



North Carolina Department of Public Safety

State Highway Patrol

Roy Cooper, Governor
Eddie M. Buffaloe, Jr., Secretary

Freddy L. Johnson, Jr.
Commander

MEMORANDUM

To: Chairs of Joint Legislative Oversight Committee on Justice and Public Safety

From: Eddie M. Buffaloe, Jr., Secretary, DPS
Freddy L. Johnson, Jr., Commander, State Highway Patrol 

Subject: VIPER Quarterly Report

Date: August 15, 2023

Pursuant to Session Law 2016-94, Section 17B.1, The Department of Public Safety shall report annually no later than March 1 and quarterly thereafter to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the progress of the State's VIPER system.

Network Status - Network Status - 241 total sites planned for statewide coverage of which 236 sites are constructed and on-the-air representing 98% completion. VIPER is nearing the completion of the 241st tower site and will then have reached the total number of sites identified in the 2004 Legislative Report. The system currently supports 172,134 emergency users. This quarter gain represented slightly more than 2000 additional user radios. An additional statistic that we are also beginning to track is how many counties have directly connected consoles with VIPER network. The number currently stands at 45. We have five further counties with orders for consoles, which will bring the total in CY23 to 54. Integration of the direct connection consoles greatly enhances the ability for local PSAPs to be able to reroute VIPER radio calls in the event of the loss of a 911 PSAP during emergencies or other unusual occurrences.

New Tower Construction Progress - One site is currently under construction. Hawshaw Mountain (Avery County) has the tower ordered and the foundation work is pending a site issue with an access easement for the land. We remain hopeful that the site will be on the air by the end of CY23. VIPER continues to work with the North Carolina Department of Agriculture and Consumer Services (Forestry) to resolve the access easement issue.

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Other Significant Projects/Funding Needs:

- **VIPER Site Coverage Analysis:** With the upcoming completion of all the 241 Legislatively funded sites submitted as part of the 2004 VIPER study delivered to the Legislature, VIPER staff have begun to identify areas of the state where the minimum 95% portable radio in the street coverage has not been met. The 2004 plan provided a “best estimate” of the needed number of sites and now with the 241 sites fully located and under construction, it is now possible, aided by more modern and comprehensive coverage mapping programs, for VIPER to be able to identify these areas lacking sufficient coverage and to prepare a remediation strategy to bring back to the Legislature for consideration. VIPER has determined that an additional thirty-one (31) sites are needed in Western North Carolina and will present that in a written document to the Legislature for consideration in CY23 for a recommendation on potential future funding.
- **Personnel:** VIPER has requested additional support personnel in the past two budget cycles. As we reached the number of legislatively funded sites, we are in desperate need of the additional support positions that were identified in the Legislative plan. VIPER needs an additional twenty-eight (28) positions across multiple job classifications, to support the growing number of users. VIPER also requires salary adjustment funds to remain competitive in both retention and recruitment. VIPER currently has multiple vacancies in our field staff and recently lost several key employees to local government agencies where the compensation for similar positions was almost double of what the state pays its employees. VIPER, like all the North Carolina State Highway Patrol’s civilian employees, is prohibited by Legislative action from receiving any portion of Labor Market Adjustment funds as defined within SL2022-74; HB103 Section 39.2.(a); 39.2.(b) which directs that the Labor Market Adjustment Reserve section does not apply to the State Highway Patrol or the State Bureau of Investigation. VIPER has also submitted a salary adjustment fund request specific to its FTE’s and remains hopeful that this will be funded by the Legislature during the current budget negotiations.
- **Operations and Maintenance:** VIPER continues to request additional operations and maintenance recurring funds as part of its annual budget request. These funds support multiple areas (non-personnel) to include; equipment repair, lease costs, electricity, insurance, fuel costs, vehicle maintenance and replacement cycles, structural related costs, cyclic replacement costs, and many more. The Legislative plan delivered in 2004 defined an increasing recurring cost that was tied to the continual increase in costs as additional sites became operational along with shifting recurring capital (construction) costs into O&M once sites were built. With the goal of 241 sites virtually achieved, VIPER needs a significant increase in these O&M line items. Without an increase, VIPER will be unable to maintain system readiness or make timely repairs when outages occur which leaves all levels of public safety agencies (State, Local and Federal) that rely on VIPER without adequate communications and places their personnel at an increased risk as they serve the public.