and build the bridge to over come the problem. That is what the 14 month assessment and training exercises are for.

#9 GOVERNOR REPORT AND RECOMMENDATIONS

Chairwoman Lee will put together a preliminary report based on what was presented by Mr. Ipsen .We will not have a comprehensive report to guide the Governor to move forward on this as of yet. She will do an initial report, go to the site's Mr. Ipsen will send her and do a preliminary analysis for the Governor. Along with the sub-committees delving into their issues further and reporting back to the Commission at the next meeting the Commission will then have more information to address the issues.

Doug Gillespie recommends the Crime Tech Advisory Board chaired by Catherine-Cortez Masto, they are reporting out on Cyber crime itself – presentation by local law enforcement, FBI, Secret Service in regards to Cyber Crime Activity, taskforce operations, a good overview of the programs in the state. The board could provide you the information needed to be reported to the Governor so we don't take on their responsibilities. Maybe our sub-committees could collectively gather information from all these agencies, boards and commission and put our recommendations to the Governor. Dave Gustafson has asked in regards to BDR'S if there is anyone that has any legislation that needs to modified, change or delete now is the time to start thinking about it. A motion for Chairwoman Lee to do a preliminary report for the Governor submitted between now and the next meeting, motioned by Richard Varner, 2nd by Dave Gustafson. Motion passed.

#10 SEMI ANNUAL REPORT

Connie Bisbee commended Chairwomen Lee on an excellent job on the Semi Annual Report. There are two typos; Cover sheet - last meeting was November 4, 2011 not 2012 and page 2 the Executive Order was established May 25, 2010 not 2011. Exhibit C - A report by the Department of Public Safety is missing; Chris Perry will check with Criminal History Repository for a copy or try to have it recreated. Chairwoman Lee will make corrections. A motioned by Sheriff Doug Gillespie and Dave Gustafson 2nd the motion. Motion passed

#11 AMENDED EXECUTIVE ORDER GOVERNING CRIME COMMISSION

Chairwoman Lee refers to the Archives – what is the process to put the Semi Annual Reports in the archives. Chris Perry will have Linda Herron take care of the archived information. Also the addition of the Commission ceases as of July 1, 2015 was added to the amended Executive Order.

12 MEMORANDUM ISSUED BY THE GOVERNOR DISCUSSING THE EXECUTIVE ORDER ADOPTING THE RECOMMENDATION OF THE SUNSET TASK FORCE.

A copy of the memo explaining the Sunset Task Force was an attachment to the meeting handouts. They include recommendations, open meeting laws and Governor's office contact Lucas Foletta, also the by laws, and sub-committees. If you have any questions contact Chairwoman Lee or Mr. Jensen.

#13 STATUS OF THE CRIME COMMISSION WEBSITE

Dave Gustafson reported that the Crime Commission website is up and running; crimecommission.nv.gov. The agenda and minutes will be put on the website. Mr. Gustafson needs current bios and photos.

Chairwoman Lee questioned whether our reports should go on the website, Dick Clark would recommend it be private that the Governor may not want them to be posted but rescinded the recommendation later, Sheriff Doug Gillespie suggests that its public record and we should it put it out there. Connie Bisbee feels not everything has to be put on the website. Sheriff Doug Gillespie said during Legislation session boards get criticized as to who and what they do, the Commission could say its public record and all our information is on our website for their reading pleasure. Chairwoman Lee will contact Lucas Foletta for input as to the Governors preference and we will also put the question on the next agenda. If there is anything you would like to put on the agenda please let her know.

Mike Jensen also said that sub-committee meeting agendas and meeting notes must be posted on the website. Chief Varner asked if minutes must be taken during the sub-committee meeting. Mr. Jensen suggested a recording of the meeting be available and the minutes must be typed out and posted.

#14 ELECT NEW VICE-CHAIRMAN OF CRIME COMMISSION

Chairwoman Lee has accepted the resignation of Sheriff Mike Haley as the Vice Chair. Chairwoman Lee nominated Dave Gustafson – Dick Clark motioned to appoint Dave Gustafson , Leo Drozdoff 2nd the motion. Motion passes.

#15 DISCUSSION RELATED TO CURRENT ISSUES OF CRIME OF PARTICULAR CONCERN TO THE PUBLIC AND ASSIGNMENT OF FURTHER EXPLORATION BY SUB-COMMITTEES REGARDING THE SAME FOR PRESENTATION AT NEXT REGUARLY-SCHEDULED CRIME COMMISSION MEETING.

Chairwoman Lee explained the purpose of the commission is in addition to the Governor letting us know when he's interested in an area of crime – such as the Cyber Crime issue, it's important that we are pro active and bring areas of crime to his attention. Based on your respective position's in the community and State - you are in the best position to alert the Governor to anything that is concerning to our citizens, agencies, etc, we can identify other crime issues to be delegated to the sub-committees and report them to the governor. This is the recommended process.

Doug Gillespie suggested that we start with the Crime Trends committee and they be responsible at the next meeting with a number of areas we could focus on and having them tasked with advising in advance what those areas would be, then the commission could be prepared to discuss them. It would be a mistake to focus on specific areas we have 17 counties and a number of them have crime issues, Sheriff Gillespie will get the crime trends for Southern Nevada. Todd Vinger will ask Sheriff Haley to get crime trends in Washoe. Dick Clark suggested Crime Trends and Crime Solutions should be coordinated meeting before hand – Chris Perry suggested the two sub-committees be combined. Chairwomen Lee will add that to the next meeting agenda. The next meeting will be scheduled in June, an email will go out.

Cyber crime issue - sub-committees could do progress reports and report their findings. It will be on the next meetings agenda.

#16 PUBLIC COMMENTS

Dane Claussen of the ACLU of Nevada has a concern as to the discussion of what should be a public record or what should be on the website. He would urge the committee to carefully read the text of the Open meeting law and records law. The commission has various sub-committees, if they want the public involved in this work it should be as transparent as possible it should be posted on the website, the agenda, meeting notes, semi annual report etc. Chairwoman Lee agreed that the Commission has echoed the same sentiment. She will add this issue to the next meeting agenda.

Dick Clark would like to welcome Bob Roshak to the commission he is the new director of the Nevada Sheriff and Chiefs

#17 – ADJOURNMENT

Dick Clark motion to adjourn, Dave Gustafson 2nd the motion. Motion passed.

The next meeting was scheduled for June.

The meeting was adjourned at 3:00pm.

**Meeting notes completed by Linda Herron. For questions, contact (775) 684-44564 or email lherron@dps.state.nv.us.

EXHIBIT 3



CRIME COMMISSION

AGENDA MEETING OF THE CRIME COMMISSION June 20, 2012, 1:30 pm

Carson City Location
Dept of Public Safety Upstairs Training Rm
555 Wright Way
Carson City, NV 89701

Las Vegas Location
Nevada Highway Patrol Sunset
4615 W. Sunset Road
Las Vegas, NV 89118

THIS MEETING WILL BE VIDEO CONFERENCED BETWEEN THE LOCATIONS SPECIFIED ABOVE, BEGINNING AT 1:30 PM.

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1.	CALL TO ORDER AND ROLL CALL
2.	COMMENTS BY THE CHAIRWOMAN
3.	PUBLIC COMMENT (Discussion only) No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Commission elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
4.	APPROVAL OF MARCH 21, 2012 MINUTES - (Discussion/For Possible Action)
5.	Review Proposed Amended By-Laws and vote on whether to adopt. Changes thereto to be explained by Mr. Jensen. Distribute and discuss (Mike Jensen, Legal Counsel). (Discussion/For Possible Action)
6.	Discussion of Amended Crime Commission Report forwarded to the Governor on April 24, 2012. (Discussion/For Possible Action).
7.	Review and Discussion of proposed Cyber Crime Report to be incorporated into next semi-annual report due to the Governor by June 30, 2012. Review, discuss and vote upon any proposed changes. (Discussion/For Possible Action).
8.	Discussion and Suggestions on additional content of impending semi-annual Crime Commission Report to be submitted to the Governor by June 30, 2012 as well as

	supplementing Cyber Crime Report as Sub-Committee exploration continues. (Discussion/For Possible Action).
9.	Discussion on confirmation from Governor's Office regarding its interpretation of SB 251 (NRS 232A.020) (Chairwoman Lee) (Discussion/For Possible Action)
10.	Crime Commission Website update including status of Member's Biographies. Discussion and vote on any updated content that should be placed thereon. Review, discuss and vote upon any proposed amendments or addendums. (Discussion/For Possible Action).
11.	Presentation by Charles Calloway of the Las Vegas Metropolitan Police Department discussing hot button law enforcement related legislation that was introduced during last legislative session; preview of what hot button law enforcement related legislation is likely to resurface and/or appear for the first time in the upcoming legislative session. Distribute and Discuss (Discussion/For Possible Action).
12.	Discussion and vote on whether Crime Commission should consolidate the Crime Trends and Crime Solutions Sub-Committee; Review, discuss and vote upon any proposed changes. (Discussion/For Possible Action).
13.	Allocation of tasks to Sub-Committees to address hot button enforcement related legislation likely to be introduced during next regularly – scheduled legislative session, in anticipation of drafting report and recommendations to the Governor regarding the same. (Discussion/For Possible Action).
14.	PUBLIC COMMENT (Discussion only) No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Public comments are limited to 3 minutes unless the Commission elects to extend the comments for purposes of further discussion. Comments will not be restricted based on viewpoint.
15.	Adjournment (Discussion/For Possible Action)

This Notice and Agenda has been posted on or before 9:00 a.m., June 15, 2011 in accordance with NRS 241.020, at the meeting locations and the following:

Carson City Governor's Office, 101 N. Carson Street, Carson City, NV
Las Vegas Governor's Office, 555 E. Washington Avenue, Las Vegas, NV
Department of Motor Vehicles, 555 Wright Way, Carson City NV
Nevada Highway Patrol, 4615 West Sunset, Las Vegas NV
Blasdel Building, 209 E. Musser Street, Carson City

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements are necessary, please contact Linda Herron. She can be reached by phone at (775) 684-4556; by fax at (775) 684-4809; or by email at lherron@dps.state.nv.us. Seventy-two hour notice is requested. Thank you.