

**PEACE OFFICERS' STANDARDS AND TRAINING**

**REGULARLY SCHEDULED MEETING**

October 29, 2013

5:08 p.m.

Peace Officers' Standards and Training  
Station Hotel and Casino  
2411 W. Sahara  
Salons F&G  
Las Vegas, Nevada

**MEMBERS PRESENT:**

**Ronald Pierini**, Sheriff - Chairman,  
Douglas County Sheriff's Office

**Anthony DeMeo**, Sheriff  
Nye County Sheriff's Office,

**Gary Scofield**, Las Vegas  
Metropolitan Police Department

**James (Greg) Cox**, Director  
Department of Corrections

**Karen Coyne**, Chief Officer  
Public Safety, City of Las Vegas

**Jim Wright**, Nevada Department of  
Public Safety

**Troy Tanner**, Chief of Police  
City of Mesquite Police Department

**Dan Watts**, Sheriff  
White Pine County Sheriff's Office

**STAFF PRESENT:**

**Richard P. Clark**, Executive Director,  
Commission on Peace Officers'  
Standards and Training

**Michael Jensen**, Senior Deputy  
Attorney General  
Department of Motor Vehicles and  
Department of Public Safety

**Scott Johnston**, Bureau Chief,  
Commission on Peace Officers'  
Standards and Training

**Michael Sherlock**, Audits and  
Compliance  
Peace Officers' Standards and  
Training

**Elaine Moore-Cerda**  
Commission on Peace Officers'  
Standards and Training

1           RONALD PIERINI: Okay. I'd like to call  
2 to order, and what we have today is first I would  
3 like to start off with roll if we could. And if we  
4 could start with Tony, that would be great.

5           TONY DEMEO: Tony DeMeo, Nye County.

6           DAN WATTS: Dan Watts, White Pine County.

7           GARY SCOFIELD: Gary Scofield, Las Vegas  
8 Metropolitan Police Department.

9           RONALD PIERINI: Ron Pierini, Douglas  
10 County.

11          JIM WRIGHT: Jim Wright, Nevada Department  
12 of Public Safety.

13          GREG COX: Greg Cox, Nevada Department of  
14 Corrections.

15          TROY TANNER: Troy Tanner, Mesquite PD.

16          KAREN COYNE: Karen Coyne, City of Las  
17 Vegas.

18          RICHARD CLARK: Dick Clark, P.O.S.T.

19          MICHAEL SHERLOCK: Mike Sherlock, P.O.S.T.

20          MICHAEL JENSEN: Mike Jensen, Office of  
21 the Attorney General.

22          SCOTT JOHNSTON: Scott Johnston, P.O.S.T.

23          ELAINE MOORE-CERDA: Elaine Moore-Cerda,  
24 P.O.S.T.

25          RONALD PIERINI: Thank you very much. I

1 just would like to go through some of the things  
2 that we always want to make sure that we cover right  
3 off the bat, as remind the public to sign in the  
4 attendance, which is off to my right. Actually, at  
5 those doors over there. We'd appreciate that. And  
6 remind the public to state their name if they are  
7 going to make any comments during this meeting, and  
8 also come right up to the front table and you'll be  
9 able to do that. Courtesy to others, we ask that  
10 all the cell phones are turned off, so we don't have  
11 that interruption. Remind the Commissioners to  
12 state their name before speaking. Remind the  
13 Commissioners that the microphones are very  
14 sensitive and could be recorded any kind of  
15 conversations you may have. And then as when we are  
16 going to have some motions here, so be sure to  
17 mention your name when you make that motion.

18           Scott, could you go ahead and to list,  
19 again, those areas, those locations that we had this  
20 posted?

21           SCOTT JOHNSTON: Yes. Thank you. Scott  
22 Johnston, for the record. The noticing and posting  
23 was at the P.O.S.T. Administrative Offices in Carson  
24 City, Nevada State Capitol Building, Carson City,  
25 Blasdel State Building, Carson City, Nevada State

1 Library and Archives, Carson City, Grant Sawyer  
2 Building, Las Vegas, White Pine County Sheriff's  
3 Office, Ely, Carson City Sheriff's Office, Carson  
4 City, P.O.S.T. website at [www.post.state.nv.gov](http://www.post.state.nv.gov) and  
5 the Legislative website at [www.leg.state.nv.us](http://www.leg.state.nv.us).

6           RONALD PIERINI: Thank you, Scott. Our  
7 first agenda item is dealing with the notice of the  
8 public meeting under NRS 241, and the purpose of  
9 this portion of the agenda is to receive comments  
10 from all interested person regarding the amendment  
11 of regulations pertaining to the Nevada  
12 Administrative Code, as they relate to the  
13 Commission of Peace Officers Standards and Training.  
14 A copy of this proposed regulations will be  
15 available, so if anybody in the audience that  
16 doesn't have a copy, we do have copies for you. All  
17 you have to do is request it here.

18           And this goes back a little bit of a  
19 history for those new Commissioners that are here  
20 that a year ago we had talked about this, in fact it  
21 was a year ago next month, and because of what we  
22 wish to have as far as the new regulations, as you  
23 probably well know, the LCB has to look and review  
24 that -- those changes to make sure that it's legal  
25 and it's correct. And because the legislation --

1 legislators were in session, it took us this amount  
2 of time to get that paperwork back. So we're going  
3 to go over these and I'm going to ask for public  
4 comment and any Commissioners who would wish to say  
5 something too.

6           And this goes under Amendment NAC 289.230  
7 to permit the Executive Director to approve various  
8 methods, including electronic submission for law  
9 enforcement agencies to report to the Commission  
10 continuing education compliance by its peace  
11 officers. Amend NAC 289.230 to authorize Executive  
12 Director to temporarily reinstate the certification  
13 of a peace officer whose certification has been  
14 previously suspended for failure to complete  
15 required mandatory annual continuing education upon  
16 receiving documentation, showing the officer has  
17 completed the mandatory continuing education. The  
18 temporary reinstatement expires on the date of the  
19 Commission -- date the Commission considers whether  
20 the peace officer's certification should be  
21 reinstated.

22           And, Scott, could you go over that a  
23 little bit?

24           SCOTT JOHNSTON: Sure. Scott Johnston,  
25 for the record. The first part of that giving the

1 Executive Director the ability to approve various  
2 methods with the electronic submission, we have been  
3 testing and it's now in practice that request for  
4 certificates, notification to the Commission that an  
5 officer has been employed or has terminated  
6 employment or any action and all of the professional  
7 certificates and getting to the basic certificates,  
8 submission of course certification requests, all of  
9 these areas are now done by an electronic form,  
10 which reduces paperwork. It's a little greener way  
11 of conducting business. It streamlines and makes  
12 our job as well as the agencies' responsibilities  
13 more streamlined and more accurate. That's what  
14 that component is dealing with.

15           The second one under 289.230, authorizing  
16 the Executive Director to temporarily reinstate the  
17 certificate, is we've had situations where an  
18 officer's certification was suspended and then the  
19 officer met compliance and we could not take action  
20 to reinstate them for several months until the  
21 Commission met again. This would allow the  
22 Executive Director the authority to do so and being  
23 the Commission's final ratification of that.

24           RONALD PIERINI: It only makes sense, in  
25 my mind, that we should be doing that and I --

1 that's my own personal thought on that.

2 I'm going to ask the Commissioners if they  
3 have any questions on that?

4 SCOTT JOHNSTON: Mr. Chairman, one last  
5 thing.

6 RONALD PIERINI: Oh, I'm sorry, Scott.

7 SCOTT JOHNSTON: I just want to also make  
8 point that all of these new NACs can be found in  
9 your Commission book under tab 4. That's the actual  
10 language of this regulation.

11 RONALD PIERINI: Okay. Any of the  
12 Commissioners like to make any comment dealing with  
13 this Section A? Okay. Not seeing any, I'd like to  
14 ask anybody in the audience who would like to make  
15 any comment on that particular topic? Seeing none,  
16 we'll move on then to B. And that is true is what  
17 Scott had mentioned, and I'm glad you reminded me on  
18 that, is that in your booklet, Commissioners, you  
19 will see the actual writing and language dealing  
20 with this NAC change. So if you'd like to do that,  
21 you can.

22 Okay. We'll go on the number B, which is  
23 amending NAC 289.240, which establishes the minimum  
24 requirement for intermediate certificate, to realign  
25 the education, training, and time of service

1 eligibility requirements for officers. And Scott,  
2 can you comment on that?

3 SCOTT JOHNSTON: Thank you. Scott  
4 Johnston, for the record. This is a process where  
5 there's a total restructuring of the intermediate  
6 certificate requirement, and the new proposal allows  
7 for -- it recognizes education and length of  
8 experience as adding to -- validity to why -- to  
9 qualifying for the intermediate certificate. It  
10 also has a training component that is prorated based  
11 on level of education and years of service as well.

12 RONALD PIERINI: Okay. Thank you, Scott.  
13 Commissioners have any comments on number B? Okay.  
14 Asking for public comment. Anybody in the audience  
15 would like to make any comments or suggestions or  
16 issues dealing with number B? Seeing none, we'll go  
17 on to number C.

18 Amend NAC 289.250, which establishes  
19 minimum requirements for advanced certificate to  
20 realign the education, training, and time of service  
21 eligibility requirements for officers. Scott?

22 SCOTT JOHNSTON: Thank you, Mr. Chairman.  
23 Scott Johnston, for the record. This one dealing  
24 with the advanced certificate mirrors in line  
25 structurally with the requirements I just talked

1 about on the intermediate so that it's progressive.

2 RONALD PIERINI: Okay. Good. Thank you,  
3 Scott. Commissioners, have any questions? Seeing  
4 none, go to the public. Anybody from the public  
5 like to make a comment? Okay. We'll go on to  
6 Number D.

7 Amend NAC 289.310(1)(6)(7)(8) and (9) as  
8 follows:

9 Under subsection 1, which establishes the  
10 requirement to report certain information for  
11 courses above level of basic training to include  
12 that an agency or training provider may apply for a  
13 course certification utilizing the electronic  
14 submission format. Scott?

15 SCOTT JOHNSTON: Thank you, Mr. Chairman.  
16 Scott Johnston, for the record. In this particular  
17 section of the NAC, the biggest change on this is  
18 the addition of other providers of training.  
19 Currently, it just makes the provision for an agency  
20 that may be providing training above level basic.  
21 We now have private vendors that are providing  
22 training, so it's including all other training  
23 providers have to comply with the same requirements  
24 that agencies do.

25 RONALD PIERINI: Okay. Thank you.

1 Commissioners, have any comment on that topic?  
2 Seeing none, ask the public. Is there anybody in  
3 the public would like to make a comment on that  
4 particular topic? Seeing none, we'll go to number  
5 2.

6 Under subsection 6, to require private  
7 training providers to maintain and make available  
8 for inspection upon request of the Commission or its  
9 designee certain training records outlined under  
10 this section. Scott?

11 SCOTT JOHNSTON: Thank you. Scott  
12 Johnston, for the record. This one, again, is the  
13 addition of other training providers that are  
14 providing training must comply with this same  
15 requirement that agencies have to.

16 RONALD PIERINI: Okay. Commissioners have  
17 a comment? Seeing none, we'll go out to the  
18 audience. Anybody in the audience like to make  
19 comment on that particular topic? Seeing none,  
20 we'll go to number 3.

21 Under subsection 7 to require agencies  
22 that are not required to submit courses to  
23 certification to maintain and make available for  
24 inspection upon request of the Commission or its  
25 designee a roster of attendees, examination results,

1 and course evaluation. Scott?

2 SCOTT JOHNSTON: Again, this is the  
3 continuation of the addition of other training  
4 providers, as previously mentioned.

5 RONALD PIERINI: Same thing.

6 SCOTT JOHNSTON: So they have to comply  
7 with the same requirements.

8 RONALD PIERINI: Thank you, sir.  
9 Commissioners, would you like to make any comment?  
10 Seeing none, go to the public. Is there anybody  
11 here who would like to make a comment on that  
12 particular topic? Okay. We'll go on to number 4.

13 Addition of new subsection 8 to require an  
14 agency or training provider, whose course has been  
15 certified, to issue a certificate of completion for  
16 all peace officers attendees for successful complete  
17 the training. The certificate of completion shall  
18 obtain P.O.S.T. Commission certification number,  
19 course name, course hours, and date course  
20 presented. Scott?

21 SCOTT JOHNSTON: Thank you, Mr. Chairman.  
22 Again, this continues to require other training  
23 providers, other than just agencies that have to,  
24 again, comply the same as all the law enforcement  
25 agencies regarding certify numbers.

1                   RONALD PIERINI: Okay. Thank you.  
2 Commissioners make comment? Seeing none, ask the  
3 audience. Anybody like to make comment on that  
4 topic? You don't have to look at me this way. I  
5 just have to do this, okay? Okay. We're going to  
6 go on to number 5.

7                   Addition of new subsection 9 to require an  
8 employing agency whose peace officer attends a  
9 certified course upon receipt of the certification  
10 of completion to report the attendance via  
11 electronic form approved by the Executive Director  
12 for importation into the P.O.S.T. certificate  
13 training record. Scott?

14                  SCOTT JOHNSTON: Thank you, Mr. Chairman.  
15 Scott Johnston, for the record. Again, this  
16 continues with adding the terminology other provider  
17 of training to also require -- have the same  
18 requirements as agencies with certified courses.

19                  RONALD PIERINI: Thank you, Scott. Asking  
20 the Commissioners if anyone has any comment? Seeing  
21 none, asking the public? All right. We're done  
22 with that section then.

23                  All right. We're going on to our meeting  
24 now. Nobody has left the chairs. I'm glad that  
25 we've got all the Commissioners here today. That's

1 great. And I'd like to also say that under our  
2 meeting on number 1 is that Assistant Sheriff  
3 Marshall Emerson from Washoe County Sheriff's Office  
4 had to resign as a Commissioner. He's now a chief  
5 of police in a city somewhere in Idaho, and even  
6 though that he only had one meeting that he attended  
7 with us, what a great guy and we're certainly going  
8 to miss him. He really is.

9 But on the other hand of it is, under  
10 section 2 we're very, very pleased to have Director  
11 James Wright from the Nevada Department of Public  
12 Safety as now one of our Commissioners, and we're  
13 really happy that you're here.

14 JIM WRIGHT: Thank you.

15 RONALD PIERINI: You're going to be a  
16 great asset for us and looking forward to working  
17 with you.

18 JIM WRIGHT: Excited.

19 RONALD PIERINI: Okay. Now we're going to  
20 go on to number 2 and that's discussion, public  
21 comment, and for possible action as to approve the  
22 minutes on the July 24th workshop and the 25th, 2013  
23 P.O.S.T. Commission. Has everybody had the chance  
24 that was there that day, those two days, to be able  
25 to review that? If so, I'm looking for a motion.

1                   KAREN COYNE: Karen Coyne will make a  
2 motion to approve.

3                   RONALD PIERINI: Thank you, Karen. I  
4 appreciate that. Do I have a second?

5                   DAN WATTS: Dan Watts, I'll second.

6                   RONALD PIERINI: Dan Watts seconds. All  
7 in favor?

8                   COMMISSIONERS: Aye.

9                   RONALD PIERINI: Anybody opposed? So  
10 carried. Thank you.

11                   Okay. Now we're going to do this again.  
12 Okay. And I -- this is dealing with a discussion,  
13 public comment, and for possible action, and these  
14 are dealing with the new NAC regulations that we  
15 just went over. Forgive me for having to read all  
16 this again, but I think we pretty much have to.

17                   And that is number A, and that is amend  
18 NAC 289.230 to permit the Executive Director to  
19 approve various methods, including electronic  
20 submission for law enforcement agencies to report to  
21 the Commission continuing education compliance by  
22 its peace officers. Amend NAC 289.230 to authorize  
23 an Executive Director to temporarily reinstate the  
24 certification of a peace officer whose certification  
25 has previously suspended for failure to complete

1 required mandatory annual continuing education upon  
2 receiving documentation showing that the officer has  
3 completed the mandatory continuing education. The  
4 temporary reinstatement expires on the date the  
5 Commission considers whether the peace officer's  
6 certification should be reinstated.

7           Do I have any comments from the  
8 Commissioners? Seeing none, I move now to the  
9 public. Is there anyone who would like to make a  
10 comment on that? I think at this particular point,  
11 it might be easier if we go ahead and to have a  
12 motion on A and we'll get that done if we could. So  
13 I'm looking for a motion on A.

14           GARY SCOFIELD: Gary Scofield. I make a  
15 motion to approve.

16           TONY DEMEO: Sheriff Tony DeMeo, I'll  
17 second that motion.

18           RONALD PIERINI: Thank you very much. Any  
19 other questions or comments? All in favor?

20           COMMISSIONERS: Aye.

21           RONALD PIERINI: Anybody opposed? So  
22 carried.

23           B, amend NAC 289.240 which establishes  
24 minimum requirements for an intermediate  
25 certificate, to realign the education, training, and

1 time of service eligibility requirements for  
2 officers.

3 I don't think we need to have any more  
4 discussion on that, unless somebody wishes. Any of  
5 the Commissioners like to have any? Seeing none,  
6 we'll go on to the public. Okay. Looking for a  
7 motion.

8 TONY DEMEO: Tony DeMeo, Sheriff. I make  
9 a motion to approve.

10 RONALD PIERINI: Thank you, Tony. Do I  
11 have a second?

12 JIM WRIGHT: James Wright. I'll second.

13 RONALD PIERINI: James Wright. Thank you.  
14 Any other discussion? All in favor?

15 COMMISSIONERS: Aye.

16 RONALD PIERINI: Anybody opposed? So  
17 carried.

18 Going on to number C, amend 280, 280-- boy  
19 (unintelligible) while -- it's going to be a long  
20 day, isn't it, huh?

21 UNIDENTIFIED MALE SPEAKER: We know what  
22 you mean.

23 RONALD PIERINI: Amend NAC 289.250, which  
24 establishes the minimum requirements for an advanced  
25 certificate, to realign the education, training, and

1 time of service eligibility requirements for  
2 officers.

3 Does anybody have any comment? Any  
4 questions from the Commission? Seeing none, going  
5 to the public. Is there anybody here who would like  
6 to make a comment on that? Seeing none, looking for  
7 a motion.

8 GREG COX: Greg Cox, director. I make a  
9 motion to approve.

10 RONALD PIERINI: Thank you, Greg. Do I  
11 have a second?

12 DAN WATTS: Dan Watts. I'll second.

13 RONALD PIERINI: Dan Watts second. Any  
14 discussion? All in favor?

15 COMMISSIONERS: Aye.

16 RONALD PIERINI: Anybody opposed? So  
17 carried.

18 Amend NAC 289.310(1)(6)(7)(8) and (9) as  
19 follows:

20 Under subsection 1, which establishes the  
21 requirement to report certain information for  
22 courses above, level of basic training to include  
23 that an agency or training provider may apply for a  
24 course certification utilizing the electronic  
25 submission format.

1                   Any discussion on that from the  
2 commissioners? Seeing none, moving now to the  
3 public. All right. Looking for a motion.

4                   DAN WATTS: Dan Watts. I make a motion to  
5 approve.

6                   RONALD PIERINI: Thank you, Dan. Do I  
7 have a second?

8                   TROY TANNER: Troy Tanner. Motion second.

9                   RONALD PIERINI: Thank you, Troy. I  
10 appreciate that. Any discussion? All in favor?

11                   COMMISSIONERS: Aye.

12                   RONALD PIERINI: Anybody opposed? So  
13 carried.

14                   Number 2 is under subsection 6 to require  
15 private training providers to maintain and make  
16 available for inspection upon request of the  
17 Commission or its designee certain training records  
18 outlined under this section.

19                   Do I have any discussion from the  
20 commissioners? Seeing none, moving now to the  
21 public? I'm looking for a motion.

22                   JIM WRIGHT: James Wright. Motion to  
23 approve.

24                   RONALD PIERINI: Thank you --

25                   KAREN COYNE: Karen Coyne, second.

1                   RONALD PIERINI: Thank you very much. Any  
2 discussion? All in favor?

3                   COMMISSIONERS: Aye.

4                   RONALD PIERINI: Anybody opposed? So  
5 carried.

6                   Number 3, under subsection 7 to require  
7 agencies that are not required to submit courses for  
8 certification to maintain and make available for  
9 inspection upon request of the Commission or its  
10 designee a roster of attendees, examination results,  
11 and course evaluation.

12                   Do I have any discussion from the  
13 Commissioners? Seeing none, going to the public.  
14 Anybody in the public would like to make a comment?  
15 Seeing none, looking for a motion.

16                   TONY DEMEO: Tony DeMeo, make a motion to  
17 approve.

18                   RONALD PIERINI: Thank you, Tony.

19                   GARY SCOFIELD: Gary Scofield, second.

20                   RONALD PIERINI: Thank you. We've got a  
21 second. Any other comment? All in favor?

22                   COMMISSIONERS: Aye.

23                   RONALD PIERINI: Anybody opposed? So  
24 carried.

25                   Number 4 is addition of new subsection 8

1 to require an agency or training provider whose  
2 course has been certified to issue a certificate of  
3 completion to all peace officer attendees who  
4 successfully complete the training. The  
5 certification of completion shall contain the  
6 P.O.S.T. Commission certification number, P.O.S.T.  
7 -- course name, course hours, and a date course  
8 presented.

9           Any comments from the Commissioners?  
10 Seeing none, moving now to the public. Looking for  
11 a motion.

12           JIM WRIGHT: James Wright with motion to  
13 approve.

14           RONALD PIERINI: Thanks, Jim. Do I have a  
15 second?

16           GREG COX: Greg Cox, second.

17           RONALD PIERINI: Thanks, Greg. Any other  
18 discussion? All in favor?

19           COMMISSIONERS: Aye.

20           RONALD PIERINI: Anybody opposed? So  
21 carried.

22           Finally number 5, addition of new  
23 subsection 9 to require an employing agency, whose  
24 peace officer attended a certified course, upon  
25 receipt of the certification of completion to report

1 the attendance via electronic form approved by the  
2 Executive Director for importation into the P.O.S.T.  
3 certificate training record.

4 Do we have any questions from the  
5 Commissioners? Seeing none, then move to the  
6 public. Looking for a motion.

7 TROY TANNER: Troy Tanner. Motion to  
8 approve.

9 RONALD PIERINI: Thank you, sir. Do I  
10 have a second?

11 DAN WATTS: Dan Watts, second.

12 RONALD PIERINI: Thank you, Dan. All in  
13 favor?

14 COMMISSIONERS: Aye.

15 RONALD PIERINI: Anybody opposed? So  
16 carried.

17 SCOTT JOHNSTON: Excuse me, Mr. Chairman.  
18 I believe you're going to have to go back to agenda  
19 item 3. That was missed in the sequence. Agenda  
20 item 3, I believe we have to go back for that one.

21 RONALD PIERINI: Okay. Number 3 --

22 SCOTT JOHNSTON: It was overlooked. I  
23 think we missed doing the executive director's  
24 report.

25 RONALD PIERINI: Oh, well, I was trying to

1 pass Dick up so we could get out of here a little  
2 earlier, I guess.

3 RICHARD CLARK: That just hurts my  
4 feelings.

5 RONALD PIERINI: I just want you know I  
6 didn't do it intentionally too much anyway.  
7 Executive directors' report, Dick Clark, please.

8 RICHARD CLARK: Thank you, Mr. Chairman.  
9 Dick Clark, for the record. I'll make this the  
10 Reader's Digest version.

11 Under tab A is just an update on our  
12 bureaus and the basic Academy is going to graduate  
13 30 cadets from 22 agencies on November 15th, 10:00  
14 a.m. at P.O.S.T., and for negotiating for the  
15 commencement speaker at this point, so I won't  
16 announce that right now.

17 And also -- I'll just go to tab B. Tab B  
18 is just a quick overview of the P.O.S.T. budget, as  
19 I reported more recently in the past at different  
20 meetings, that our budget is having some  
21 difficulties. I did get a chance to make a report  
22 to the sheriffs and chiefs and provided them with a  
23 packet of information that was comprised of the cost  
24 reductions that we've tried to implement at our  
25 level, at the agency, to try and make ends meet

1 before the next legislative session, and that  
2 includes what we've implemented, what we plan on  
3 implementing, and what the -- has yet to be  
4 implemented. Also a record of what we're doing to  
5 decrease the size of the Academy from 16 weeks to 13  
6 weeks to save money, and that format for that  
7 Academy reduction is also listed in a packet. I've  
8 given that to several of the agencies that were  
9 interested in receiving it, but I have also copies  
10 of that for Commissioners as well and I'll hand them  
11 down for those who didn't pick them up yet.

12           Within that is also a graph over the last  
13 six years of what our budget looks like in relation  
14 to the other court assessment budgets within the  
15 state and a six-year picture of what our actual  
16 income is portraying much lower than our  
17 authorization and what our expenses are and pretty  
18 much shows a clear picture. In closing on that  
19 issue I'll just say that the Sheriffs and Chiefs  
20 Executive Board have expressed interest to meet with  
21 the Governor to discuss trying to do something at  
22 least at the next legislative session to try and  
23 bolster the P.O.S.T. budget, so we look forward to  
24 that meeting and see what we might be able to do.

25           We've -- one other thing that we've had to

1 implement is that we don't have enough money to pay  
2 for the food allowance for all the cadets that are  
3 assigned to come to the Academy. We can pay for 15  
4 out of the 30 that are requesting admittance to the  
5 next Academy starting the end of January, and it  
6 looks like we'll be able to cover 15 of the agencies  
7 and only the state agencies would be the agencies  
8 that would be asked to either assign their people to  
9 Carson City and not pay them or make a decision to  
10 pay them themselves. All cadets assigned to that  
11 Academy will have a dormitory room available to them  
12 throughout the Academy. So that's pretty much that  
13 issue.

14 I'll also just sort of suspend -- the  
15 Commissioners can review or preview the quarterly  
16 report and the certifications that we've issued  
17 since the last meeting, and we could pretty much  
18 consider that my report, Mr. Chairman.

19 RONALD PIERINI: Thank you, Dick. Anybody  
20 have any questions from the Commission? Okay.

21 We're going to go on to number 5. And it's  
22 discussion, public comment, and for possible action.

23 Commission will discuss and possibly take  
24 action to continue the rulemaking process to amend  
25 NAC 289.230, which establishes the requirements for

1 mandatory annual continuing education, to include  
2 proposed changes to the annual 24 hour continuing  
3 education training requirement.

4           And all of us know that we -- yesterday we  
5 had a workshop on that and I thought it went pretty  
6 well. So at this point what we want to do is that  
7 have a discussion on this first and we can refer to  
8 item 4 in your booklet, what was suggested language  
9 that we could look at and see if we want to approve  
10 that or disapprove it or to add, amend, or whatever  
11 you wish to do. So maybe, Scott, we should talk or  
12 maybe more Mike should do that just a little bit  
13 about the history so we have it on record.

14           SCOTT JOHNSTON: Okay. Mr. Chairman, I  
15 can go ahead and do that. Just a correction, the  
16 wording that we discussed in the workshop can be  
17 found under agenda item 5.

18           RONALD PIERINI: Oh, is it five? Okay.

19           SCOTT JOHNSTON: Yes, sir.

20           RONALD PIERINI: Item 5. Okay.

21           SCOTT JOHNSTON: And this started off in  
22 May with a workshop and from that addressing the  
23 issue of continuing education versus training versus  
24 proficiency and the 24 hours, and then based on the  
25 discussion with the Commission and the public, we

1 moved to a workshop in July in Ely and continued  
2 working through this to come up with something that  
3 would be more feasible and conducive to what the  
4 agencies needed, and to give back a lot of that  
5 authority to the agency administrators on  
6 determining what training their officers should  
7 receive.

8           And what we discussed yesterday was the  
9 semifinal wording that we came up with that the  
10 Commissioners discussed, and today is the final day  
11 for here at the Commission meeting to make a  
12 decision on what direction the Commission would like  
13 to go with this sample language. Keep in mind we're  
14 not adopting any language at this time. It's merely  
15 if the Commission likes what has been conceptually  
16 discussed, the next step would be for staff to move  
17 forward to the LCB to have them generate language  
18 that would be regulation compliant for us to revisit  
19 at another Commission meeting.

20           RONALD PIERINI: Okay. Thank you, Scott.

21           SCOTT JOHNSTON: That would be a summary  
22 of where we are -- where we came from and where  
23 we're at today.

24           RONALD PIERINI: All right. I'd like to  
25 have any discussion from the Commissioners, if there

1 is some.

2 KAREN COYNE: Mr. Chair?

3 RONALD PIERINI: Yes.

4 KAREN COYNE: I'd just like to go on  
5 record, Karen Coyne, you know, initially when we  
6 talked about this in May, I was completely opposed  
7 to it really for lack of understanding what we were  
8 trying to accomplish. Don't want to see us lower  
9 our standards in any way, and at first glance this  
10 really kind of appeared as such an action.

11 There was also some opposition, you may  
12 recall, raised during that first meeting by some of  
13 the sheriffs in the rural counties for a variety of  
14 reasons, but I want to text in my appreciation to  
15 Scott and Mike and Mike for the work that you've  
16 done on this and the extensive conversation we've  
17 had, and we've had an opportunity to go back, or at  
18 least I have, and speak with some of those who were  
19 worried about what we were trying to accomplish, and  
20 I really think that the PowerPoint you did last time  
21 put it over the top, so thank you for doing that.

22 And I just wanted to make those comments --

23 RONALD PIERINI: I appreciate that.

24 KAREN COYNE: -- and when you're ready,  
25 I'll be ready to entertain a motion when you're

1 ready.

2 RONALD PIERINI: Yes. I've still go to go  
3 to public comment, but just as my comment, if I  
4 could, is I think that all of us were a little  
5 confused at first. You weren't by yourself. It was  
6 kind of hard at first to understand what we were  
7 doing, but I think it is a good program and I think  
8 that once we've got that language somewhat in line,  
9 I think it's going to be good for and very  
10 beneficial to all the agencies for Nevada.

11 Any other comments from Commissioners?  
12 Now, I'd like reach out to the public dealing with  
13 this section 5. Is there anybody in the public like  
14 to make comment on that particular item? Seeing  
15 none, we're going to close that and I'm looking for  
16 a motion. Karen, would like to do that?

17 KAREN COYNE: Yes, sir. Karen Coyne,  
18 motion to approve.

19 RONALD PIERINI: Thank you, Karen. Do I  
20 have a second?

21 TROY TANNER: Troy Tanner, second.

22 RONALD PIERINI: Thank you, Troy. Any  
23 other discussion? All in favor?

24 COMMISSIONERS: Aye.

25 RONALD PIERINI: Anybody opposed? So

1 carried.

2 Now, number 6, 7, 8 and 9, Mike Jensen is  
3 going to be up here on each one of those, and we're  
4 doing to start with number 6 and that's revoking  
5 some certificates that for maybe possible action on.

6 The first one is a hearing pursuant to NAC  
7 289.290(1)(g) to revoke Aaron Hughes, formerly with  
8 the Elko Police Department, for a felony conviction  
9 of incest. The Commission will decide whether to  
10 revoke Mr. Hughes' Category I Basic Certificate,  
11 which was previously suspended upon the original  
12 criminal information.

13 Before Mike starts, is any representative  
14 or is Aaron Hughes in the audience? Seeing none,  
15 then Mike, it's your turn.

16 MICHAEL JENSEN: Thanks, Mr. Chairman.  
17 Members of the Commission, you're going to hear a  
18 lot from me over the next few minutes with four  
19 hearings, so please bear with me.

20 This is the time and place scheduled for  
21 the hearing for Mr. Hughes with regard to a  
22 potential revocation. For purposes of this hearing,  
23 we're moving forward, pursuant to NRS 289.510(1)(c),  
24 which provides for the Commission to adopt  
25 regulations for minimum standards for, among other

1 things, decertification of peace officers.

2 Under NAC 289.290(1)(g), which is the  
3 section that we're going to be proceeding under in  
4 all four of these hearings today, it provides that  
5 each of the following constitute cause for the  
6 Commission to revoke, refuse, or suspend the  
7 certificate of a peace officer. Subsection G is for  
8 a conviction for a felony, and it also provides that  
9 upon indictment or filing of a criminal complaint  
10 that the Commission can suspend a certificate  
11 pending the outcome of the criminal proceeding.

12 With regard to Mr. Hughes, what I would  
13 like to do is go through the documents that I would  
14 present in favor of revocation today. The first is  
15 marked as Exhibit 1. It's a certified copy of the  
16 order of suspension. The Commission may recall that  
17 back in February of this year -- of 2012 we  
18 suspended the certificate of Mr. Hughes. That was  
19 based on the filing of a criminal information  
20 charging him with two felony counts. The first was  
21 use of a minor in producing pornographic performance  
22 or as the subject of a sexual portrayal in a  
23 performance, and the other was for felony incest.  
24 That suspension was pending the outcome of his  
25 criminal case, and there has been an outcome to his

1 criminal case, and that's why we're here today on  
2 this hearing.

3           The next exhibit is the notice of intent  
4 that was sent to Mr. Hughes. It indicates that we  
5 intend to proceed today with revocation and the  
6 notice is provided pursuant to both the open-meeting  
7 law requirements, as well as the Commission's  
8 regulations. It notifies him of the criminal  
9 conviction that you're proceeding under today, which  
10 is the count 2 incest category A felony, which was  
11 entered in the Fourth Judicial District Court for  
12 the County of Elko. It advised Mr. Hughes of his  
13 ability to attend and contest that action and also  
14 provides that he could come and be involved in any  
15 hearing by cross examining witnesses and presenting  
16 any evidence. It indicates today's date and the  
17 time of 5:00 as the time that he would need to  
18 attend here at this location, and states that the  
19 subject matter of the hearing would be whether his  
20 P.O.S.T. certification should be revoked, pursuant  
21 to NAC 289.290(1)(g) for that felony conviction.

22           Exhibit Number 3 is the declaration of  
23 service showing that Mr. Hughes was served at the  
24 Nevada Department of Corrections on August 29th of  
25 this year with the notice. The next item, Exhibit

1 Number 4, is the personnel action report from the  
2 Elko County Sheriff's Office showing his  
3 termination. Exhibit Number 5 is the Basic  
4 Certificate if the Commission would be taking action  
5 today, if any, and Exhibit 6 are the court documents  
6 that you would be proceeding under today. The first  
7 is the criminal information charging those two  
8 counts that I've already described; count one and  
9 count two, the two felony counts.

10           Exhibit 7 is his guilty plea agreement.  
11 Mr. Hughes agreed to plead guilty to count two,  
12 which is the incest felony count. Finally, the next  
13 exhibit is the judgment of conviction. Exhibit  
14 Number 8 is the judgment of conviction showing that  
15 Mr. Hughes was -- had a felony conviction entered  
16 for incest, a category A felony, as set out more  
17 fully in the criminal information that you have in  
18 your packet.

19           Based on the entry of those felony -- of  
20 that felony conviction, it is the recommendation of  
21 staff that his P.O.S.T. certificate be revoked. And  
22 I would also ask, Mr. Chairman, that each of these  
23 certified copy of these exhibits be admitted and be  
24 made part of the record in support of any action the  
25 Commission would take today.

1                   RONALD PIERINI: Thank you, Mike. Those  
2 exhibits are approved for our records. Any  
3 discussion from the Commissioners? Okay.

4 Discussion from the public? Looking for a motion.

5                   KAREN COYNE: Karen Coyne.

6                   RONALD PIERINI: Yes.

7                   KAREN COYNE: I'd like to make motion to  
8 follow staff's recommendation to revoke.

9                   RONALD PIERINI: Thank you, Karen.

10                  TONY DEMEO: Sheriff Tony DeMeo, Mr.  
11 Chair. I second that motion.

12                  RONALD PIERINI: Thank you, Tony. Any  
13 other discussion? All in favor?

14                  COMMISSIONERS: Aye.

15                  RONALD PIERINI: Anybody opposed? So  
16 carried.

17                  Number 7, it is dealing with discussion,  
18 public comment, and for possible action and pursuant  
19 to NAC 289.290(1)(g) suspend -- suspension of  
20 Armando Flores, I guess, formerly of the Clark  
21 County Juvenile Justice Service, a felony indicted  
22 for attempted theft. The Commission will decide  
23 whether to suspend the Category II Basic  
24 Certification. Mike?

25                  MICHAEL JENSEN: Thank you, Mr. Chairman.

1 This hearing is proceeding under the same two  
2 sections that I set out on the previous hearing,  
3 specifically 289 -- NAC 289.290(1)(g). The portion  
4 of the regulation that provides that you can suspend  
5 a certification based on any information being filed  
6 for a felony.

7           This is one of those cases just for  
8 background for the Commission that's a little bit  
9 different than some we deal with, because there is a  
10 guilty plea that's been entered for the felony  
11 count, however, the way that the plea was set up, a  
12 felony conviction was not entered, but instead the  
13 individual was placed on probation with the  
14 understanding that if he completes probation that  
15 he'll be able to withdraw his plea to the felony and  
16 enter a plea to a gross misdemeanor, and so it's not  
17 a case where you're proceeding on a felony  
18 conviction or any kind of a conviction and that's  
19 why instead of having the Commission taking action  
20 for revocation, we're going to be talking about  
21 potential suspension in this case.

22           As you can see from the Exhibit 1, there  
23 was a notice of intent that was sent to Mr. Flores.  
24 In the, it looks like, the fourth paragraph you want  
25 to get a better understanding of all the documents

1 that have been filed in that case in terms of how  
2 the case proceeded and what the status of the case  
3 is. It kind of sets it out in a summary form there.  
4 But this particular notice satisfies both the open-  
5 meeting law as well as the Commission's regulations  
6 when they intend to proceed to suspend or revoke a  
7 P.O.S.T. certification.

8           You'll see there that the notice is given  
9 that the criminal issue that's being proceeded on is  
10 for the charge of attempted theft. The parties in  
11 their -- in their plea agreement agreed that this  
12 would be treated, for purposes of the plea, as a  
13 felony, so there's been an entry of a guilty plea to  
14 the felony count of attempted theft. We have  
15 indicated that that is the Commission's position  
16 what they would be proceeding on today. It also  
17 gives him the opportunity to attend and present  
18 evidence and cross examine if he wanted to, and I  
19 don't believe he's here today to do that. It also  
20 presents the date and time and location for our  
21 hearing today and the scope of the hearing.

22           Exhibit 2 is the proof of service. It  
23 shows that Mr. Flores accepted service and signed  
24 for service on September the 20th. Let me make sure  
25 I have that correct -- on September the 20th of

1 2013.

2           The next document is the personnel action  
3 report, Exhibit 3, which shows that his employment  
4 as a peace officer with the Clark County Department  
5 of Juvenile Justice Services was terminated  
6 effective January 21st of 2011, and that they do  
7 recommend that his P.O.S.T. certification be  
8 suspended or revoked.

9           The next exhibit is Exhibit Number 4,  
10 which is Mr. Flores' Basic Certificate. Exhibit  
11 Number 5 is the criminal information showing the  
12 attempted theft charge. For purposes of  
13 understanding the factual basis for that charge, you  
14 can see on there that it relates to a attempted or  
15 actual theft of restitution money in Mr. Flores'  
16 capacity as a probation officer, so it relates to  
17 his duties as a peace officer, this particular  
18 charge.

19           The guilty -- the next document, Exhibit  
20 6, is a guilty plea agreement for the attempted  
21 theft, again, to be treated as a felony with the  
22 understanding, again, that he could, if successfully  
23 completing probation, could withdraw that plea and  
24 enter a plea to the gross misdemeanor attempt of  
25 theft.

1           And the final two exhibits, Exhibit 7 and  
2 Exhibit 8, show that he entered the plea to  
3 attempted theft to be treated as a felony, and also  
4 that the Court agreed to the entry of probation for  
5 him without entering a conviction and allowing him  
6 if he completes probation to withdraw his plea.

7           Mr. Chairman, we'd ask that -- I would ask  
8 that those certified copies of those documents be  
9 admitted and made part of the record for this  
10 hearing. Based on the type of activity involved in  
11 this case where we have an individual who's acting  
12 in a peace officer capacity involved in stealing  
13 restitution money that it appears that this is a  
14 good case for a suspension pending the outcome of  
15 his probation. At the end of that probation what I  
16 would recommend is that the Commission put the onus  
17 on Mr. Flores to come forward to lift the suspension  
18 or to ask that the suspension be lifted when that  
19 comes if he successfully completes probation but  
20 would recommend that his P.O.S.T. certification be  
21 suspended.

22           RONALD PIERINI: Okay. Thank you, Mike.  
23 I appreciate that. Yes, the exhibits are approved  
24 for our records. Do we have any discussion from --  
25 yes, sir.

1                   GARY SCOFIELD: Gary Scofield. Mike, so  
2 you're recommending a suspension. It is also within  
3 our authority for a revocation?

4                   MICHAEL JENSEN: That's something that I  
5 -- is probably good to go over, because we struggled  
6 a lot with how to present this to the Commission  
7 because of that issue. The Commission's regulations  
8 under 289.290 when they set out the grounds for  
9 causes for a suspension or revocation, they provide  
10 for revocation upon conviction, but not upon  
11 information or indictment or entry of a guilty plea.  
12 What it provides is for a suspension. If you look  
13 at NAC 289.290(1)(g), it provides that with the  
14 filing of the criminal complaint or indictment for  
15 the felony that the individual's certification can  
16 be suspended.

17                   So as much as this may be an appropriate  
18 case to revoke, the Commission's regulations only  
19 provide for a suspension given the circumstances of  
20 this case. And that's why in the beginning I said  
21 this is a unique circumstance and we're seeing --  
22 unfortunately, we're seeing -- well, I won't say  
23 unfortunately. We're seeing a lot of these kinds of  
24 cases recently where individuals are allowed to  
25 enter a plea to a felony to go through a

1 probationary period, and then at the end of that  
2 period to withdraw that plea and enter something --  
3 a plea to something other than a felony.

4           The Commission's regulations do provide,  
5 however, at the end of that two years if this  
6 individual as is set out in his agreement makes it  
7 through probation, enters a plea to the gross  
8 misdemeanor, the Commission still has authority to  
9 revoke at that time based on the entry of conviction  
10 for the gross misdemeanor.

11           The thing we're missing in this case is  
12 the conviction. There hasn't been any actual entry  
13 by the Court of a conviction for any crime at this  
14 point.

15           RONALD PIERINI: All right. Thank you,  
16 Mike. Is there anybody else like to make any  
17 comments? All right. Anybody in the audience would  
18 like to make a comment? Okay. Then I'm looking for  
19 a motion.

20           GREG COX: Greg Cox. I make a motion to  
21 suspend the basic peace officer's certificate of  
22 Armando Flores.

23           RONALD PIERINI: Thank you, Greg. Do I  
24 have a second?

25           JIM WRIGHT: James Wright, second.

1                   RONALD PIERINI: Thank you, Jim. Any  
2 other discussion? All in favor?

3                   COMMISSIONERS: Aye.

4                   RONALD PIERINI: Anybody opposed? So  
5 carried.

6                   Number 8 and 9 includes, just as a  
7 suggestion on the part of the Commissioners, and  
8 that is that typically when a Commissioner has -- is  
9 working for the same agency where we're dealing with  
10 a matter revoking somebody or to even approve a  
11 certificate of like an executive certificate or  
12 something like that, you abstain from actually  
13 making that vote. That is up to your choice and I  
14 just want to make that aware of my two partners next  
15 to me.

16                   Number 8 is discussion, public comment,  
17 and for possible action in this hearing pursuant to  
18 NAC 289.290(1)(g) to revoke Edward Lattin, III,  
19 formerly of the Nevada Department of Public Safety,  
20 for a felony conviction of reckless driving. The  
21 Commission will decide whether to revoke the  
22 Category I Basic Certification. Mike?

23                   MICHAEL JENSEN: Thank you, Mr. Chairman.  
24 Mike Jensen, for the record. This hearing is  
25 proceeding under the same section (1)(g) which is

1 for a felony -- this actually is a felony  
2 conviction. This individual, whose name is Edward  
3 R. Lattin, III, a former employee of the Department  
4 of Safety, a notice of intent to revoke was sent to  
5 Mr. Lattin. That is Exhibit 1 in your packet.  
6 Again, it's made pursuant to the open-meeting law  
7 and the Commission's regulations.

8           It informs him that we're -- that the  
9 Commission is intending to proceed with revocation  
10 based on a felony conviction for reckless driving  
11 that was entered in Clark County. It further  
12 advises him of his right to appear and present  
13 witnesses, cross examine at this hearing today. It  
14 advises him of the time and place and date of this  
15 hearing today. It also advises him of the scope of  
16 the hearing, which is whether he -- his certificate  
17 should be revoked for that felony conviction.

18           Exhibit 2 is the proof of service showing  
19 that Mr. Lattin was served with this particular  
20 notice, and it appears that it was signed for on the  
21 7th of September of this year. The next exhibit is  
22 Exhibit 3, which is the personnel action report.  
23 That particular report shows that he resigned from  
24 his agency effective July the 26th of 2008. The  
25 next Exhibit 4 is the Basic Certificate for Mr.

1 Lattin. Exhibit 5 is the indictment showing that he  
2 was indicted for the crime of driving while being  
3 under the actual physical or being in actual  
4 physical control while under -- of a vehicle while  
5 under the influence of a controlled substance or  
6 prohibited substance, causing death or substantial  
7 bodily harm.

8           Exhibit 6 is the amended indictment, which  
9 is the charge for which Mr. Lattin pled guilty,  
10 which is for reckless driving, a category B felony.  
11 It indicates that the factual basis for that  
12 particular charge is the willful, unlawful, and  
13 feloniously driving a vehicle while -- with wanton,  
14 willful disregard for the safety of persons or  
15 property and in causing the death of an individual.

16           The next Exhibit Number 7 is the judgment  
17 of conviction. It indicates that Mr. Lattin had a  
18 conviction for that felony reckless driving entered  
19 against him on June 26th of 2013. Based on the  
20 felony conviction, it's the recommendation of staff  
21 that his P.O.S.T. certification be revoked and ask  
22 that the certified copies of the exhibits be  
23 admitted and made a part of the record for this  
24 hearing.

25           RONALD PIERINI: Thank you, Mike. I

1 appreciate it. Exhibits are approved for our  
2 records. Do we have any discussion from the  
3 Commissioners? Seeing none, ask the public? Seeing  
4 none out there either. All right. Looking for a  
5 motion.

6 TONY DEMEO: Sheriff Tony DeMeo, for the  
7 record. Make a motion to revoke the Basic  
8 Certificate of Edward R. Lattin, III.

9 RONALD PIERINI: Thank you, Tony. Can I  
10 have a second?

11 DAN WATTS: Dan Watts, second.

12 RONALD PIERINI: Thanks, Dan. Do I have  
13 any other discussion? All in favor?

14 COMMISSIONERS: Aye.

15 RONALD PIERINI: Anybody opposed? So  
16 carried.

17 Okay. Number 9 is discussion, public  
18 comment, and for possible action hearing pursuant to  
19 NAC 289.290(1)(g) to revoke James Segura, formerly  
20 of the Las Vegas Metro Police Department, for felony  
21 conviction attempted a discharge of a firearm in a  
22 structure. The Commission will decide whether to  
23 revoke the Category I Basic Certification. Mike?  
24 Last one now.

25 MICHAEL JENSEN: Thank you, Mr. Chairman.

1 I promise this is the last one I'm going to do.  
2 This particular hearing and proceeding under the  
3 same two sections of the statute and regulations,  
4 specifically (1)(g) that provides for a cause for  
5 revocation being a felony conviction.

6           The first exhibit that I would refer you  
7 to, Exhibit 1, is the notice of intent to revoke.  
8 Again, complying with both the open-meeting law and  
9 the Commission's regulations informing Mr. Segura  
10 that we intend to -- that the Commission intends to  
11 revoke his P.O.S.T. certification for a conviction  
12 for one count of attempt discharge of a firearm into  
13 a structure, a category C felony. That conviction  
14 being entered here in Clark County. It also advises  
15 him of his right to appear at this hearing today and  
16 of the time, location, and date of this hearing  
17 today. It informs him the scope of the hearing will  
18 be to cover whether the P.O.S.T. Commission should  
19 revoke his certification for that felony conviction.

20           The next exhibit is the proof of service  
21 showing that his -- that Mr. Segura received the  
22 notice of intent to revoke on September the 25th of  
23 2013 and shows his signature on that notice -- on  
24 that proof of service. The next exhibit, Exhibit 3,  
25 is the personnel action report showing that his

1 employment was -- that he was separated from his  
2 employment and recommending that his P.O.S.T.  
3 certification be revoked.

4           Exhibit 4 is the Basic Certificate.

5 Exhibit 5 is the second amended information, the  
6 information or the charge to which he pled guilty  
7 for attempted discharge of a firearm into a  
8 structure. With regard to the factual basis for  
9 that, it indicates that he fired one or more shots  
10 into the ceiling of his master bedroom. From  
11 everything I can tell from this criminal case, it  
12 looks like that was a domestic -- or was a domestic  
13 situation in his house and that that was part of  
14 that situation.

15           Exhibit 6 is a certified copy of his  
16 guilty plea agreement showing that he agreed to  
17 plead guilty to a felony count, attempted discharge  
18 of a firearm into a structure. And it appears that  
19 he also agreed to plead guilty to battery  
20 constituting domestic violence or domestic battery.

21           The next document is the judgment of  
22 conviction, Exhibit Number 7, which shows that a  
23 felony conviction was entered against Mr. Segura for  
24 the felony attempted discharge of a firearm into a  
25 structure.

1           Based on that felony conviction, it would  
2 be the recommendation of staff that the Commission  
3 revoke Mr. Segura's P.O.S.T. certification. Also  
4 ask that each of those exhibits be admitted to be  
5 made part of the record for this hearing.

6           RONALD PIERINI: Thank you, Michael.

7           MICHAEL JENSEN: You bet.

8           RONALD PIERINI: Yes, the exhibits are  
9 approved for record. Any discussion from the  
10 Commissioners?

11          GARY SCOFIELD: Mr. Chairman, Gary  
12 Scofield, Las Vegas Metropolitan Police Department.  
13 I will be abstaining from this vote, and the reason  
14 is is I'm currently the Deputy Chief of Professional  
15 Standards, which includes Internal Affairs, which  
16 conducted the investigation of Mr. Segura that  
17 resulted in his termination from the Las Vegas  
18 Metropolitan Police Department.

19          RONALD PIERINI: Thank you, sir. Any  
20 other discussion? Anyone in the audience would like  
21 to make a comment? Looking for a motion.

22          KAREN COYNE: Karen Coyne. I'd like to  
23 make a motion to follow staff's recommendation to  
24 revoke the Basic Certificate for James Anthony  
25 Segura.

1                   RONALD PIERINI: Thank you, Karen.

2                   GREG COX: Greg Cox, second.

3                   RONALD PIERINI: Thank you, Greg. Any  
4 other discussion? All in favor?

5                   COMMISSIONERS: Aye.

6                   RONALD PIERINI: Anybody opposed? Thank  
7 you.

8                   GARY SCOFIELD: One abstention.

9                   RONALD PIERINI: All right. And then now  
10 we've got a number 10 as we're going to be doing  
11 discussion, public comment, and for possible action  
12 P.O.S.T. Commission consider request from Henderson  
13 Police Department for an executive certificate for  
14 Captain Bobby Long. Is Bobby here? Any  
15 representative from Henderson? No? Okay. Mr.  
16 Clark.

17                   RICHARD CLARK: Thank you, Mr. Chairman.  
18 Dick Clark, for the record. Yes, we have a request  
19 for a Executive Certificate for Captain Bobby Long  
20 from Henderson Police Department. Captain Long has  
21 completed the necessary training, education,  
22 positional requirements to fulfill those  
23 requirements for the award of the certificate. We  
24 have a letter of request for that certificate to be  
25 issued by Chief Patrick Moers and we recommend,

1 staff recommends, the -- that the executive  
2 certificate be awarded to Captain Long.

3 RONALD PIERINI: Thank you, Dick. Any  
4 questions from the Commission? Anybody from the  
5 public? Looking for a motion.

6 TROY TANNER: Troy Tanner. I want to make  
7 a motion to approve Captain Bobby Long for his  
8 Executive Certificate.

9 RONALD PIERINI: Thank you, sir. Second?

10 JIM WRIGHT: James Wright, second.

11 RONALD PIERINI: Thanks, Jim. Any other  
12 discussion? All in favor?

13 COMMISSIONERS: Aye.

14 RONALD PIERINI: Anybody opposed? So  
15 carried.

16 Number 11 and this is discussion, public  
17 comment, and for possible action. Part of my  
18 administrative staff is coming up here. If there's  
19 no objection, I'll go ahead and to allow my comments  
20 on and agenda-ize this and where I'll abstain from  
21 the voting.

22 This is P.O.S.T. -- this is to for  
23 P.O.S.T. Commission consider request for Douglas  
24 County Sheriff's Office for an executive certificate  
25 for Captain Joseph Duffy. Joe, you're right here.

1 Mr. Clark?

2 RICHARD CLARK: Thank you, Mr. Chairman.  
3 Dick Clark, for the record. And on this request for  
4 Executive Certificate to be issued to Captain Joe  
5 Duffy. I am honored to be able to have followed  
6 Captain Duffy's career and realize that he has  
7 certainly, with his leadership ability and his  
8 completion of his training, education, positional  
9 requirements, he has fulfilled those requirements.  
10 And we also have a letter of request for that  
11 issuance of that certificate by a certain Sheriff  
12 Ron Pierini.

13 So based on that, we certainly would be  
14 honored to recommend the issuance of Captain Duffy's  
15 certificate, although he did not buy lunch today.

16 JOE DUFFY: There's always tomorrow.

17 RONALD PIERINI: Any other comment from --  
18 any questions from the Commission? I think he ought  
19 to make a speech for two or three hours personally,  
20 but then I guess that's not going to happen.

21 JOE DUFFY: We don't want that.

22 RONALD PIERINI: Anybody from the audience  
23 would like to make a comment? Okay. May I have a  
24 motion, please?

25 KAREN COYNE: There was a comment.

1                   RONALD PIERINI: Oh, I'm sorry.

2                   UNIDENTIFIED MALE SPEAKER: (Inaudible).

3    Congratulations.

4                   JOE DUFFY: Thank you.

5                   RONALD PIERINI: Thank you. All right.

6    Do we have a motion?

7                   TONY DEMEO: I make a motion to approve.

8                   RONALD PIERINI: Thank you, sir.

9                   DAN WATTS: Dan Watts, second.

10                  RONALD PIERINI: Thank you, Dan. All in

11   favor?

12                  COMMISSIONERS: Aye.

13                  JOE DUFFY: Thank you.

14                  RONALD PIERINI: And anybody opposed? I

15   abstain. Congratulations, Joe.

16                  JOE DUFFY: Thank you. Thank you, Mr.

17   Clark. Appreciate it.

18                  RICHARD CLARK: Mr. Chairman, we do have

19   the certificate here. We can wait until all of the

20   certificates are done or we can do it individually

21   to have this awarded by the Commission and take a

22   photo.

23                  RONALD PIERINI: Why don't you come on up

24   and I'd like to do that.

25                  JOE DUFFY: All right.

1                   RICHARD CLARK: Well what we would do is,  
2 I'll take a picture.

3                   RONALD PIERINI: Well, we could do them  
4 all at one time. Do you think that would be easier?

5                   RICHARD CLARK: If there's more people  
6 here. Is there -- is Hastings here? Oh, okay.  
7 He's here too. We'll have that one. Captain Long  
8 isn't here. And Susan Schillings from DPS? Not  
9 here. Yeah. So we do have one other, so we could  
10 wait and do that one and do them both together.

11                  RONALD PIERINI: If you could just wait  
12 for a minute or two, that would be great. I'm  
13 sorry.

14                  Okay. We're back to number 12 then.  
15 Discussion, public comment, and for possible action  
16 the P.O.S.T. Commission consider request from the  
17 Department of Public Safety for an executive  
18 certificate Captain Chad Hastings. Chad, please  
19 come up. Mr. Clark?

20                  RICHARD CLARK: Thank you, Mr. Chair.  
21 Dick Clark for the record. We have a request for an  
22 executive certificate for Captain Chad Hastings from  
23 the Department of Public Safety, and we also -- he  
24 has our review has completed the training,  
25 education, and positional requirements to fulfill

1 those requirements for the issuance of the  
2 certificate, and we have on file a request by Chief  
3 Bernie Curtis of Department of Public Safety,  
4 Parole, and Probation for the issuance of that  
5 certificate. So staff gladly would like to  
6 recommend the issuance of that certificate.

7 RONALD PIERINI: Okay. Any questions from  
8 Commissioners? How about in the audience? How  
9 about you, Chad?

10 CHAD HASTINGS: I'm okay.

11 RONALD PIERINI: You're okay?

12 CHAD HASTINGS: I'm fine. It's been a  
13 long time coming.

14 RONALD PIERINI: Good for you.  
15 Congratulations.

16 CHAD HASTINGS: Thank you.

17 RONALD PIERINI: All right. I'm looking  
18 for a motion.

19 GREG COX: Greg Cox. I make a motion to  
20 approve.

21 RONALD PIERINI: Thank you, Greg. Second?

22 TONY DEMEO: Tony DeMeo for the record. I  
23 make a second that motion.

24 RONALD PIERINI: Thank you, Tony. All in  
25 favor?

1                   COMMISSIONERS:  Aye.

2                   RONALD PIERINI:  Anybody opposed?

3                   UNIDENTIFIED MALE SPEAKER:

4  (Unintelligible).

5                   RONALD PIERINI:  Okay.  You abstain on

6  this one?

7                   UNIDENTIFIED MALE SPEAKER:

8  (Unintelligible).

9                   RONALD PIERINI:  All right.  You got it.

10  Good.  Thank you.  Congratulations.

11                  CHAD HASTINGS:  Thank you.  Thank you.

12                  RONALD PIERINI:  Okay.  We'll go on to

13  number 13.  Discussion, public comment, and for

14  possible action that P.O.S.T. Commission consider

15  request from the Department of Public Safety for an

16  executive certificate for Captain Susan Schilling.

17  Is Susan here, or you said not here, I guess, huh.

18  Okay.  Mr. Clark?

19                  RICHARD CLARK:  Thank you, Mr. Chairman.

20  Dick Clark for the record.  We have a request for

21  Captain Susan Schilling from Department of Public

22  Safety for an executive certificate.  Our review of

23  the records show that she has completed the

24  training, education, and positional requirements for

25  the issuance of the certificate.  We have on file a

1 request for that issuance from actually Major  
2 Bryan --

3 UNIDENTIFIED MALE SPEAKER: Sanchez.

4 RICHARD CLARK: -- yeah, Bryan Sanchez --  
5 from Major Bryan Sanchez. Generally, that comes  
6 from the in the NACs from the administrator of the  
7 agency, but I believe with Director Wright's  
8 concurrence that there's no problem with issuing and  
9 we certainly recommend the issuance of the  
10 certificate.

11 RONALD PIERINI: Thank you, Mr. Clark.  
12 Any questions from the Commission?

13 JIM WRIGHT: Just a comment, sir. I have  
14 talked to staff prior to this, after I was reviewing  
15 the documents, and noticed that it did not have our  
16 agency's signatures on the form, so we followed up  
17 with that and as the executive director says upon my  
18 approval we can move forward with this.

19 RONALD PIERINI: I appreciate that. Thank  
20 you, Jim.

21 JIM WRIGHT: But I'll have to abstain from  
22 the vote --

23 RONALD PIERINI: Okay.

24 JIM WRIGHT: -- because it's my agency.

25 RONALD PIERINI: I understand that.

1                   JIM WRIGHT:  Yeah.

2                   RONALD PIERINI:  Thank you, sir.  Any  
3 comments from the public?  Okay.  Looking for a  
4 motion, please.

5                   TONY DEMEO:  Tony DeMeo, for the record  
6 make a -- I make a motion to approve the Executive  
7 Certificate for Susan Aller-Schiller (sic).

8                   RONALD PIERINI:  Okay.  Thank you, Tony.  
9 Do I have a second?

10                  KAREN COYNE:  Coyne second.

11                  DAN WATTS:  Dan Watts second.

12                  RONALD PIERINI:  Thanks, Dan.  Any other  
13 discussion?  All in favor?

14                  COMMISSIONERS:  Aye.

15                  RONALD PIERINI:  Anybody opposed?  And Jim  
16 Wright abstains.  All right.  Congratulations there.  
17                  Okay.  Number 14 this is discussion,  
18 public comment, and for possible action, request  
19 from Mineral County Sheriff's Office requesting a  
20 six-month extension of time pursuant to NRS 289.550  
21 to complete the certification process for a peace  
22 officer that has not completed the process within  
23 one-year time period for their employee Deputy Jason  
24 Graves.  Is anyone here from Mineral County?  Did we  
25 -- Scott, I guess you should take over on this end.

1           SCOTT JOHNSTON: Yes. Scott Johnston, for  
2 the record. July 23rd we did receive a letter from  
3 Mineral County signed by the sheriff and I'll just  
4 read it into the record. It's the first document in  
5 your book in this chapter. The gist of it is due to  
6 the staffing issues and his wife's pregnancy, I was  
7 unable to send Deputy Graves to P.O.S.T. prior to  
8 his anniversary date of June 25th. He is registered  
9 to attend the Academy July 29th, 2013. Please  
10 consider this letter as a request for additional  
11 six-month extension, on Deputy Graves' behalf, in  
12 compliance with NRS 289.550.

13           I made phone contact with the undersheriff  
14 of Mineral County to confirm an agency's  
15 representative availability to be here. I was  
16 informed that there is a fiscal impact to sending  
17 somebody down here versus saving that revenue that  
18 would be spent for traveling down here to appear  
19 before the Commission and using that money for  
20 training of their deputies.

21           Further details on this is Deputy Graves,  
22 the agency was planning on sending him to the  
23 Academy this past January, however, he did come up  
24 with maternity issues in the family and the agency  
25 made the decision to accommodate Deputy Graves to be

1 with his family during that time, and they, in turn,  
2 sent a different -- another deputy in his place. So  
3 now that that issue is resolved, he is in our  
4 Academy right now, he is doing well according to the  
5 Academy staff, and he is planning on graduating  
6 November 15th when the academy graduates.

7           The six-month extension would carry out  
8 his time as a peace officer well past his date of  
9 graduation clear into December, so staff would not  
10 have any opposition to approving this if the  
11 Commission saw fit to do so.

12           RONALD PIERINI: Good, Scott. All right.  
13 Any -- from the Commissioners, anybody want to make  
14 comment? Any questions? Seeing none, move on to  
15 the public. Like to make any comments on this  
16 topic? Looking for a motion.

17           GARY SCOFIELD: Gary Scofield. Make a  
18 motion to approve staff's recommendations.

19           RONALD PIERINI: Thank you. Do I have a  
20 second?

21           KAREN COYNE: Karen Coyne will second.

22           RONALD PIERINI: Thank you, Karen. Any  
23 other discussion? All in favor?

24           COMMISSIONERS: Aye.

25           RONALD PIERINI: Anybody opposed? So

1 carried. Thank you.

2           Number 15, discussion, public comment, and  
3 for possible action request from the Pyramid Lake  
4 Police Department requesting a six-month extension  
5 of time, pursuant to NRS 289.550, to complete the  
6 certification process for a peace officer that has  
7 not completed the process within one-year time  
8 period for their employee, Morgan Blake. Is anybody  
9 from Pyramid Lake here today? Okay. Thank you.  
10 Scott?

11           SCOTT JOHNSTON: Okay. Scott Johnston,  
12 for the record. We have a letter here from Chief  
13 Layne Erdman of Pyramid Lake Tribal Police Agency  
14 dated July 26, 2013. That would be the first  
15 document under item 15. And the body of this letter  
16 states, "I would like to request six-month extension  
17 for the P.O.S.T. certification of our Officer Morgan  
18 Blake. Ms. Blake is scheduled to attend the academy  
19 starting at the end of July and due to the length  
20 and graduation date, she will slightly beyond her  
21 one-year period of certification. Granting the six-  
22 month extension would give her the time to complete  
23 the academy program and obtain proper  
24 certification."

25           The next document, being the personnel

1 action form, shows that Officer Blake's hire date  
2 was 10/22 of 2012. The Agency was not able to  
3 appear before the Commission stating partially due  
4 to the travel it would take to come down here. The  
5 other footnote that's worth mentioning to the  
6 Commission is this being a tribal agency, they are  
7 not required to be certified, unless they're  
8 choosing to do so. And then, once they are  
9 certified, they fall under the Commission's  
10 jurisdiction for compliance issues.

11 Ms. Blake is in our Academy at this time  
12 and which the Academy is scheduled to conclude on  
13 November 15th. Staff does not have an opinion one  
14 way or the other on this issue with it being a  
15 tribal agency. This is a new one before the  
16 Commission.

17 RONALD PIERINI: Well, we're following the  
18 same one as the one before that. I think we're  
19 pretty well okay with that I think. All right. Is  
20 there any discussion from the Commission? Seeing  
21 none, I'm going to ask the public if there's anybody  
22 that would like to make comment on that. Looking  
23 for a motion.

24 KAREN COYNE: Karen Coyne.

25 RONALD PIERINI: Thank you, Karen.

1 KAREN COYNE: Make a motion to approve.

2 RONALD PIERINI: Okay. Do I have a  
3 second?

4 TROY TANNER: Troy Tanner, second.

5 RONALD PIERINI: Thank you, Mr. Tanner.

6 Any other discussion? All in favor?

7 COMMISSIONERS: Aye.

8 RONALD PIERINI: Anybody opposed? So  
9 carried.

10 Number 16 is dealing with public comment.

11 Is there anybody in the audience that would like to  
12 make any public comments on topics that have not  
13 been discussed today? Okay. Thank you.

14 Moving on to 17, and that is dealing with  
15 the upcoming Commission meetings or schedule. Mr.  
16 Clark?

17 RICHARD CLARK: Thank you, Mr. Chairman.  
18 Dick Clark, for the record. According to discussion  
19 at the Sheriff's and Chief's Association meeting,  
20 February would be the next meeting that we would  
21 have, and it would be in conjunction with their  
22 meeting. It appears they're scheduling for Elko in  
23 February, so we're not sure of the dates at this  
24 point, so I think we'll probably have to get back to  
25 you, but it'll -- it will coincide with the Nevada

1 sheriff's and chief's meeting in Elko at this point.

2 RONALD PIERINI: Okay. Good. And I see  
3 Bernie Curtis here and he used to be in Elko and we  
4 would like just to make sure that you have a Land  
5 Rover or something to get us there in the snow  
6 and --

7 UNIDENTIFIED MALE SPEAKER: It's going to  
8 be cold.

9 RONALD PIERINI: It's going to be cold.  
10 Okay. So our next meeting will be in February.  
11 We'll get the dates to you when that does happen.  
12 And now we'll move into the final one and that's  
13 number 18, and that is adjournment. Is there  
14 anybody who would like to make a motion to close  
15 this meeting?

16 RICHARD CLARK: Mr. Chairman, just a quick  
17 comment. As soon as we adjourn, we could then maybe  
18 line up the Commissioners and take pictures with the  
19 recipients of their executive certificates.

20 RONALD PIERINI: I need a motion for  
21 adjournment.

22 TONY DEMEO: Tony DeMeo. I make a motion  
23 to adjourn.

24 RONALD PIERINI: Thank you, Tony.

25 DAN WATTS: Dan Watts, second.

1                   RONALD PIERINI: Thank you, Dan. All in  
2 favor?

3                   COMMISSIONERS: Aye.

4                   RONALD PIERINI: Thank you very much for  
5 being here.

6

7                   (MEETING ADJOURNED AT 6:22 p.m.)

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23                   C-E-R-T-I-F-I-C-A-T-I-O-N

24

25 I certify that the foregoing is a true and accurate

1 transcript of the electronic audio recording from  
2 the meeting in the above-entitled matter.

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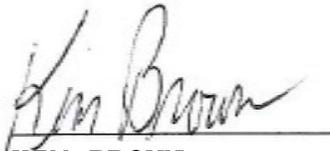
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KIM BROWN

11/18/13

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DATE

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COURT REPORTING SERVICES

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