

**PERSHING COUNTY
SHERIFF'S OFFICE**

2017 BURNING MAN)'(

POST MISSION SYNOPSIS

DISCLAIMER

The statements contained within this document are those of the author, Jerry Allen, the elected Sheriff of Pershing County at the time this document is authored and the Festival was performed. These statements are made referencing the facts available either through public documents, public sourcing and/or factual information gathered by actually being at the Festival and working the same.

All efforts have been made to put forth the most accurate information without embellishment. All references to cases and citations are actual numbers that have been initiated specifically due to the Burning Man Festival.

These views and statements do not necessarily reflect the thoughts of anyone else in Pershing County, either resident or elected Official. For those individual accounts, the specific elected Officer(s) or residents should be spoken to.

It has been my intent to provide the most accurate information available to the Pershing County Board of County Commissioners. This document is not produced to influence the feelings of said Board or of any other entity, and will not be changed due to any individual or groups feeling regarding any facts contained within. Unless irrefutable facts are brought forward which would invalidate any portion of this document, the document will not be changed by the author.

Introduction and Background

The Burning Man Festival is a 'counterculture' Festival that is held annually in the Black Rock Desert portion of Pershing County, on land wholly within the geographical boundary of Pershing County and managed by the Bureau of Land Management (BLM).

The Burning Man Festival was started in San Francisco, on Baker Beach, in 1986 and was attended by 35 people, according to their website¹. This event became an annual Festival and quickly outgrew the venue and societal standards of Baker Beach in the San Francisco area. By 1990, the 'Burners', as the collective participants are referred to, were no longer allowed to burn the man on the beach, nor perform some of the activities they were openly performing. In the same year, the event was moved from San Francisco to a remote area of the Black Rock Desert. The Black Rock Desert is partially located in three (3) separate counties within Nevada. The Festival has been held since then, except for one year², in the Black Rock Desert. Over the years the Festival has progressed north and is now wholly within the boundaries and jurisdiction of Pershing County. As far back as 1991, the event was such a large size as to require a permit to be issued by the BLM.

Burning Man touts the Festival as a 'Social Experiment', an 'Experiment in Society', or any other verbiage they can think of not to call it a Festival. However, in 1997 it was referred to as "THE WORLD'S MOST DANGEROUS ART FESTIVAL"³. For the purposes of this document, this event will be referred to as a Festival, as it has numerous events, parties, shows, acts, rides and other features of any other Festival. This Festival also meets the definition given in numerous dictionaries as well as being referenced several times within Burning Man's timeline.⁴

BLM issues a Special Recreation Permit (SRP) for the Festival to Black Rock City LLC, which creates a temporary city, Black Rock City (BRC). As such, BLM is the regulatory agency for the Permit as well as any stipulations that are included therein. BLM also has a Law Enforcement branch that is tasked with investigating and enforcing Federal laws regarding the use and abuse of the land and resources.

The Pershing County Sheriff's Office (PCSO) is tasked as the ultimate authority in providing State and County Law Enforcement for the participants of the Festival. PCSO investigates all manner of crimes from Trespassing to Homicide and anything in between, the same as it would within any city within the boundaries of Pershing County. PCSO also issues No Trespassing Warnings to those who BRC or BLM decide are no longer welcome at the Festival.

For the past several years, PCSO and the BLM have worked in an 'integrated command' structure to attempt to provide the best response to calls for service within the City as well as keep the costs to BRC and ultimately the participant as low as possible. This integration is also due to the severe constraints placed on PCSO by the confines of a document referred to as the 2013 Settlement Agreement.

¹ burningman.org/timeline/1986

² burningman.org/timeline/1997

³ burningman.org/timeline/1997

⁴ burningman.org/timeline/1994

Pershing County usually has a population of approximately 6,800 people within the County. This population includes approximately 1,600 inmates incarcerated at the Lovelock Correctional Center. For this population, the Pershing County Sheriff's Office has 14 full time Sworn Law Enforcement Deputies (as well as one grant funded Youth Resource Deputy), including the Sheriff, to perform all of the duties statutorily mandated for the Sheriff's Office. These duties include providing for all Law Enforcement duties for the general public as well as maintaining the jail for the County, which is located in Lovelock, approximately 160 miles from the Festival. With the amount of staffing available at the Sheriff's Office there is approximately 1 Deputy for every 578 persons permanently residing in Pershing County, minus those incarcerated within the State Prison.

During the approximate 10-12 days of the active portion of the Burning Man Festival, the population of the Festival alone balloons to upwards of 80,000+ persons; still with only the 14 Sworn Full-Time Deputies employed by the Pershing County Sheriff's Office. This enormous increase in population mandates that additional Law Enforcement staffing must be hired, on a temporary basis, to assist with the influx of population and issues which accompany the influx.

Additionally, there are several thousand people on the Black Rock Desert for approximately two months, (pre and post Festival) providing for set up and clean-up of the Burning Man Festival. While many of these people are there to truly assist in the mission of Burning Man, such as in any city, there have been those that have required an additional response from Law Enforcement. Outside of the Festival, this portion of the County is only responded to a couple of times a year, due to its remote location, lack of residents, lack of permanent infrastructure and lack of amenities.

The Burning Man Festival has, for several years, far exceeded the resources of not only Pershing County, but the Law Enforcement resources of Northern Nevada as a whole. The Pershing County Sheriff's Office has had to 'contract' with several different Law Enforcement Officers within the State to provide some semblance of Law Enforcement expected by the participants. This endeavor is becoming increasingly difficult to perform from year to year, as the population of BRC continues to increase and the payment to Pershing County for this Festival remains relatively stagnant.

As this Festival is a temporary assignment on the actual Desert, this is truly a 'mission' for the Pershing County Sheriff's Office and not a standard patrol duty. This Festival requires numerous resources that are not available to Pershing County on a daily basis. Although both the BLM and BRC provide many necessities to PCSO for the active portion of this Festival, these necessities are absent for the remainder of the portion of the Festival that is not active-set up and tear down.

This Festival has increased in magnitude to the extent that Pershing County should hire a Deputy to provide for planning, logistics and execution of the plan for this Festival as well as provide for continued investigations. The Pershing County Sheriff's Office continues to receive calls for service long after the active portion of the Festival has concluded. These calls range from lost or stolen property, some of which cannot be verified through Burning Man and is eventually 'donated'; to late reports of assaults and batteries (unfortunately including Sexual Assault).

Planning

Planning for the 2017 event started in January with finalizing the Festival from 2016 and discussions regarding plans and needs for 2017.

It was a very robust and lengthy planning season. This year included a welcomed return to the cooperators meeting format of 2015. Many tasks were accomplished, to include the sales of radios and accessories previously purchased by BRC, for BLM which were no longer needed by either entity. These radios had been available and used by PCSO and BLM for the prior two years for our communications on the Playa. BRC was willing to sell these supplies to PCSO for a severely discounted price. Based on that gracious price reduction, PCSO was able to include the purchase in the 2017 budgeting process. This sale has the potential to help PCSO with communications not only at the Festival, but also County wide the remainder of the year. This sale also helped Burning Man to relieve itself of radios it did not need and would not be able to use due to some of the programming features. However, this purchase severely lowered the budget which could have been used to hire additional Law Enforcement Officers.

Planning continued throughout the year with meetings being held in various locations. This planning tends to prove difficult for PCSO, when numerous personnel are away from the County for numerous meetings outside of our jurisdiction. It is also a difficulty when there are many meetings that do not include all of the involved parties at the same meetings. This year, PCSO in collaboration with BLM decided and informed BRC that any meeting which involved any Law Enforcement issue or other issue dealing with the integrated command, would also be attended by a representative of BLM.

Planning became very difficult however, when a scheduled meeting was cancelled at the last minute (after the meeting was to have started) by representatives of BRC due to one invitee BRC did not approve of. This issue was taken by BRC to the BLM director level in Washington D.C. without first attempting to rectify this situation locally and reschedule the meeting. This action further strained the tenuous relationship between BRC and PCSO. It also caused tension to start between the BLM and PCSO above the planning team level. This issue was attempted to be rectified between PCSO and BLM, but there was too much political influence to come to a simple resolution. This behavior cannot be allowed to continue for a smooth planning process to occur in future years.

Another issue that made for such a long planning season was the inability for the BRC planning team to make many actionable decisions at the time of the meetings. Most of the information had to be taken back to their board in San Francisco and then another meeting would have to be scheduled around everyone's increasingly busy schedules.

I would offer a suggestion to have all Cooperators meetings in the Lovelock area, since Pershing County is the County in which this Festival actually takes place. This would allow for more participation from other Pershing County entities which are vital for this Festival to operate. BRC has been opposed to this in the past due to the lack of communication resources for many of their cooperators to call in. BRC has also stated there is not enough room within one building in Pershing County to hold these meetings as well as Pershing County being unable to

provide similar A/V resources as the DEM in Washoe County. However, if a critical incident does happen on the playa, Pershing County will be using their own infrastructure within Lovelock to assist with necessary peripheral duties and it would be nice to have BRC become accustomed to the area as well as the resources available within Pershing County.

I would also suggest the planning for the 2018 Festival take place between those departments within BRC responsible for Operations of the Festival. For far too long, PCSO has been planning this Festival with the legal and government relations departments of BRC. This action has continually bogged down the meetings and schedules, as referenced earlier within this section. While BRC's legal department does need some limited input, if planning items reach to the legal realm, the more appropriate and therefore effective method would be to plan the Festival with those who are tasked with the operational responsibilities of the Festival. It would be more appropriate for the legal team of BRC to speak with the Pershing County District Attorney's Office if there are legal issues that need to be rectified, as the District Attorney's Office is the legal representative of Pershing County.

Those persons who are to be involved in the planning process, on behalf of BRC, also need to have the authority to make actionable decisions at the time of the meetings. This change should allow for real time decisions, so we are not languishing and waiting for additional meetings to happen and decisions to be made.

This is also true with the BLM. BLM created a position, within their Law Enforcement department, to plan this event on behalf of BLM. I recognize this was the first year for this position and some 'guidance' may have been needed; however being micromanaged by representatives from Washington DC, with limited information on the Festival is not conducive to a smooth planning process. The incentive for BRC to have a direct line to appointed representatives of the BLM who do not have first-hand knowledge of the Festival needs to be revoked.

Once the BLM planning team is configured, those individuals chosen to represent the BLM need to be given the authority to make actionable decisions at the time of the meetings and those decisions need to be supported up the chain of command-all the way to Washington D.C., without undue influence from the representatives of BRC or PCSO.

Again, PCSO attempted to provide for 'Separate Command'. This was, again, not possible due to the extremely tight restrictions on our budget. Budget numbers will be provided in a separate section⁵. With only \$185,000.00 for our usage, there is little room to independently provide for even the basics for a Festival of this magnitude, let alone provide for any large contingencies. With that stated, there are no monies left to respond to any emergencies regardless of size. Any funding for an emergency situation would come out of the County's regularly budgeted funding sources.

⁵ Appendix A

Population Statistics

The population statistics for the 2017 Festival were once again reported to both the BLM and PCSO by BRC through a company hired by BRC, Ticket Fly. The population of Black Rock City was provided, at minimum, twice a day, once by text notification and then again in the daily Tier 1 meeting. There were only a few 'glitches' this year with the population numbers, as reported by BRC. The reporting structure for population information seems to work well, as it reaches all of the people who need access to the data.

Based on the numbers provided, the population of Black Rock City increased by over 5,000 paid participants in 2017 and the reported staff numbers appear to have increased by almost 1,500, an increase of 6,500 total bodies on playa. While during the same period, PCSO had the same number of personnel as in 2016 to deal with the increase in population. It is noteworthy that for a population of 6,800 full time residents of Pershing County, PCSO has 14 Deputies. This increase of population alone should have been met with an additional number of Sworn Deputies.

I am highly suspicious of these population numbers as there is no independent verification or audit system in place to perform a quality control check. From previous Festivals, it appears to the naked eye, as if BRC is well beyond the reported numbers, but at this time there is no way to verify this.

There is no reason for BRC to report any number above 70,000 paid participants, due to possible consequences from both PCSO and the BLM. This further allows for possible inconsistencies with the population reports and actually appears to be an incentive to underreport the population.

This raises an important question-how is there a need for an additional 1,500 staff members from BRC for an increase of 5,000 participants, (an increase of one (1) staff member per just over 3 paid participants) but not any increase in Law Enforcement personnel? Long has law enforcement been advised by BRC that there is not a need for additional personnel. Reference the February 1, 2017 response from Marnee Benson (The Response)-"There is no need for 200 deputies at Burning Man." This statement is easy to make when there is such a massive influx of personnel, on behalf of BRC, who can 'intervene' before a call for service is forwarded to certified law enforcement personnel.

Until the population numbers are verified by an independent third party, with a viable way to audit the system by all concerned parties, it is difficult for me to rely on the numbers provided for the population of the Festival.

According to the numbers provided by BRC it appears the peak population occurred on September 1, 2017 at 4:15 GMT or 9:15 pm Pacific Standard Time. The reported number was 78,526. It would appear by my calculations the peak population would actually be 79,532 total bodies on playa. However the number reported to the cooperators on the September 1, 2017 Sit

Stat report was 79,432. Although this only appears to show a 100 person difference between the two numbers, the Sit Stat does not show the breakdown that the other reporting program provides. The other program would show a difference of 596 persons. This would take the peak population number to 79,928, extremely close to 80,000 persons on the playa. This reporting will need to be standardized for the 2018 Festival, so every report shows the same breakdown of the population as well as the total bodies on playa.

The reported number directly contradicts statements made by 'the response' "There have never been upward of 80,000 people at Burning Man... the total number of people on the site has never even approached 80,000."⁶ Based on the population number BRC reported to BLM, it appears that in 2017, the playa was populated by **99.91%** of 80,000. This population report appears to be **EXTREMELY** close to 80,000 people on the playa, as I have reported in previous years.

By either of these numbers, which is provided by BRC, the peak population as defined in section 1.11 of the 2013 Settlement Agreement, was over 79,000. Based on this peak population, it would appear that BRC has moved into the \$275,000.00 payment block of the table provided within section 4.2 of the 2013 Settlement Agreement for the 2017 Festival. It is my recommendation that the Pershing County Board of County Commissioners submit a bill to BRC for the additional \$35,000.00 plus CPI for the additional monies as outlined within the 2013 Settlement Agreement.

Population graphs will be provided separately for the daily population reports from the 2017 Festival.

⁶ 2017 letter in response to 2016 PMS-para. 3

OPERATIONS

The 2017 Burning Man event started, as many of them do, prior to the opening of the gates to allow general paid participants to enter and assist with set up of the larger theme camps or work for BRC operations. This is outside of the 8 days of the active portion of the Festival.

Prior to PCSO staff arriving for duty on the playa, we received information regarding an employee of BRC chasing someone off of the playa, through Gerlach and finally stopping in Empire. The information relayed included a report of the BRC employee challenging the other driver with a hammer. This call was ultimately handled by the Washoe County Sheriff's Office, as it terminated in their jurisdiction. For any further specifics on this call, Washoe County would be the contact agency. This incident causes concern for PCSO as it appears that some of the Black Rock Rangers are far exceeding their limited authority to enforce rules within the confines of the fenced in area of the Festival. I believe BRC should host a separate training for their personnel to advise them they are NOT Law Enforcement Officers, and have very limited authority within the fenced portion of the Festival and absolutely no authority beyond the fenced in portion of the Festival.

While I was on duty at the Festival, four (4) days prior to the gates being opened to the general paid participants, Sgt. Nathan Carmichael and representatives of BLM and I were being given a tour of the airport due to some issues stemming from the 2016 Festival. Near the conclusion of this tour, we were contacted to assist BLM with a traffic stop. Sgt. Carmichael and I arrived and were advised the motorhome that was the subject of the stop was actively being searched and a large quantity of Cocaine had been found within the vehicle. While we were on scene, a rifle was also found with a round in the chamber. This vehicle was allowed into the Festival early as a part of an agreement between BRC and BLM to allow 'early entry' participants to assist in setting up the city's many amenities and large art structures. This vehicle was also alleged to have been 'searched/screened' by BRC's gate personnel. This event raises concerns for PCSO regarding the quality/validity of searches by BRC due to the fact there are rules instituted by BLM and also BRC involving firearms. It appears that either this vehicle was not properly searched for anything smaller than a body, or was allowed to enter the Festival in violation of the rules set up by the two entities. Since BRC controls access through the gates, the ultimate responsibility would be theirs to provide for a proper search to ascertain if any contraband is within a vehicle.

This incident alone would tend to prove there needs to be more funding allowed for additional patrols before and after the active portions of the Festival, as this incident happened before the 'active' portion of the Festival commenced. These types of incidents could also be remedied by requiring BRC to hire an independent company to provide for proper screening of persons and vehicles. These searches would not be unusual, as they occur at every major event you attempt to enter, sporting events, concerts, airports, etc. However, this was not the only incident outside of the 'active' portion of the Festival.

Operations were extremely busy for the PCSO, as we had some technical difficulties at the beginning of the Festival. These included a lack of IT personnel for the setup of our computers and

network. BLM provided valuable assistance again with this endeavor. PCSO will need to hire an IT professional to set up our network in the future to alleviate any additional stressors on outside agencies.

During the Festival, there was a wildland fire that caused Highway 447 to be closed for a significant portion of time and threatened a longer closure. This event coupled with hurricanes that were happening in the southern portion of the United States threatened to pull the already strained resources of the BLM from the Festival. More importantly, the closing of Hwy 447 shut off the main artery to get people off of the playa in the event of an emergency or evacuation. It also had the potential to significantly delay or stop necessary resources from reaching the playa in case of an emergency.

During the Festival, a perimeter Black Rock Ranger followed a PCSO employee off of the playa in what he described as an effort to identify the PCSO vehicle. This pursuit continued onto County road 34, well outside of the Festival. This pursuit almost caused a crash between the BRC and PCSO employee. This incident was investigated by an outside agency and a resolution was reached at the scene where both vehicles stopped. BRC handled the employee issue swiftly and appropriately, however this event should never have occurred in the first place, as again, Black Rock Rangers have no Law Enforcement authority within the State of Nevada. There is no reason a Black Rock Ranger should be pursuing anyone-participant or otherwise-off of the Playa. This additional incident from the 2017 Festival further shows that BRC needs to bolster the training to their employees that they do not have authority to intercept or stop vehicles outside of the Festival. This training could possibly be handled by BRC's Law Enforcement Liaison. PCSO would be willing to provide training to BRC staff regarding the current laws regarding this issue.

ENFORCEMENT STATISTICS

During the 2017 event we were able to capture the following information:

- 191 Cases were drawn specifically for the 20107 Burning Man Festival.
 - These cases include the following citations as well as arrests.
 - Some of the cases may be combined due to several persons being involved in some of the cases
- There were 57 arrests at the 2017 Festival⁷. This is an increase of 11 arrests compared to the 2016 Festival. These arrests ranged from FTA warrants, Sexual Assault, Domestic Battery, and Possession of Illegal Controlled Substances to Trespassing.
- There were 125 citations⁸ issued for various offenses:
 - 1 Citation for Assault
 - 2-Citations for Battery
 - 1-Citation for Reckless Driving
 - 121 Citations for drug charges not amounting to sales or trafficking. This represents 9 more citations than 2016.
- We continue to have negative enforcement with far less than one (1) % of the population at any given time.
- We continue to receive calls for service even after the event.
 - Many of these calls after the fact are for reports of either damage or theft of personal property.
- There was the unfortunate event of a participant running and jumping into the ‘Man’ as it was burning on Saturday. This participant was able to breach all levels of security in place by BRC and gain access to the fire. This event alone, consumed all of the resources available from PCSO. There were several other events that happened during the same time and further taxed the limited resources of PCSO.
 - Although the victim did not expire on the Playa, him being burned by the ‘Man’ was the cause of his death, and consumed numerous resources after the culmination of the Festival.

PCSO attempted to provide for a comprehensive account of the weight of illegal narcotics seized from the Burning Man Festival. This proved difficult due to many unforeseen circumstances. PCSO will need to make further strides to capture this information so it can be shared with concerned parties.

Those weights which were able to be captured are as follows⁹:

- Over 639 grams of Marijuana
- Over 818 grams of psilocybin mushrooms
- Over 120 grams of Ketamine
- 13.5 grams of Methamphetamine

⁷ Appendix B

⁸ Appendix C

⁹ Appendix D

- Over 231 grams of Cocaine
- Over 334 grams of MDMA
- Over 217 doses of LSD

The Burning Man Festival contains the largest concentration of narcotics violations in the County for the entire year.

FINANCIALS

For Pershing County, our budget for the Burning Man event is wholly based on population of the Festival. Due to that, some references regarding population will be repeated in this section.

The Pershing County Sheriff's spent approximately \$164,877.38 to provide Law Enforcement services to the 2017 Burning Man Festival. This does not include all of the numerous hours which were put in prior to the event for planning. It also does not account for hours worked by my Administrative staff or other civilian staff, as I absorbed those costs in my regular budget.

- This allocation includes payment of:
 - \$3,500 for housing above what BRC could provide
 - \$10,000.00 for radios purchased for this Festival.
 - \$5,189.38 for miscellaneous supplies.
 - \$146,187.80 for contract personnel.
- It does not include:
 - The supplies and services BLM provided for my staff
 - The cost of additional housing (trailers), waste removal and generator(s) for the Shower Property, provided by BRC.
 - The cost of meals provided through BLM and BRC.
 - The cost of Dispatch provided through BLM.
 - The donation of 5 trailers by HGH for additional housing of contract employees.

It has proved increasingly difficult to provide for a comprehensive budget for several reasons:

- Because the budget is based on 'peak population', there may be a variance in what is budgeted for and what is paid. PCSO budgets for a certain population range based on number provided by BRC and previous history.
 - If the population is less than planned for, Pershing County would not receive monies which were budgeted for and then would have to be covered by the individual Office's budgets.
 - If the population goes above what is budgeted for, supplies and personnel may run out due to lack of prior planning.
 - This potentially leaves Pershing County open to liability.
 - It does not allow for proper services to be available for the participants.
 - It causes the contract personnel to become overworked/overstressed which could cause further issues with good decision making.
- The budget does not allow for the purchase of infrastructure to enhance PCSO's ability to provide even adequate Law Enforcement services to the participants.
- The overall payment will not be realized until the latter portion of the Festival, due to the 'peak population' not being calculated until then.

- For example, the revenue for the 2017 Festival was not calculated until the final payment was made on or about October 13, 2017.
- The final payment was \$97,736.24, which when coupled with the other two \$75,000.00 payments equaled \$247,736.24.
- This budget number was not available prior to having a budget approved, thus becoming difficult to know what expenses could be afforded because we did not have an accurate amount to start the budget process with.
- Furthermore, in calculating the CPI with the assistance of the calculator provided by the Bureau of Labor Statistics, the actual payment with CPI should have been \$ 254,815.23¹⁰.
 - This alone is appears to be an underpayment of \$7,078.99.

The payment for the 2017 Festival was recorded by the Pershing County Recorder/Auditor as being \$247,736.24. This is supposed to be based on the base amount set for the Festival having less than 70,000 persons at the ‘peak population’.¹¹ According to the numbers BRC provided to BLM for population, it appears the ‘peak population’ was reported on September 1, 2017 at 9:15pm by the PRAM reporting program as being: 79,532 bodies on playam- minus Law Enforcement and Vendors. The breakdown which was reported is as follows:

- 69,305 paid participants
- 9,731 staff
- 496 kids.

This would be in direct contradiction of the ‘Response Letter’ where it states “There have never been upward of 80,000 people at Burning Man.”¹²

More importantly, with the ‘peak population’ being over 70,000 bodies, BRC’s Payment to Pershing County should increase to the next corresponding bracket in the payment section of the ‘Agreement’. This bracket would increase the base payment to Pershing County to \$275,000.00¹³ and with the additional CPI the final payment to Pershing County should have been \$292,010.16¹⁴.

¹⁰ <https://data.bls.gov/cgi-bin/cpicalc.pl?cost1=240%2C000.00&year1=201301&year2=201704>

¹¹ 2013 Settlement Agreement Section 1.11 & 4.2

¹² 2017 letter in response to 2016 PMS-para. 3

¹³ 2013 Settlement Agreement Section 4.2-population over 70,000

¹⁴ <https://data.bls.gov/cgi-bin/cpicalc.pl?cost1=240%2C000.00&year1=201301&year2=201704>

ISSUES NEEDING SOLUTIONS PRIOR TO THE 2018 BM FESTIVAL

1. A solution needs to be made regarding radio connectivity to Lovelock.
 - a. This will entail a permanent mountaintop repeater system which would carry radio signal from the Black Rock Desert to the Pershing County Sheriff's Office and back.
 - b. This repeater system is needed for more than the Burning Man Festival; however it will get the majority of its use during the Festival.
2. The integration of PCSO radios with BLM and other Law Enforcement entities radios.
 - a. With the continual advancement of technology, a viable solution needs to be prepared to continue to have robust communications between all Law Enforcement entities within the working area of the Festival.
 - b. PCSO cannot currently talk to NHP or WCSO on their systems due to incompatibilities. This needs to be rectified in the event of an MCI.
3. Blue Pit still needs to be reevaluated as a staging area for Law Enforcement.
 - a. This area is within approximately 5 minutes response time from the Pit to the Command Post.
 - i. This close proximity would allow for extremely rapid response of the personnel who will be responsible for making important decision relating to the safety of all of the participants.
 - ii. It would also provide for expedited response for staff needing to be called out to respond to a critical incident without having to deal with the added stress of traffic.
 - b. This area is separated enough from the event to provide some quiet time for the staff.
 - c. This area would not require any other special permitting.
 - d. The proximity of the Blue Pit would also be closer to the Festival which would allow for:
 - i. Less distance for providing sanitary services and fresh water.
 - ii. Less travel time during the major influx of traffic.
 1. This alone could save upwards of 45 minutes to an hour of travel time-a timeframe that is unacceptable at a planned Festival.
4. Funding will need to be secured to provide for a minimum of 40 Deputies per shift.
 - a. The shifts will need to start prior to the start of the active portion of the Festival (pre-event).
 - b. Some of these shifts will need to extend past the end of the event, due to the influx of calls and the lingering paperwork and evidence that needs to be secured after every event(post-event).
 - c. We also need more personnel, not necessarily sworn, available after the event to assist in 'break down' of our infrastructure.
5. Burning Man and the Commissioners need to dispose of the 2013 Settlement Agreement and either a new agreement needs to be worked out, or a system of cost recovery needs to be put into effect.

- a. Cost recovery has been in place for BLM for several years and allows for a realistic opportunity to provide necessary response and coverage for an event of this magnitude.
 - b. The agreement only allows for funding for eight days. The reality is the participant portion of the event for 2016 was 10 days, by BRC's own admissions, due to a 'side agreement' with BRC and BLM to allow for early ingress and egress to alleviate traffic.
 - i. This has been verified by Marian Goodell on a TED talk where she stated 'Burning Man is a 9 day event.'¹⁵
 - c. There are people on the Playa for well over the nine days of the actual Festival, and these are people that PCSO regularly has to have interaction with.
6. Burning Man has become a year round event for the Pershing County Sheriff's Office.
- a. Due to the extra burden placed on this Office for just this event, the County needs to find a solution, possibly through cost recovery, to provide the Pershing County Sheriff's Office with a full-time sworn person to accommodate this event.
 - i. This position needs to be sworn due to the fact that even up to 12 months after a BM Festival has concluded, this Office commonly receives reports of criminal activity.
 - ii. These reports will sometimes need further investigation, which can only be performed by a Sworn Deputy.
 - b. The County has already realized this is an additional burden to the County and has already funded a position within another office with the funding provided it by BRC.
 - c. It should be noted the BLM has a position specifically dedicated to just the Burning Man Festival as do other entities.
7. Pershing County needs to formulate a plan to oversee and audit the population count of this city. There were too many glitches with the system they had this year, especially when it comes to reporting a population that would put the County into another funding bracket, only to be ruled out as a simple 'glitch'.
- a. The numbers provided by BRC cannot be fully relied upon especially as they are continually allowing traffic to come in through 'Burner Express' buses and "Burner Air" their commercial flight option which brings participants to the playa, without having to go through the main gate and be counted.
 - b. With payment to Pershing County wholly tied to the population of this city, I think it is prudent for Pershing County to be able to verify, without question of authenticity, the actual 'bodies on playa' population.
8. Pershing County needs to fund personnel to ensure the businesses providing services at the Festival have proper business license with the County. Burning Man ensures that there are mechanisms in place for them to regulate these vendors within the Festival. There however, is no mechanism for the County to provide the same oversight. This needs to be rectified, as the County is ultimately responsible for the licensing of some of the vendors within the Festival. It is ludicrous to have entities such as the Health Department from the State of Nevada on site without also having the equivalent from Pershing County looking for violations of our licensing ordinances, especially when service of alcoholic beverages is concerned.

¹⁵ <https://journal.burningman.org/2014/06/philosophical-center/tenprinciples/marian-goodell-speaks-at-tedx-tokyo/>