

**House Appropriations – Government Operations Division  
Senate Bill 2011 – Highway Patrol  
Representative Don Vigesaa, Chair  
March 17, 2021**

**Historical Agency Statistics**

<b>Activity Type</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Road Patrol Hours	154,873	159,685	148,989	151,834	129,829	134,427
Traffic Stops	82,248	68,500	62,248	68,500	59,956	74,674
Traffic Citations	74,541	58,340	65,121	68,518	51,704	68,828
Written Warnings	40,768	36,671	42,209	43,919	38,943	43,435
Crashes Investigated	2,244	1,990	2,077	2,159	2,334	1,719
Criminal Arrests	9,084	6,710	5,372	5,379	4,396	5,806
Safety Talks	520	356	273	384	415	156
Motor Carrier Permits Issued	199,964	164,080	164,770	178,956	179,698	140,489
Assist Other Government Agency	2,206	2,810	2,927	3,186	2,978	3,088
Calls for Service	12,696	11,598	12,947	14,000	14,843	13,510
Total CAD Incidents	106,641	90,719	87,337	93,327	87,850	111,041
DUI Arrests	1,626	1,194	1,135	1,158	1,018	1,065
Drug-related Arrests	1,339	1,338	1,382	1,483	964	1,593
Weapon Offenses	135	79	56	61	36	57
Motorist Assists/Abandoned Vehicles	11,970	11,184	5,691	6,918	8,586	8,206
Crash Investigation On-Scene Hours	5,667	4,859	5,142	4,961	5,201	3,662
Crash Investigation Follow-up Hours	3,250	2,322	2,870	3,286	3,024	3,286
Crash Reconstruction Hours	1,714	1,964	1,008	1,021	1,712	2,296
Overloads	1,412	1,287	1,412	1,287	990	1,133

**Equity Funding Breakdown**

- **Budget Request: \$1,532,000**
  - \$1,156,000 salary and benefits
    - Ranks of trooper, sergeant, and lieutenant (154 of 159)
    - \$915,000 from comparison study plus 26.29% benefits
  - \$376,000 salary and benefits
    - Used to provide compensation adjustments for targeted agency positions based on market comparisons
    - Potential impact to 38 civilian and 159 sworn officers

- **Senate Version: \$766,000**
  - Senate version included half of the requested amount
  - Salary and benefit plan would likely be reduced by 1/2

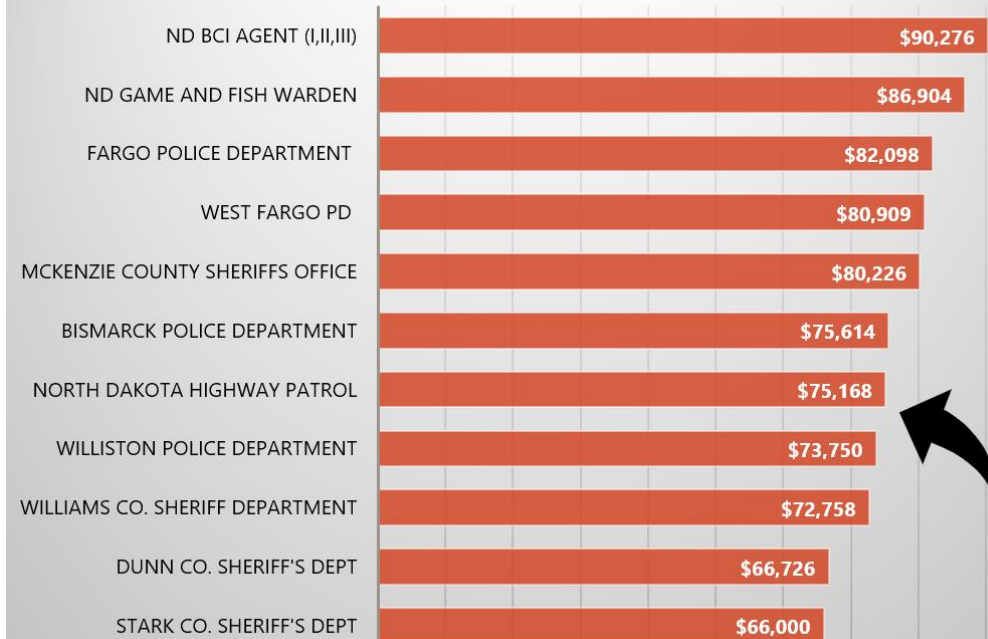
## Equity Pay Study – Fargo/West Fargo

SALARY STUDY - SWORN								
Troopers	Sworn per Step	NDHP Rate	Fargo/WF Average	NDHP Biennium per Officer	Fargo/WF Biennium per Officer	Difference	Impact per Step/Biennium	Biennium Funds vs Fargo/WF
(LETA/FTO)	4	4,604	4,560	\$113,808	\$109,440	\$4,368	N/A	
Step 1	5	5,056	4,839	\$121,344	\$116,136	\$5,208	N/A	
Step 2	10	5,202	5,118	\$124,848	\$122,832	\$2,016	N/A	
Step 3	12	5,303	5,257	\$127,272	\$126,168	\$1,104	N/A	
Step 4	0	5,454	5,397	\$130,896	\$129,528	\$1,368	N/A	
Step 5	8	5,611	5,676	\$134,664	\$136,224	-\$1,560	-\$12,480	
Step 6	23	5,774	5,955	\$138,576	\$142,920	-\$4,344	-\$99,912	
Step 7	5	5,941	6,234	\$142,584	\$149,616	-\$7,032	-\$35,160	-\$799,440
Step 8	3	6,083	6,513	\$145,992	\$156,312	-\$10,320	-\$30,960	
Step 9	49	6,264	6,792	\$150,336	\$163,008	-\$12,672	-\$620,928	
Sergeants								
Step 1	25	6,953	7,550	\$166,872	\$181,200	-\$5,664	-\$141,600	-\$141,600
Step 2		7,314		\$175,536				
Lieutenants								
Step 1	7	8,160	9,054	\$195,840	\$217,296	-\$11,328	-\$79,296	-\$79,296
Step 2		8,582		\$205,968				
Biennium Funding Needed to Mirror Fargo/WF Sworn (Line Level, 1st & 2nd Level Supervisors)								\$1,020,336

## Starting Officer/Deputy/Trooper Pay



## Top Officer/Deputy/Trooper Pay



## CARES Funding for SORN

A question was asked during previous testimony whether CARES funding was available for the Statewide Interoperability Radio Network (SORN). The CARES Act provides that payments may only be used to cover costs that:

1. Are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 31, 2021.

Based on the criteria established for the CARES funding, I do not believe that the purchase of SORN-compatible radios would qualify. A more detailed listing of items which would likely be deemed as eligible expenditures is below:

1. Medical expenses
2. Public health expenses
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - a. Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - b. Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - c. Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
  - d. Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - e. COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement

- of social distancing measures, to enable compliance with COVID–19 public health precautions.
- f. Expenses for care for homeless populations provided to mitigate COVID–19 effects and enable compliance with COVID–19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID–19 public health emergency, such as:
    - a. Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
    - b. Expenditures related to a State, territorial, local, or Tribal government payroll support program.
    - c. Unemployment insurance costs related to the COVID–19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
  6. Any other COVID–19-related expenses reasonably necessary to the function of government that satisfy the fund’s eligibility criteria.

## **Pitman Robertson Excise Tax**

North Dakota Highway Patrol (NDHP) ammunition purchases are not subject to the Pittman Robertson Excise tax at the wholesale or retail level. Our research indicates that this excise tax is collected directly from ammunition manufacturers or importers, not as part of wholesale or retail transactions.

## **Unmanned Aerial Vehicle (UAV) Project Update**

The NDHP has purchased a total of seven unmanned aerial vehicles:

- Five UAVs are “DJI Mavic 2 Pros”
  - Equipped with high definition cameras
  - Used primarily for measuring crash scenes
  - Jamestown, Bismarck, Williston, Minot, and Grand Forks
- One UAV is a “DJI Mavic Enterprise Zoom”
  - Equipped with a high definition camera
  - Equipped with a parachute so that it can fly over people

- Used primarily for civil unrest and search and rescue
- Stored in Bismarck (same size as a Mavic Pro)
- One UAV is a “DJI Matrice 300”
  - Larger and more advanced drone
  - Equipped with FLIR and high-resolution camera
  - Used primarily for search and rescue
  - Stored in Bismarck

### **Ongoing Fees Related to Video Camera Upgrades/Replacement Cycle**

The items listed below may result in additional expenses to implement a new mobile and body camera system:

- Digital Video Storage
  - Adding a body camera for each officer would double the amount of digital video storage needed. We currently pay NDIT approximately \$1,100 per month for storage. We have been working with NDIT to identify potential options to provide future cost savings for digital video storage.
  - Potential increase: \$26,400/biennium
- Maintenance Contract
  - The NDHP currently pays \$44,064 per biennium for an annual maintenance agreement for a mobile video system. We anticipate that the addition of body cameras could add approximately 20 percent to this amount.
  - Potential increase: \$8,800/biennium
- Vehicle Installation
  - The cost to install a mobile video system is currently \$720.
  - Upgrades could be timed to scheduled vehicle changeovers which occur approximately every five years.
  - Potential increase: \$0

### **Camera Liability Concerns**

A question was asked about the implementation of body cameras and whether it would increase our exposure to liability. From an agency standpoint, we’ve found the opposite over the years with our cameras.

Often, video recordings validate the decision-making abilities and actions of our state troopers when a concern surfaces. Supervisors are required by policy to review certain videos such as using force along with a sampling of other videos such as basic traffic stops. Supervisors use video reviews as a mechanism to enhance training and maintain quality control.

The addition of body cameras would enhance the level of protection for our troopers and the State of North Dakota. A question was asked if the highway patrol would be open to liability if we had cameras that weren't functioning properly during an event. We consulted with our legal counsel, and it was believed that a dysfunctional camera would have little to no liability because the officer could still provide testimony based on the officer's observations and testimony.

### Debt Service – Permit Fund

Monthly Payments	Term	Debt Issued	Down Payment	Total Project
\$40,000	30 years	\$ 8,900,000	\$ 5,000,000	\$ 13,900,000
\$40,000	20 years	\$ 6,850,000	\$ 5,000,000	\$ 11,850,000
\$32,000	30 years	\$ 7,100,000	\$ 5,000,000	\$ 12,100,000
\$32,000	20 years	\$ 5,500,000	\$ 5,000,000	\$ 10,500,000

- Assumed fixed interest rate of 3.5%