

FIRE SUPPRESSION IN NEVADA

6564

(No.21 May 2016)

Responsibility

Camp Commander

Superintendent Division Chief

California Penal Code Section 2780.5 provides that, during declared fire emergencies, the Director of DJJ/DAI may allow the Director of CAL FIRE to use California offenders for fire suppression efforts outside the boundaries of California, not to exceed a distance of 25 miles from the California border, along the borders of Oregon, Nevada, or Arizona.

However, Nevada is the only state to pass corresponding legislation allowing California Correctional Officers peace officer authority over a California offender while in the state of Nevada (Nevada revised Statute 289.230). Until similar legislation is passed in Oregon and Arizona, California offenders will only be used in Nevada for fire suppression.

Existing California State law has allowed transportation of California offenders into Nevada (Reference PC 5080) when traveling from one facility of the Department to another, sometimes exceeding the 25-mile limit. However, interpretation of PC 2780.5 indicates that all highway miles must remain within that 25-mile distance from the California border while transporting offenders to and from the fire incident and while assigned on the incident.

EXCEPTION

In the case of a California offender escaping from custody while on assignment in the State of Nevada, Nevada revised Statute 289.230 provides that when "A California Correctional Officer has in his custody in Nevada an offender of the State of California, the Correctional Officer may maintain custody of the offender in Nevada and retake the prisoner if he/she should escape in Nevada to the same extent as if the Correctional Officer were a peace officer appointed under Nevada law and the offender had been committed to his custody in proceedings under Nevada law." A Correctional Officer may exceed the 25-mile limit in pursuit of an escapee anywhere within the State of Nevada.

OUT-OF-STATE-DISPATCH

6564.1

(No.21 May 2016)

Responsibility

All

All out-of-state dispatches will be initiated by the agency requesting assistance, routed through the CAL FIRE Regional ECC, and filled with the resources nearest the out-of-state incident. When offender fire crews are assigned, they will be in a strike team or task force configuration, thereby insuring necessary CDCR staff coverage of one officer per crew plus one CDCR supervisor, in a separate vehicle, per strike team or task force.

Additionally, a trained and experienced CDCR Agency Representative will be assigned to the incident at, or above, the Correctional Lieutenant level. This person will be equipped with a separate, radio equipped, CDCR or CAL FIRE vehicle. As soon as the strike team and custody staff are assigned, the parent institution is to be notified of incident assignment and location and the name of the CDCR Agency Representative.

On all out-of-state assignments, CDCR personnel will use only state vehicles. Under no circumstances will CDCR staff drive their personal vehicles.

The criteria for strike team(s) assigned to a Nevada incident shall be two vehicles for CDCR staff, one of which may be utilized by the CDCR Agency Representative. The first vehicle must be a suburban or van equipped with a security screen.

OUT-OF-STATE INITIAL ATTACK

6564.1.1

(No.21 May 2016)

Responsibility

All

As wildfire life and property threats dictate, and under the closest available resource concept, Initial Attack fire crew responses may occasionally be required into the State of Nevada. In those CAL FIRE Units which border the State of Nevada, the following Initial Attack response guidelines shall apply:

- The Initial Attack area shall be limited to within 2 hours of the crew's assigned camp and not to exceed 25 miles into the State of Nevada.

Crews may be assigned as either single resources or in strike team/task force configuration. Crews will respond consistent with policy and protocol for Unit incidents within California, with the following exception:

- CDCR staff at the assigned camp shall be notified as part of the initial dispatch of the occurrence and location of the incident in Nevada. CDCR shall respond to the incident at staffing levels not to exceed those required in 6564.1.

As emergency conditions abate, crews shall be a high priority for release and return to California.

OUT-OF-STATE LOGISTICAL SUPPORT

6564.2

(No.21 May 2016)

Responsibility

Fire Crew Captain

Logistical support for fire crews and CDCR personnel assigned to the out-of-state incident is the responsibility of CAL FIRE, i.e., housing, feeding, and transportation. State of California credit cards and delegated purchase orders are accepted in most cases in adjoining states.

For additional guidelines relative to medical services and offender escapes on fire responses into the State of Nevada, see Chapter [6570](#).

FORMS AND/OR FORMS SAMPLES: RETURN TO CAL FIRE LIBRARY HOME PAGE FOR FORMS/FORMS SAMPLES SITE LINK.

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