

PEACE OFFICERS' STANDARDS AND TRAINING

REGULARLY SCHEDULED MEETING

November 3, 2015

5:00 p.m.

Palace Station Hotel and Casino
Salon F
2411 W. Sahara Avenue
Las Vegas, Nevada

MEMBERS PRESENT:

Ronald Pierini, Sheriff - Chairman,
Douglas County Sheriffs' Office

Clair Morris,
Elko County Sheriffs' Office

Dan Watts, Sheriff
White Pine County Sheriff's Office

Troy Tanner, Police Chief
Mesquite Police Department

Russell Pedersen, Chief Deputy
Washoe County Sheriff's Office

Gary Schofield, Deputy Chief
Las Vegas Metropolitan Police Dept.

STAFF PRESENT:

Michael Sherlock, 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

1 MICHAEL SHERLOCK: Good evening. I'll try
2 to be brief. I've never been accused of wanting to
3 talk a lot, so I'll try to make it as quick as
4 possible.

5 Since the appointment, we have reorganized
6 POST. We are two divisions now. Standards and
7 Training. The intent is to focus on what we do at
8 POST, which is standards and training. We
9 consolidated training to include both advanced
10 training and basic training. We were able to secure
11 an additional training officer through this budget
12 cycle. We are recruiting one right now and filled
13 one of those positions already.

14 In terms of basic training, which was
15 discussed at length, we are working on performance
16 objective updates throughout the state with the help
17 of Metro, Southern Desert, NNLEA and other academies
18 throughout the state. We've -- we've created a work
19 group to work on those performance objectives.
20 We're using some recently retired Nevada peace
21 officers with some expertise to help us with that.
22 We are incorporating some scenario, practical-type
23 training for our basic training program. More
24 decision-based learning that we talked about last
25 time has been implemented and will be included in

1 the next Academy.

2 Just for information, we are looking to
3 extend the Academy to accommodate that required
4 decision-based learning. We're still looking at
5 that and what we can absorb with our current budget.

6 The Academy administration itself has been
7 restructured. We have a Chief of the Training
8 Division now that oversees all training. The
9 training officers within the Training Division will
10 interact with academies across the state. The goal
11 being to try to find best practices, look at what
12 other academies are doing well and incorporate that
13 into our basic training program.

14 In between academies, we are scheduling
15 maintenance training to help the agencies out that
16 need to meet that 12-hour requirement. And with the
17 shrinking budgets, they will be able to do that up
18 at our facility.

19 In terms of advanced training, we've
20 already expanded our catalog to include things like
21 Blue Courage. We're looking at scheduling a field
22 training officer class, recruit training officer
23 program. We have developed and hope to have that
24 out real soon. And some classes related to consent
25 to (inaudible) across the country that we're working

1 on right now.

2 In terms of the Standards Division, we
3 recently discovered that the NRS requires us, being
4 POST staff, to audit academies annually. That means
5 every year. So we have begun doing that. We don't
6 want anyone to think we're picking on them. Every
7 academy must be audited every year by the NRS. And
8 so we have started -- begun doing that. Actually,
9 it will be a benefit in our mind that traditionally
10 the academies were done every four years or three
11 years and so, once an academy discovered that we
12 were coming for an audit, they had to gather that
13 information. Now, doing it every year, it should be
14 at their fingertips and it should be a benefit.

15 RONALD PIERINI: How many -- if I could
16 ask, Mike, how many academies is it?

17 MICHAEL SHERLOCK: Scott, 33? Yeah,
18 something like that.

19 SCOTT JOHNSTON: About 33 providers.

20 MICHAEL SHERLOCK: And some have ones and
21 threes and ones and twos, but something along those
22 lines. So. So, we are going to do that. We are in
23 the process of working on an administrative manual
24 both for use internally and externally. Again, we
25 want those that interact with POST to -- to really

1 understand what is required under the regulations
2 and this manual will help to do that. So that's
3 what we've accomplished in the three months.
4 Clearly, we have a long way to go, but pretty proud
5 of what we've done so far.

6 Personally, just to let the Commission
7 know, I have resigned all paid positions. The
8 college may still show me as working for them, but
9 the manual was printed before I was appointed. So,
10 I've done that.

11 One last thing, we did have a meeting. I
12 know Chief Tanner and Sheriff Pierini both met
13 regarding budget. We really appreciate that. They
14 -- it was asked that I write a document or memo
15 regarding our budget, which was done. I believe
16 that's in the books. Just so the Commission knows,
17 it did spur some movement. We met with Governor's
18 Budget Office last week, who came out -- or two
19 weeks ago -- and took a tour of our facility and --
20 and looked at what we felt our needs were and that
21 kind of thing. So, we really appreciate that
22 support. We hope it continues as we move forward
23 and get into the next budget cycle. So that's the
24 update.

25 RONALD PIERINI: Yeah, and I'd like to

1 just make a little bit of a comment if I could about
2 the Governor's Office. What we have tried for the
3 last 10 years or so, tried as the POST Commission
4 and also with the Nevada Sheriffs' and Chiefs'
5 Association, is try to -- to get some assistance
6 from the -- from the State of Nevada to help us get
7 more money for more budgets and to be able to do a
8 better -- ability to have more academies or more
9 time for academies for training, for all kinds of
10 things, but because of the very little amount of
11 money that we have in our budget, we're very, very
12 restricted in doing so.

13 So I have met with the Governor's Office
14 at least three times, if not four times, and have
15 reached out to them and asked them to go to the
16 legislature to try to give us more money to be able
17 to have a -- have a good POST organization. So far,
18 it's kind of failed. We really haven't got
19 anything. And most of you know it's administrative
20 fees that go on citations and arrests and all that
21 goes into a pot, if you want to, or I call it a pie,
22 we get 14 percent, if I recall right. Is it 17 or -
23 -

24 MICHAEL SHERLOCK: We get 14 percent of
25 the 48 percent that's left over.

1 RONALD PIERINI: Yeah. Which is very
2 little. And every year it seems to go down and down
3 and down. And because of that, we can't increase
4 the amount of employees, we can't have more
5 training. We can't do a lot of things. And we're
6 trying to reach out to -- to the Governor's Office
7 and also the legislature, hopefully, too, in another
8 year, and try to get some -- some more practical
9 money that we can do some things better on. So I
10 appreciate everybody trying to do that and my thanks
11 for showing on that piece of paper this is where we
12 are, this is where we could be at and where we would
13 love to be at if we had more money coming in as a
14 budget. And so, at least we've done everything we
15 possibly can and given those facts. Okay, does
16 anybody have any questions for Mike? No? Okay.

17 All right, now we're going to discussion
18 and public comment and for possible action. The
19 Commission to discuss and to take possible action to
20 continue the rulemaking process to establish a new
21 regulation pursuant to Senate Bill 147 regarding the
22 minimum standards for training in effective
23 responses to incidents involving dogs or where dogs
24 are present. So, with that, Scott, would you like
25 to --

1 SCOTT JOHNSTON: Thank you, Mr. Chairman,
2 Scott Johnston for the record. For the
3 Commissioners' information, the purpose of this is
4 for the Commission to decide if we should move to
5 the next stage that we talked about in the workshop
6 is now here is an action item to move forward and
7 continue the rulemaking which would be finalize
8 language for adoption at the next Commission
9 meeting.

10 RONALD PIERINI: Okay.

11 MICHAEL JENSEN: And, Mr. Chairman, Mike
12 Jensen for the record. Before the adoption can
13 happen, there would have to be a public comment
14 hearing, which is the next hearing step in the
15 rulemaking process. So first, you would have your
16 public comment hearing and at the same meeting, a
17 regularly scheduled meeting; then later on, then you
18 can make a decision on adoption of the regulation
19 (inaudible).

20 RONALD PIERINI: Okay. All right, does
21 any Commissioners have any questions? Does the
22 public have any comments or questions? All right,
23 looking for a -- Chief Tanner, would you go ahead
24 and -- what we need to do is when you have possible
25 action, to have that going forward. Want to make a

1 --

2 TROY TANNER: Sure, I'll make a motion.

3 Troy Tanner to make a motion to have that move
4 forward in the process.

5 CLAIR MORRIS: Clair Morris, second.

6 RONALD PIERINI: Okay. We got a second.

7 Any other discussion? All in favor?

8 COMMISSIONERS: Aye.

9 RONALD PIERINI: Okay. So, approved.

10 Okay, Number 4 is information. This is for the
11 Commission to hear presentation from Carol
12 Handegard, Communications Bureau Chief with the
13 Nevada Department of Public Safety regarding
14 possible development of a Dispatcher Certificate.
15 So, come on up.

16 CAROL HANDEGARD: Good evening. My name
17 is Carol Handegard. I'm with the Nevada Department
18 of Public Safety Communications Bureau. I would
19 like to introduce you to my management team who's
20 here with me tonight. Back at the back table is
21 Sonja Baskins the Las Vegas Center Manager. Next to
22 me is Serenity Simpson the Center Manager in Elko.
23 Next to her is Denise Stuart the Center Manager in
24 Carson City. And on the end is my State Training
25 Coordinator Jessica Zolcavich. And back there where

1 the (inaudible) is one of our supervisors Yolanda
2 Coleman.

3 Minutes after a gunman opened fire at the
4 midnight showing of The Dark Knight Rises it became
5 the job of an emergency communications specialist to
6 send help. In a clear calm voice, Kathy Stouffer
7 directed officers and emergency responders to the
8 aid of the victims. Afterwards, she was praised for
9 helping first responders get the resources they
10 needed to help the wounded and dying and for
11 maintaining professionalism despite great stress and
12 distress. Stouffer's role in the response to the
13 Aurora massacre is proof of the critical role
14 emergency communications specialists, commonly known
15 as dispatchers, play in public safety.

16 Not only does this happen more and more
17 frequently across the United States, but it often
18 happens here in the state of Nevada. Who of us can
19 forget September 9, 2011, when a group of National
20 Guardsmen went to the IHop in Carson City for a
21 breakfast meal, a gentleman walked in carrying an
22 AK-47, when he killed three of those National
23 Guardsmen, one patron and then himself? Local,
24 state and federal law enforcement along with fire
25 and medical personnel were dispatched through

1 combined allied agency efforts making split second
2 decisions impacting the response time and safety of
3 first responders while at the same time handling
4 business as usual.

5 Public safety dispatchers play a vital
6 role in the law enforcement public safety system.
7 We serve as the nerve center of the public safety
8 system. Much like air traffic controllers. It's
9 the public safety telecommunicator and his or her
10 initial decisions that influence effective safe
11 operations for you guys out in the field.

12 We're usually also the first point of
13 contact for the public in receiving calls regarding
14 crimes, traffic incidents, safety hazards and
15 miscellaneous requests for service. We're also
16 responsible for facilitating an appropriate and
17 timely field response monitoring field activity,
18 what you guys are doing out there in the field, and
19 providing information that is often times critical
20 to the safety of both citizens and public safety for
21 the personnel.

22 Across the state of Nevada there are
23 approximately 325 full and part-time law enforcement
24 dispatchers. Yet, the training for
25 telecommunications -- telecommunicators nationwide

1 has been inadequate when compared to other
2 occupations involving high-risk decision-making.
3 Actually, we have very little training. We have in-
4 house training at the best. We do not have academy-
5 type settings.

6 The U.S. Department of Labor has actually
7 recognized that and is considering changing the
8 classification of telecommunicators from office
9 clerical to public safety making possible
10 professional salary, benefits and retirement similar
11 to police officers and firefighters.

12 The deliberations, proposals, standards
13 and curricula contained herein represent a
14 commitment and response from Nevada Public Safety
15 representatives to take a proactive role in order to
16 promote professionalism among telecommunicators.
17 Therefore, for purposes of promoting and protecting
18 citizens' health, safety and welfare, it is proposed
19 that the training and standards herein be adopted
20 for the Public Safety telecommunicators in Nevada
21 through POST certified training classes.

22 SERENITY SIMPSON: Statewide, dispatchers
23 and supervisors representing allied agencies, police
24 departments, sheriffs departments and regional
25 communication centers identified important

1 dispatcher duties and worker requirements. There
2 were three major components identified.

3 The first was a job task analysis. These
4 are items that are performed daily generally by
5 dispatchers including currying databases, providing
6 information to field units, classifying and
7 summarizing incidents, determining priority,
8 appropriate personnel, resources and referral
9 agencies. There were complaints in incidents that
10 were identified as critical for dispatchers to
11 handle competently as needed including officer
12 involved emergencies, vehicle and foot pursuits,
13 hostage situations, barricaded subjects, homicide,
14 attempted murder and bombings.

15 The 35 (inaudible) items in
16 telecommunication systems identified that were to be
17 used by majority of dispatchers including radio
18 consoles in patrols own computer, NCIC, NCGIS here
19 in Nevada, DMV, (inaudible) CAD and RMS systems.
20 There were 20 types of written documents used by the
21 majority of dispatchers including maps, codes,
22 teletype messages, disks, directories, NRS, city
23 state meeting codes. The majority of Nevada
24 dispatchers have contacts with 30 different agencies
25 within the course of their performing their job

1 duties and on average interact with 25 different
2 types of field personnel from patrol to traffic,
3 fire apparatus, REMS.

4 The second thing identified were job
5 requirements. The requirements for successful
6 performance of dispatcher duties were found to be
7 similar throughout the state. A common set of
8 requisite knowledge skills, abilities and traits,
9 KSAT, were identified. Of 130 knowledges, they were
10 classified into 10 general subject matter areas.
11 Work environment conduct, communication center
12 operations, legal principles and codes, complaint
13 taking, dissemination of information, regular
14 dispatching of law enforcement information systems,
15 public safety related agencies, communication center
16 equipment and resources and training methods.
17 Nearly all of these core knowledges are appropriate
18 to be addressed in both basic training and on-the-
19 job training.

20 A total of 63 skills were identified and
21 these skills fall within nine general areas. Vocal
22 skills, listening, record keeping, reading,
23 complaint taking, dispatching, telecommunication,
24 interpersonal and administrative skills.

25 And the abilities were a total of 18

1 general abilities that are important for successful
2 performance of dispatcher duties. The core entry
3 level abilities are encompassed into three general
4 areas. Cognitive abilities, verbal, reasoning and
5 memory, psycho-motor abilities, manual dexterity and
6 speed and sensory motor abilities, speech, hearing
7 and (inaudible).

8 There are 14 key traits needed to perform
9 successful dispatch duties ranging from tolerance of
10 stress to interpersonal sensitivity. These also
11 include assertiveness, sensitivity, dependability,
12 teamwork. And through basic certified training
13 classes, employers can identify employee weaknesses,
14 incorporate tactics and skills to assist with the
15 growth and development of dispatchers.

16 The third thing found was these KSAT
17 knowledge of skills, abilities and traits and their
18 relationship to the dispatcher duties. The KSAT
19 play a significant role in the performance of the
20 task and is essential for successful performance.

21 Ultimately, the analysis of all this
22 information that the (inaudible) core dispatcher job
23 was identified which encompasses important aspects
24 of the work performed by the majority of dispatchers
25 employed by police departments, sheriff departments

1 and regional communication centers of various sizes
2 both CAD and non-CAD. Relatively little of the work
3 domain was identified as applicable only to certain
4 sub-routes of dispatchers. These results suggest
5 that it's reasonable to identify state-like job
6 requirements or KSAT for dispatchers.

7 DENISE STUART: Who are communication
8 specialists? We are a very unique group of people.
9 A lot of us are very Type A personalities, strong-
10 willed people. But we also have a very strong sense
11 of duty for the responsibility to provide the best
12 services possible to the public and the law
13 enforcement entities that we serve.

14 Dispatchers are emergency call takers. We
15 possess a high level of integrity and motivation as
16 well as professional attitude and ability to handle
17 stressful situations in a calm and efficient manner.
18 We answer emergency calls that require immediate
19 action while taking general information. Calls
20 regarding everything from road conditions to injured
21 animals on the highway. We work with computerized
22 radio consoles, computer aided dispatch, mapping
23 systems and other equipment that require constant
24 monitoring.

25 So certified courses, certification of

1 training classes has far reaching benefits. It
2 promotes continuing excellence, it benefits the
3 individuals who attend training classes by keeping
4 them abreast of the latest developments in emergency
5 telecommunications and makes continuing dispatch
6 education a priority. With the world changing in
7 technology, it is important that we keep up with
8 that technology. Come next J 911 which includes
9 texting, e-mailing, video, GPS capabilities. We
10 need to be on top of that. And the legal changes.
11 Every two years when the legislature meets, there
12 are legislative and legal changes that impact us as
13 well.

14 Certified training classes allow
15 individuals not only to maintain their competence to
16 practice, but increases their professional pride,
17 achievement and sense of self-confidence. Attending
18 certified courses is the validation of the whole and
19 competence to peers, employers, administrators,
20 state and local government officials and the public
21 served.

22 Certification and training of continuing
23 education will contribute to creating an environment
24 of professionalism, excellence of customer care and
25 a culture of retention, a critical issue for all our

1 employers. Certified training advances the
2 profession by both encouraging and recognizing
3 professional achievement, demonstrates the emergency
4 communication centers have employed the most
5 skilled, knowledgeable emergency telecommunicators
6 and dispatchers.

7 JESSICA ZOLCAVICH: The purpose of this
8 program is to prepare students for employment and
9 continued employment and professional development as
10 a dispatcher. The proposed certified class content
11 includes, but is not limited to, ethics and the role
12 of THE telecommunicator, standard telecommunication
13 operating procedures, relationship to field
14 personnel, understanding of command levels, overview
15 of emergency agencies, functions and terminology,
16 dispatching procedures and techniques, cooperation
17 and reciprocal agreements with other agencies,
18 federal, state and local communication rules,
19 emergency situations and operating procedures.

20 This program would offer a sequence of
21 courses requiring a minimum of 120 hours. It
22 provides content, academic standards and relevant
23 technical knowledge and skills needed to prepare for
24 further education and careers in law enforcement
25 communication. It requires a technical skill

1 proficiency which includes competency-based applied
2 learning and this contributes to academic knowledge,
3 higher order reasoning and problem-solving skills,
4 work attitude, technical skills, occupation specific
5 skills, knowledge of all aspects of the law
6 enforcement communications profession.

7 In the other handout that you would have
8 gotten at the door when you came in, it gives you a
9 critical overview. How do we accomplish this?
10 Classes and seminars will be offered at no cost via
11 the e-learning site on the State's website. It's to
12 both sworn and civilian individuals employed by any
13 law enforcement agency within the state of Nevada.

14 It is proposed that Public Safety
15 employees will be offered POST-certified training
16 courses within six months of their date of hire.
17 This will provide for a standardized base training
18 throughout the state. The program will have a
19 minimum of 120 hours of training and meet the
20 minimum hours suggested for 14 pockets. This
21 includes, but is not all encompassing, professional
22 orientation and ethics, telephone technology and
23 procedures, radio technology and procedures, and
24 critical incidents. All of the course content will
25 be reviewed by subject matter experts.

1 There were also be continuing dispatch
2 education and to stay in compliance, Public Safety
3 employees must complete 24 hours of online
4 continuing professional training every two years
5 which will incorporate NCIC, NCGIS, PENLITS, FLEX,
6 legal aspects and changes, information systems,
7 databases and equipment, hazmat, terrorism and
8 homeland security and stress, which is a big part of
9 our job.

10 The Department of Public Safety
11 Communications Bureau, in conjunction with the
12 Telecommunicators Certification Subcommittee, will
13 review all applications and POST will issue a
14 certificate of completion to sworn and civilian
15 employees who satisfactorily complete the core
16 training program.

17 UNIDENTIFIED SPEAKER: The map that you
18 see before you indicates different levels of
19 training across the United States. Across the
20 United States currently there are 24 states of
21 mandatory dispatch standards. Three states are
22 allowing for voluntary attendance to standards, 23
23 have no state standards, Nevada and Idaho being two
24 of the Western states without standards. Voluntary
25 Western states are Utah and Washington. Mandatory

1 Western states, Oregon, California, Montana,
2 Wyoming, Arizona and New Mexico.

3 CAROL HUNDEGARD: So, in conclusion,
4 Nevada POST-certified dispatcher training courses
5 would, number one, meet the needs of the employers,
6 practitioners and the public by identifying and
7 formally validating individuals with specific
8 knowledge and skills.

9 Number two, it would protect the public,
10 individuals, agencies and the responders served. We
11 all realize, as administrators of law enforcement
12 agencies, that it's not when or if, but in fact, the
13 time will come when one of our dispatchers makes a
14 poor decision based on the lack of training. An
15 incident happens and our agency turns around and is
16 sued for something that happened because maybe we
17 forgot to incorporate something into that person's
18 training academy.

19 It also creates a professional environment
20 of customer service and excellence. It assures the
21 public served that telecommunication professionals
22 have met standards of care and practice for the
23 state of Nevada. It demonstrates an individual's
24 commitment to a profession and to lifelong learning.
25 It provides individuals with a sense of pride and

1 professional accomplishment just as our sworn police
2 officers have.

3 Upon completion of Nevada POST training,
4 dispatchers will be recognized as the true
5 professionals that we are. No citizen's cry for
6 help will fall upon an untrained ear. Thank you.
7 Do you have any questions for us?

8 RONALD PIERINI: Well, first of all, I
9 think you did an outstanding job. You worked hard
10 on that and I appreciate that. I think that -- I
11 think between Mike Jensen and also Mike Sherlock,
12 what are some of the issues that we have as far as
13 POST doing this type of activity?

14 MICHAEL SHERLOCK: Well -- Mr. Chairman,
15 Mike Sherlock for the record. Just so I could
16 clarify this for the Commission, you know, currently
17 we -- if there is a nexus and a benefit to peace
18 officers, sworn staff and the State, we currently
19 certify training already. So it's not unusual for
20 us to certify classes from Montevista Hospital down
21 here in -- in Las Vegas or Child Welfare classes
22 because we can show a nexus and a lot of times
23 there's Category II peace officers that attend that
24 type training. So I think, based on this
25 presentation, clearly there is a nexus between, and

1 a benefit to sworn staff, to have trained
2 dispatchers, without a doubt. So from that
3 standpoint of a course being certified, we do it all
4 the time, and I don't know that that's an issue from
5 a course standpoint.

6 They're talking about going to e-learn.
7 Is that correct? So we already do that now.
8 Certificates are automatically generated, we create
9 those, so there's not staff time for us on that kind
10 of thing, and we already do that, so we're not --
11 not too concerned on that.

12 And again, correct me if I'm wrong, Carol,
13 but I think the intent here was trying to get
14 support of the Commission in terms of dispatcher
15 professionalism and some future ideas in the future
16 of bringing that professionalism to the
17 telecommunicators. And I think that was the intent
18 for them to come here today.

19 RONALD PIERINI: All right.

20 MICHAEL JENSEN: Thank you, Mr. Chairman.
21 It's Mike Jensen for the record. I -- I totally
22 agree with what Mike has said in terms of the
23 importance of what dispatchers do.

24 My -- my comment with regard to the -- the
25 authority of the Commission, I guess, would be it's

1 pretty -- pretty clear in statute what the
2 Commission's authority is in terms of its ability to
3 regulate those who aren't peace officers, I guess.
4 And so, to the extent, what I saw in the
5 presentation, that there are going to be some
6 mandatory requirements for certification or
7 continuing education or other things that appear
8 more like a certification by POST as opposed to just
9 approving a training course, I think to that extent,
10 and I would, you know, I think it makes sense if you
11 are going in that direction, but that, I think,
12 would have to come, if it was going to be handled by
13 POST in terms of regulatory authority, would
14 probably need to be a statutory change where you
15 could put that in statute just like for peace
16 officers. You know, you require peace officers to
17 be certified, you know, within a year of employment
18 and there are certain mandatory minimum standards
19 that have to be contained in a course, which I saw
20 in the presentation today. There are continuing
21 education requirements that are mandatory and -- and
22 systems in place to track that. All of which, while
23 under the statutory authority of the Commission.
24 And so that would be my comment would be if that's
25 kind of the direction you are going, that would be

1 my recommendation that it be done statutorily
2 through the next legislature.

3 RONALD PIERINI: Any -- yes, sir?

4 TROY TANNER: Troy Tanner for the record.
5 I'd like to make a comment. Just like to
6 congratulate Carol and your group for taking on this
7 endeavor and putting this training together. It's
8 nice to see. We talk about it all the time, like up
9 north and other agencies and other states having,
10 like, a central dispatch or some kind of
11 requirements for dispatch. We watched and looked at
12 our training just up in Utah, for example, and they
13 work together all agencies and put something
14 together like you're talking about up here. So,
15 it's nice to see you guys are putting that time in
16 and I'm in great support of it, so I appreciate you
17 guys doing that.

18 RONALD PIERINI: Okay.

19 CLAIR MORRIS: For the -- for the record,
20 Clair Morris. I would really like to see this go
21 forward. I applaud you for -- it's a long time
22 coming. It should have been here 20 years ago. I
23 think it would be great, especially for the rurals.
24 Elko County especially we -- our labor force is kind
25 of limited with the mining community and we have

1 trouble attracting good qualified dispatchers. And
2 if we could get some training for them, I think that
3 would help us immensely. So I'd like to see this go
4 forward. Thank you.

5 MICHAEL SHERLOCK: Mr. Chairman, can I
6 make one correction? We've -- Mike Sherlock for the
7 record. Carol, we did check with Idaho and Idaho
8 does now have voluntary standards. They're working
9 on it. So other than Nevada, I think all Western
10 states now have POST requirements, either voluntary
11 or mandatory, just for the Commission -- for
12 dispatchers.

13 MICHAEL JENSEN: And Mike -- Mike Jensen
14 for the record. I'm curious if those are standards
15 set out in statute or are those standards that have
16 just been developed through agencies?

17 MICHAEL SHERLOCK: It depends on the
18 state, but they are -- many of them are by statute -
19 - are similar to ours through regulatory authority.

20 DAN WATTS: Dan Watts for the record.
21 Again, thank you and I would really like to see this
22 go forward. I'm in full support of this.

23 RONALD PIERINI: I just want to mention is
24 the fact that, yes, you know, we do need to have
25 that and we understand the situations that you're

1 against all the time as far as having --
2 unfortunately, there's dispatchers that don't do
3 quite as well as they should, but a lot of it is
4 because of lack of training.

5 I think what I'm hearing from Mr. Jensen
6 and also Mr. Sherlock is the fact -- is that our
7 regulations allow -- doesn't even mention anything
8 about dispatchers in ours. Okay? We don't have
9 anything under Nevada Revised Statute. None of that
10 that we've ever delved into. And I think that we
11 would probably partner with you if we could, or
12 assist you in some way, or at leastwise go to the
13 legislature and help you make an NRS that gives us
14 the authority to do so. And I think that's the best
15 way we can do it. I think just out of midair, we
16 start taking that over and giving certificates out,
17 we don't have a lot of guidelines on that, we don't
18 know exactly where we should go, who's training who,
19 who's going to be doing that, who's -- who's going
20 to be able to actually make it into what we want it
21 to be. The unfortunate thing is we've got at least
22 a year and a half before legislature. Maybe that's
23 a good thing in some respect, but for all -- all
24 reality is it's going to be a ways. But I think we
25 can work with those -- the assemblyman and also the

1 Senators and tell them what we're doing and maybe we
2 can -- we can certainly help you with that. Is
3 there anybody -- comments from the public that would
4 like to say anything? Keith? Come up.

5 KEITH LOGAN: Keith Logan for the record,
6 Eureka County Sheriff. We're also in support of it
7 and would be willing to be supportive of the
8 legislative process moving forward, because there
9 will be -- have to be a lot of things. And then
10 identify the training records and -- and -- of the
11 communications training officers and stuff like
12 that. I think that's where the other existing POST
13 classes will come into play in the trainings that
14 will help for this. But, excellent presentation and
15 thank you. And we certainly support it.

16 RONALD PIERINI: Thank you. Yes, sir.

17 BURDEL WELCH: My name is Burdel Welsh.
18 I'm the Chief of Police of West Wendover, Nevada,
19 and we operate our own communications center also.
20 I'd like to commend them for the work they did. I
21 think it's a lot of hard research. I don't want to
22 be the negative one to come up and talk about this,
23 but the concerns I have, I think, getting the
24 training program out there, getting it on e-learn,
25 making it available can only benefit dispatchers in

1 the state. And I think that would be a positive
2 thing to move forward.

3 I already do a 14-week training program
4 plus certified emergency medical dispatching. And
5 so I'm already tying up 15 weeks or so. I'd need to
6 know more about the impact of another 120 hours,
7 whether that's going to be replacing some of my
8 program or is it another 120 hours on that?

9 And when I talk about a POST
10 certification, I see the unions coming forward and
11 asking for more pay. And so I look for, not that
12 are dispatchers don't deserve more pay, but I think
13 that there could be a fiscal responsibility or issue
14 here when we start placing mandatory state POST
15 certifications on our dispatchers. And I'm sure
16 that the union representatives are going to come up
17 and say, "Now I'm certified by POST like a police
18 officer. I ought to be paid like a police officer."
19 Now, I'm not saying that's wrong. I've often
20 thought that the dispatchers should be a higher
21 position that we aspire to so that we could get
22 experienced street officers and people attracted to
23 those positions to get that expertise in there. But
24 I think we just need to think about the issues that
25 could be coming forward with this with the

1 additional 120-hour training time, the additional
2 cost.

3 The other thing I would want to be assured
4 that we've got a lot of statewide impact. When I
5 look at -- or input on this. When I looked at the
6 Committee members, I don't know exactly who they
7 surveyed, but there's eight from the state of Nevada
8 and four from Vegas and two representing other
9 agencies. I'd certainly want to have more input
10 from people around the state. They talked about
11 some of the numbers, the way they interact with
12 people and what they do. And that's not life in our
13 jurisdiction.

14 I also see a lot of questions when I've
15 got a dispatcher that's doing fire and doing police
16 and doing ambulance. If their duties are separated,
17 does that mean that the one sitting in this chair
18 has to be POST certified, and the one that's sitting
19 in this chair pushing the fire button is not, and
20 the one sitting in the next chair pushing the
21 ambulance button is not? So I see disparity arising
22 between the dispatchers in the com center with their
23 different duties on that unless there's some type of
24 universal application with the requirements so that
25 this is not only going to -- I don't know whether

1 you're looking at police dispatchers or fire
2 dispatchers or ambulance. Because I think you are
3 already talking about getting at the end of the limb
4 when we're talking about police dispatchers and now
5 are we going to have to tie that to other first
6 responding agencies, too? But there has to be
7 equality among people working in the same center.
8 And I just see a lot of questions coming up. Not --
9 not that we shouldn't ask them and not that they're
10 bad. I'm in favor of training. Like I say, we --
11 we change our -- we train our dispatchers just like
12 we do our police officers with a communication
13 training officer program. It's built much like an
14 FTO program. The same number of weeks, the same
15 rotations, the same sit-along with different
16 dispatchers, the same daily evaluation and testing.
17 And we move them to emergency dispatch -- emergency
18 medical dispatch training and we're working to
19 pursue the APCO standards, which is the Association
20 of Public Communication Officials. It's a long-
21 standing national organization for -- for public
22 safety dispatchers.

23 I just think there's a lot of questions
24 that we need to ask as we go -- if we go forward on
25 this. I don't think we can just blindly jump into

1 it real quickly. I am in favor, again, of the
2 higher training, but I just have a lot of questions
3 here and whether or not we're going to be prepared
4 for the fiscal responsibility. We say a lot this
5 training is at no cost. There's a lot of cost to
6 this training. This could be 120 more hours that
7 that dispatcher is in training status and not
8 available to me. It could mean that they're going
9 to get certified and they're going to have to have a
10 higher rate of pay. There could be a lot of things
11 that come forward on this.

12 And I would hope that as this process
13 moves into the system that there's a lot more
14 information going out to the local dispatch centers.
15 If I wouldn't have been at this conference and
16 wouldn't have had a conversation with people, I
17 would know nothing about this. I mean, there was no
18 advance notice. Clair, I don't know if you heard
19 about it ahead of time. We don't even control at
20 Elko Dispatch Center. That's an independent body.
21 Now, we have an independent body that's not run by a
22 police or fire department. Is -- how are we getting
23 that nexus there? Is that because they're talking
24 on a radio to a police officer? You know? I think
25 they really need to dissect the structures that may

1 not be quite as clear as a police department talking
2 to police officers or Highway Patrol talking to
3 Highway Patrol officers. And how we're going to --
4 to cut this apple and dissect -- dissect it and make
5 it equal distribution. So, thank you for your time.

6 RONALD PIERINI: I appreciate that. I
7 just want to make a comment is what our -- our whole
8 goal is, and what I think your goal is, we're all on
9 the same page is the fact is Nevada really doesn't
10 have anything what we're trying to do. And we want
11 to make it better. And I think that's what we're
12 trying to do is to come together as a state of
13 Nevada with all the dispatchers having certain
14 regulations, some training so we can make sure that
15 we're doing the right thing at all times. We're
16 going to come up with all kinds of different things
17 that people are going to come up with. And you're
18 right, money, retirement, all that. That's the
19 least of my worry. My worry is having good
20 dispatchers doing what they should be doing. And
21 that's what we need to work at. And we've got a
22 year and a half to do so. And maybe we can work
23 together. Or we -- not so much maybe POST,
24 certainly, Mike Sherlock or Scott or somebody can
25 help out with what POST can do for the certificates,

1 but I think us as in law enforcement all agree with
2 you and maybe as individuals that are in law
3 enforcement ourselves can help you on that end of
4 it. Does that make sense?

5 JULIE BUTLER: Good afternoon, gentlemen.
6 Julie Butler, Nevada Department of Public Safety,
7 General Services Division. First, I'd like to
8 publicly thank my staff for putting together a
9 terrific presentation. They spent a lot of hours on
10 this and -- and I think it really shows. And I'm
11 very proud of them all.

12 Secondly, Director Wright could not be
13 here this evening for this meeting, but he is in
14 full support of this proposal and asked me to
15 express to you that -- that he's very much in favor
16 of this and would like to see it move forward. So I
17 look forward to my division working with Mr.
18 Sherlock and -- and the Commissioners here on moving
19 this forward in the 2017 session. Thank you.

20 RONALD PIERINI: Thank you. Yes, sir.

21 TROY TANNER: Troy Tanner for the record.
22 Can I make a comment or we could talk to our
23 attorney, could we -- could I make a motion, a
24 letter of support for them to move forward?

25 RONALD PIERINI: We can't do that because

1 it's not agendized.

2 MICHAEL JENSEN: Mike Jensen for the
3 record. This -- this has been agendized. It's just
4 an informational item today, so we're not really
5 able to take an action.

6 RONALD PIERINI: I think maybe -- I think
7 that's a good point, that if all of us are in favor
8 of that, but Chief, maybe what we could do is to --
9 to talk about this over the next several months and
10 then at that time we can -- again, I don't think we
11 can really have approval without the NRS being
12 involved with that. So we really can't do any
13 voting. If I'm right, Mr. Jensen, I think that's
14 the way we should follow, correct?

15 MICHAEL JENSEN: At least for purposes of
16 the meeting today. I mean, you could bring it back
17 next meeting if you wanted to approve something even
18 if it were just to move forward to work with the
19 dispatchers. I mean, that certainly would be
20 appropriate. Just because it's not -- it has been
21 noticed as an action item today the reason you can't
22 take action today.

23 RONALD PIERINI: And I think we're all for
24 that. I don't really think we need to do another
25 agenda item. I really don't think so. So, I don't

1 know, I think we're all okay with that.

2 TROY TANNER: Okay.

3 MICHAEL JENSEN: Thank you.

4 RONALD PIERINI: One of the things that I
5 think that we've probably lacked a little is that
6 the four of you went up and made a presentation, but
7 I didn't hear your names and I think somehow we need
8 to record that. Okay? So, could we start off who
9 was first, who was second, who was third and who was
10 fourth, and then we can put it in our minutes.
11 Would you mind starting over here with that? Sorry.
12 We got the mic right here, so if we could do that so
13 that we could at least say that you four
14 participated in that. Okay.

15 CAROL HANDEGARD: Carol Handegard,
16 Department of Public Safety.

17 RONALD PIERINI: Thank you.

18 SERENITY SIMPSON: Serenity Simpson,
19 Department of Public Safety.

20 DENISE STUART: Denise Stuart, Department
21 of Public Safety.

22 JESSICA ZOLCAVICH: Jessica Zolcavich,
23 Department of Public Safety.

24 RONALD PIERINI: Thank you very much.
25 Just going to ask the public again, does anybody

1 else have any more comments? Okay, thank you.
2 We're going to go on to Number 5. Discussion,
3 public comment, and for possible action. Request
4 from the Nye County Sheriff's Office for their
5 employee Brent Moody for a six-months extension past
6 the one-year requirement to July 2, 2016, in order
7 to meet the requirements for certifications.
8 Sheriff, may you please come up?

9 Scott, have you reviewed this, please, or
10 have you had to do that or no?

11 SCOTT JOHNSTON: Yes, I -- Scott Johnston
12 for the record. The Commissioners will find behind
13 Tab Number 5 the letter submitted by Sheriff Wehrly
14 outlining the facts and circumstances behind the
15 request.

16 RONALD PIERINI: Okay. So that's all been
17 in our -- in our booklet.

18 SCOTT JOHNSTON: It has.

19 RONALD PIERINI: And would you like to
20 present why we should have an extension of six
21 months?

22 SHARON WEHRLY: Yes. Undersheriff Moody
23 had been working very, very hard to pass the
24 physical fitness portion of the requirements for the
25 state certification. A couple of weeks before he

1 entered the POST class, he pulled a muscle, and he
2 went ahead and tried to do it at POST at the Academy
3 for Silver State and he ripped the muscle. So he is
4 now looking at surgery to repair that muscle and he
5 needs that six months to be able to heal, continue
6 training and go back to the Silver State Academy to
7 complete.

8 RONALD PIERINI: Okay. Sheriff, thank
9 you, but I just want to make sure that I'm correct
10 on this. Okay, if you wouldn't mind, please? The
11 year 12 months when you hired him as your
12 undersheriff, what is the date, then, that that year
13 is that --

14 SHARON WEHRLY: Actually, he was approved
15 by POST on --

16 RONALD PIERINI: What was the day that you
17 hired him as a --

18 SHARON WEHRLY: February 2.

19 RONALD PIERINI: Okay. So it's February
20 2. I'm not sure, Scott, that that says on there.
21 Does it say February 2?

22 SHARON WEHRLY: It was March 11, I
23 believe, that he was actually --

24 RONALD PIERINI: What you're asking, then,
25 if I'm hearing this correctly is from six months

1 starting on February 3 --

2 SHARON WEHRLY: Yes.

3 RONALD PIERINI: -- 2016 for six months
4 with an extension. Is that true?

5 SHARON WEHRLY: Right.

6 RONALD PIERINI: Okay.

7 SHARON WEHRLY: Unless we're going by the
8 POST date, then it would March 12.

9 RONALD PIERINI: Well, as long as he's
10 hired, that's the day as a deputy sheriff --

11 SHARON WEHRLY: Okay. Then it would be
12 February 2.

13 RONALD PIERINI: He is undersheriff, but
14 he's still a deputy sheriff of yours.

15 SHARON WEHRLY: Right.

16 RONALD PIERINI: And that day that he was
17 hired with the police power that you gave him to
18 work fulltime, that's what we're looking for is
19 actually on February 2.

20 SHARON WEHRLY: Yes.

21 RONALD PIERINI: Okay. Okay, do we have
22 any questions from the Commissioners? How about to
23 the public? All right, looking for a motion.

24 RUSSELL PEDERSEN: Move to approve. Russ
25 Pedersen. Move to approve the six-month extension.

1 RONALD PIERINI: Okay.

2 DAN WATTS: Dan Watts. Second.

3 RONALD PIERINI: Thank you, Dan. Any
4 other questions? All in favor?

5 COMMISSIONERS: Aye.

6 RONALD PIERINI: Anybody opposed? So
7 carried. Thank you.

8 SHARON WEHRLY: Thank you very much.

9 RONALD PIERINI: All right, now we're
10 going to discussion, public comment and for possible
11 action, a request from the North Las Vegas
12 Constable's Office for their employee Robert L.
13 Eliason -- I don't know what -- how you say that --
14 for a six-month extension past for one-year
15 requirement to July 4, 2016, in order to meet the
16 requirements for certification. So, we have a North
17 Las Vegas Constable. If you could you say your
18 name, please?

19 ROBERT ELIASON: Robert Eliason.

20 RONALD PIERINI: Okay.

21 ROBERT ELIASON: Good evening.

22 RONALD PIERINI: Hold on just a second. I
23 probably got a little ahead of myself.

24 ROBERT ELIASON: All right.

25 RONALD PIERINI: Scott would you like to

1 mention anything on this, please?

2 SCOTT JOHNSTON: Scott Johnston for the
3 record. Behind the following -- Tab 6, we have the
4 letter of request that was sent to us by Constable
5 Eliason.

6 ROBERT ELIASON: Eliason.

7 SCOTT JOHNSTON: Eliason.

8 ROBERT ELIASON: It's okay.

9 SCOTT JOHNSTON: Thank you. Outlining the
10 circumstances behind it for the Commission to take
11 into consideration.

12 RONALD PIERINI: Okay, can you tell us the
13 background, what's happened?

14 ROBERT ELIASON: Okay. Good evening, Mr.
15 Chairman and fellow Commissioners. My name is
16 Robert Eliason. I was born and raised here in Clark
17 County. I was elected in November of 2014 to the
18 North Las Vegas Constable's Office and took office
19 in January of 2015. But prior to that, the Clark
20 County Board of Commissioners in late summer/early
21 fall changed the way that the North Las Vegas and
22 the Henderson Constable's Office does the day-to-day
23 operations. For example, the budgeting, staffing,
24 reporting, handling of funds are just a few ways
25 that was affected the same day that I took office.

1 Needless to say, my first six months in
2 office, my staff and I were learning and
3 establishing the new standards and requirements for
4 the office.

5 I was scheduled to -- I was scheduled and
6 attempted to attend the Clark County Probation --
7 Parole and Probation Officer Academy on September
8 14. In preparation of me attending this Academy, I
9 discussed I had -- I have an abdomen injury that has
10 required me to seek medical attention, that has
11 required me to have physical therapy twice a week.
12 This is the only issue that had precluded me from
13 finishing the Academy on September 14.

14 I come before you, the POST Commission,
15 seeking a six-month extension so that I may attend
16 the January or March Academy with the Clark County
17 Parole and Probation Office. I'd like to thank you
18 for your time and consideration in affording me this
19 extension so I may continue to serve the citizens
20 that elected me to the North Las Vegas Constable's
21 Office. If you have any questions, I'll be happy to
22 try to answer them. Thanks again for you time and
23 willingness to serve our great state.

24 RONALD PIERINI: Okay. Any of the
25 Commissioners have any questions? Okay. Scott, are

1 you okay with that?

2 SCOTT JOHNSTON: Yes. I just have one
3 point of clarification --

4 RONALD PIERINI: Sure.

5 SCOTT JOHNSTON: -- for the -- for the
6 Commissioners. If the Commission should decide to
7 move forward and approve this request, they could
8 approve a time limit out to not to exceed July 4 of
9 2016. And I believe that Director Sherlock has some
10 additional information that may be helpful in your
11 decision.

12 MICHAEL SHERLOCK: Mr. Chairman, Mike
13 Sherlock for the record. I just want to bring up
14 that last -- well, last two legislative sessions the
15 constable regulations and statute related to
16 constables have changed and, basically, NRS 258.007
17 is the one that is of concern now. And all that
18 basically says is in a township, a constable is
19 elected to a township of 15,000 or more must comply
20 with POST regulations, basically, be certified
21 within a year and up to a six-month regulation. And
22 North Las Vegas is one of those townships of over
23 15,000.

24 RONALD PIERINI: Okay. Thank you. Okay,
25 anyone in the public like to make a comment? All

1 right, then, Commissioners, looking for a motion.

2 TROY TANNER: Troy Tanner. I'll make a
3 motion to extend to July 4, 2016.

4 RONALD PIERINI: Thank you, Chief.
5 Second?

6 CLAIR MORRIS: Clair --

7 GARY SCHOFIELD: Gary Schofield. Second.

8 RONALD PIERINI: Thank you, Gary. Okay,
9 any other questions, comments? Okay, all in favor.

10 COMMISSIONERS: Aye.

11 RONALD PIERINI: Anybody opposed? So
12 carried. Thank you.

13 ROBERT ELIASON: Thank you.

14 RONALD PIERINI: All right, we're going to
15 go into Number 7 right now, discussion, public
16 comment and for possible action. Hearing pursuant
17 to NAC 289.290(1)(h) on revoking Joseph Lawrance,
18 formally of the Henderson Police Department
19 certification based on a felony conviction for Stop
20 Required On The Signal Of Police Officer. The
21 Commission will decide whether to revoke Mr.
22 Lawrance's Category I Basic Certificate. Before we
23 get started, if we could, is Mr. Lawrance here?
24 Anybody representing him? Okay, thank you. Mr.
25 Jensen.

1 MICHAEL JENSEN: Thank you, Mr. Chairman.
2 Mike Jensen for the record. This is the time and
3 place that's set for the -- the hearing for Mr.
4 Lawrance to determine whether or not to revoke his
5 POST certification.

6 Just as background for the Commission's
7 authority to move forward today, we start with NRS
8 289.510 which provides for the Commission to adopt
9 regulations, establishing minimum standards for
10 certification and decertification of officers. And
11 pursuant to the authority under that statute, the
12 Commission has adopted NAC 289.290, which
13 establishes the cause for the Commission to revoke
14 or suspend a peace officer certificate.

15 Today we would be moving forward on this
16 particular item under Section (1)(g), which
17 authorizes revocation or suspension for a felony
18 conviction. And there are a number of exhibits that
19 are in your -- your packet related to this
20 particular item for the Commission to consider.

21 The first is Exhibit A. That's the Notice
22 of Intent to Revoke that was sent to Mr. Lawrance.

23 Exhibit B is the Affidavit of Service,
24 which shows that he was served with that on
25 September 24, 2015, showing that the Commission has

1 complied with both the notice requirements of NRS
2 233(b) and the Commission's own statutes and
3 regulations. That notice informed Mr. Lawrance of
4 his opportunity to appear today and to present
5 witnesses, cross-examine, present evidence in
6 defense of any action that might be taken today. It
7 indicated that the crime that the Commission -- or
8 would be moving forward the conviction the
9 Commission would be looking at today, which is a --
10 the crime of Stop Required On a Police Officer,
11 which the category would be felony in violation of
12 NRS 44(b)550(3)(b) which occurred on October 23 of
13 2014. It also let him know of the requirement that
14 he inform the Commission within 15 days of the
15 letter of the notice of his intended action,
16 especially if he was intending to appear today and
17 the scope of the hearing, which was whether or not
18 to revoke his POST certificate for that felony
19 conviction.

20 Exhibit C is the Personnel Action Report,
21 which shows that Mr. Lawrance separated employment
22 as a peace officer effective November 3 of 2014.

23 Exhibit D is Mr. Lawrance's Category I
24 Basic Certificate. The next few exhibits are the
25 Court exhibits showing the crime that was involved

1 in this particular case. Exhibit E is the certified
2 copy of the information charging Mr. Lawrance with
3 that crime of failure to stop as required on the
4 signal of a peace officer.

5 Exhibit F is a certified copy of the
6 guilty plea agreement where he agreed to plead
7 guilty to the felony charge with the understanding
8 that the state would recommend probation and
9 moderate offender program as a condition. If he
10 successfully completed that probation that he would
11 be able to withdraw that plea and enter a plea of
12 guilty to stop required on the signal of a police
13 officer, but as a misdemeanor as opposed to a
14 felony.

15 Exhibit G is the certified copy of the
16 Judgment of Conviction, which shows that he was, in
17 fact, convicted of the felony of Stop Required on
18 Signal of a Police Officer. He was sentenced to a
19 maximum of 30 months and a minimum of 12 months in
20 the Nevada Department of Corrections. That sentence
21 was suspended. He was placed on probation for an
22 indeterminate period not to exceed four years.
23 Those are, basically, the exhibits that would be
24 presented on this hearing this morning. I would ask
25 that those be admitted as part of the record in

1 support of any action that may be taking today.

2 RONALD PIERINI: Yes, I approve of the
3 exhibit -- exhibit items.

4 MICHAEL JENSEN: Based -- based on the
5 evidence in this particular case where Mr. Lawrance
6 has been convicted of a felony, it's pretty straight
7 and forward. The Commission's regulations and
8 statutes provide that you can't serve in a peace
9 officer capacity with a felony conviction.

10 In addition to that, under the -- if you
11 look at the information in that particular charge,
12 it indicates that he operated the vehicle in a way
13 that endangered himself and others and the property
14 of himself and others and I would submit that that's
15 pretty straightforward conviction for revocation by
16 the Commission and would recommend that Mr.
17 Lawrance's Basic Certificate be revoked.

18 RONALD PIERINI: Thank you, Mr. Jensen.
19 Any comments from the Commissioners? Anyone from
20 the public? Looking for a motion.

21 GARY SCHOFIELD: Gary Schofield. I make a
22 motion that we revoke Mr. Lawrance's Category I POST
23 Certificate.

24 RUSSELL PEDERSEN: Russ Pedersen. Second.

25 RONALD PIERINI: Any other questions or

1 comments? All in favor?

2 COMMISSIONERS: Aye.

3 RONALD PIERINI: Okay, approved. Thank
4 you. We're going to Number 8. This is a
5 discussion, public comment, and for possible action.
6 Hearing pursuant to NAC 289.290(1)(e). Revoking
7 Aaron Manfredi, formerly of Clark County Juvenile
8 Justice Services certification based on a nolo
9 contendere plea on a gross misdemeanor for
10 Conspiracy to Commit Coercion. That the Commission
11 will decide whether to revoke his Category II Basic
12 Certificate. Okay. Do we have any representative
13 from that gentleman here? Seeing none, okay, Mr.
14 Jensen.

15 MICHAEL JENSEN: Thank you, Mr. Chairman.
16 This is the second of three hearings today, so
17 please bear with me. You are proceeding in this
18 particular hearing under the same statutory
19 authority; however, your regulatory authority is
20 under Section (1)(e), which authorizes revocation or
21 suspension of POST certificate for a conviction or a
22 plea of guilty or no contest to a gross misdemeanor.

23 The exhibits in the packet that I would
24 submit in support of any action taken today by the
25 Commission are as follows: Exhibit A, again, is the

1 Notice of Intent to Revoke. With all the same parts
2 that I described in the previous hearing. Mr.
3 Manfredi was informed of the hearing today, the
4 time, place and location and his opportunity to
5 appear and to present any evidence or cross-examine
6 any witnesses. He was also informed of the
7 requirement to inform the Commission if he intended
8 to appear and the scope of the hearing this morning.

9 Exhibit B is the Affidavit of Service that
10 shows that Mr. Manfredi was served with this Notice
11 of Intent to Revoke on September 22 of 2015 and that
12 that shows compliance with both NRS 233(b) as well
13 as the POST requirements for notice.

14 Exhibit C is the Personnel Action Report
15 that shows that Mr. Manfredi was separated from
16 employment as a peace officer effective February 22,
17 2013.

18 Exhibit D is a copy of Mr. Manfredi's
19 Category II Basic Certificate. The following
20 exhibits after that are the exhibits dealing with
21 the actual criminal charge in this case. Exhibit E
22 shows that Mr. Manfredi was originally charged with
23 sexual assault of a minor under 16 years of age, a
24 Category A felony and voluntary sexual conduct with
25 a prisoner, a Category D felony. Those activities

1 occurred -- were alleged to have occurred between
2 November 7, 2009 and January 21 of 2010. And,
3 essentially, the allegations involved a sexual
4 assault on a minor who was being held at the Clark
5 County Detention -- Juvenile Detention Center at
6 which Mr. Manfredi was employed as a probation
7 officer.

8 Exhibit F is a certified copy of the
9 amended information, which it appears that there
10 were plea negotiations and the charges were changed
11 in this particular case based on those negotiations.
12 That amended information shows that the new charge
13 is a Conspiracy to Commit Coercion, a gross
14 misdemeanor in violation of NRS 199.480 and 207.190.
15 Essentially, what it alleges Mr. Manfredi did was he
16 willfully and unlawfully conspired with an unknown
17 person to commit the crime of coercion, that he did
18 then and there willfully, unlawfully and feloniously
19 use physical force or immediate threat of physical
20 force against K.D., who is the juvenile, with intent
21 to compel or to do or abstain from doing the act
22 which she had a right to do or abstain from doing.
23 And the specific act is by preventing K.D. from
24 leaving the room when she had a legal right to do.
25 So it changed a bit from the original charge to what

1 he was actually agreeing to plead guilty to.

2 Exhibit G is a certified copy of the
3 guilty plea agreement where Mr. Manfredi was
4 agreeing to plead guilty pursuant to Alford versus
5 North Carolina, which is, essentially, a no contest
6 plea, to the Conspiracy to Commit Coercion charge --
7 charge. The parties agreed that they would stay
8 adjudication in the case, meaning, there wouldn't be
9 a conviction entered and the State would not oppose
10 Mr. Manfredi receiving informal probation with
11 impulse control counseling. If he successfully
12 completes his probation, the agreement between the
13 parties was that he could withdraw his plea of
14 guilty to the gross misdemeanor and plead guilty to
15 disorderly conduct of misdemeanor.

16 Exhibit H is a certified copy of the Court
17 minutes, which show on May 11 of 2015 that he pled
18 guilty -- or pled pursuant to Alford to that
19 Conspiracy to Commit Coercion gross misdemeanor,
20 that the Court had stayed adjudication pursuant to
21 the parties' negotiations. He was placed on
22 informal probation for one year with conditions that
23 he complete the impulse control counseling and stay
24 out of trouble. If he successfully completes
25 probation, the court provided that he would be able

1 to withdraw his plea and plead guilty to disorderly
2 conduct, a misdemeanor, with a status check on the
3 case in one year, which according to court document
4 is May of 2016.

5 So those are the documents that are being
6 presented to the Commission this morning. A through
7 G -- or A through H and I would ask that those be
8 admitted and made a part of the record as part of
9 any action the Commission may take today.

10 RONALD PIERINI: Yes, your exhibits are
11 accepted. I appreciate that. Just to make clear on
12 something, if we could just for the record, is that
13 he has been -- he pled guilty, basically, nolo
14 contendere for a gross misdemeanor, but then within
15 that year, it could be dropped down to a
16 misdemeanor, right?

17 MICHAEL JENSEN: That's correct.

18 RONALD PIERINI: Does that have any kind
19 of problem with us in the future if we do take that
20 certificate away today? Could he come back in a
21 year and try to change that? Kind of an idea?

22 MICHAEL JENSEN: I think our regs -- and
23 I'd have to look at the statute and regs, but I
24 think on a revocation, there's a period of time that
25 has to pass before you can apply or ask the

1 Commission for it. I think it's five years. I'm
2 pretty sure it's five years before you can come back
3 to the Commission after a revocation action. You
4 know, the Commission has the authority also to
5 suspend. You don't have to revoke, you could
6 suspend for a period of time as well. I'm not
7 necessarily making any recommendation. I'm leaving
8 this one to the Commission in terms of what you
9 think is appropriate.

10 RONALD PIERINI: Okay. Thank you. Do you
11 have any questions or comments?

12 DAN WATTS: Dan Watts for the record. As
13 I'm looking here on the -- for the update of the
14 Personnel Action Report for POST, upon unfavorable
15 conduct, suspension or revocation of Basic
16 Certificate pursuant to NAC 289.290, it states,
17 "Select your recommendation for suspension or
18 revocation of the Basic Certificate that should be
19 considered pursuant to that statute," and that
20 agency put no action." Do we know why that they
21 request no action be taken?

22 MICHAEL SHERLOCK: Mike Sherlock for the
23 record. I can't speak directly to this actual
24 Personnel Action Report, but it's not uncommon in
25 terms of personnel when the criminal charges were

1 pending at the time that they terminated him.

2 MICHAEL JENSEN: And Mike Jensen for the
3 record. In terms of just legal requirements that
4 our -- our regulations provide that if it's a
5 misdemeanor conviction that you have to have the
6 agency's request to take action. In a gross
7 misdemeanor situation, there isn't that requirement
8 that the agency make that request to the Commission.

9 RONALD PIERINI: Thank you. Any other
10 questions or comments? Okay, to the public. I'm
11 looking for a motion, please.

12 GARY SCHOFIELD: Gary Schofield. I make a
13 motion that we revoke his POST I Certificate.

14 DAN WATTS: Dan Watts. Second.

15 RONALD PIERINI: Okay. Any other
16 questions or comments? All in favor?

17 COMMISSIONERS: Aye.

18 RONALD PIERINI: Anybody opposed? So
19 carried. Number 9. Discussion, public comment and
20 for possible action. Hearing pursuant to NAC
21 289.290(1)(e) revoking Joshua Logan, formerly of the
22 Las Vegas Metropolitan Police Department,
23 certification based on a gross misdemeanor
24 conviction for Attempted Theft. The Commission will
25 decide whether to revoke Mr. Logan's Category I

1 Basic Certificate. Mr. Jensen.

2 MICHAEL JENSEN: Thank you, Mr. Chairman.
3 This is the last of the three hearings scheduled for
4 today. I won't go through all the background
5 statutes or regulations, but we're relying on
6 essentially the same regulations as the previous
7 hearing. We've also -- in there you have Exhibits A
8 through G, which are similar to the other -- the
9 initial exhibits are similar to the other hearings.
10 Exhibit A is the Notice of Intent to Revoke, again,
11 setting out all of Mr. Logan's rights and giving him
12 notice of this hearing today, time, place and
13 location.

14 Exhibit B is the Affidavit of Service,
15 which shows that he did, in fact, get served with
16 that notice on September 23 of 2015.

17 Exhibit C is the Personnel Action Report
18 showing that Mr. Logan separated from employment as
19 a peace officer effective November 25 of 2013.

20 Exhibit D is the Basic Certificate --
21 Category I Basic Certificate for a Joshua P. Logan.
22 The last few exhibits are the Court documents that
23 indicate what this criminal charge are about -- is
24 about.

25 Exhibit E is a certified copy of the

1 information charging Mr. Logan with attempted theft,
2 a Category D felony/gross misdemeanor. It states
3 that between February 21 of 2012 and October 22 of
4 2013, he did with a co-offender willfully,
5 unlawfully and feloniously and without lawful
6 authority attempt to use property or service of
7 another entrusted to him having a value of more than
8 \$650. You'll get the gist of that from reading the
9 -- the information in the -- in the information. He
10 -- it's alleged that he used a fleet gas card, he
11 and another individual, to purchase gas and it
12 appears for personal reasons and not for agency-
13 authorized purposes. And that's the original
14 charge.

15 Exhibit F is a certified copy of the plea
16 agreement where he pled guilty to attempted theft --
17 where he's agreeing to plead guilty to attempted
18 theft.

19 Exhibit G is a certified copy of the
20 Judgment of Conviction showing that he, in fact, did
21 -- was convicted of attempted theft, a gross
22 misdemeanor, in violation of NRS 193.330 and
23 205.0032. He was sentenced to 364 days in Clark
24 County Detention Center. That was suspended. He
25 was placed on probation for a term not to exceed

1 three years. His -- he was ordered to jointly and
2 severally with the other individual pay restitution
3 in the amount of \$1,838.85 and to sign a Confession
4 of Judgment, essentially, a civil judgment for that
5 amount of money, as well, and that he is required to
6 disclose that conviction to present and potential
7 employers.

8 Mr. Chairman, I ask that those exhibits be
9 made part of the record in support of any action
10 that you take today.

11 RONALD PIERINI: Yes, those are all
12 accepted on your items. Okay, is there any other
13 questions from the Commissioners? How about in the
14 public? All right. Looking for a motion.

15 TROY TANNER: Troy Tanner. I'll make a
16 motion to revoke Joshua Logan's Certificate.

17 RUSSELL PEDERSEN: Russ Pedersen. Second.

18 UNIDENTIFIED SPEAKER: Mr. Chairman,
19 before we vote, I need to put on the record that I
20 have to recuse myself with this vote since I ran
21 Internal Affairs and conducted this investigation.

22 RONALD PIERINI: All right. Thank you.
23 All right. Do we have a second, then? Did I hear
24 that?

25 RUSSELL PEDERSEN: Yeah, Russ Pedersen.

1 Second.

2 RONALD PIERINI: Thank you, sir. All in
3 favor.

4 COMMISSIONERS: Aye.

5 RONALD PIERINI: Anybody opposed? Okay,
6 so carried. Under public comment, is there anybody
7 in the audience that would like to make any comments
8 right now about any items that we -- well, not the
9 ones that we talked about today, but any future
10 ones? If you have anything else you would like to
11 comment.

12 I like to say also is for the record,
13 Scott, I said Ray Wright. It's James Wright, DPS.
14 I went to school with a guy named Ray Wright and I
15 can't get it out of my brain. So anyway, that's the
16 one -- his absence is -- is -- Anybody else have any
17 comments? All right. Then we're going to have
18 discussion, public comment for the upcoming
19 Commission meeting. Mr. Sherlock, what have we got
20 planned?

21 MICHAEL SHERLOCK: Mike Sherlock for the
22 record. I'm not sure if we want to go to Elko or if
23 we want to do like last year and do it in March in
24 Carson City.

25 RONALD PIERINI: Okay, that --

1 MICHAEL SHERLOCK: I'll leave that up to
2 you Mr. --

3 RONALD PIERINI: If I could ask a question
4 to clear here. You're going -- you're going to be
5 the host over there with the Sheriffs' and Chiefs'
6 in Elko in February. Do you know what the date was
7 on that?

8 UNIDENTIFIED SPEAKER: No, I don't have
9 it.

10 UNIDENTIFIED SPEAKER: It's the 17th and
11 18th of (inaudible).

12 CLAIR MORRIS: Okay. For the record Clair
13 Morris. We've -- we've got a pretty busy schedule
14 (inaudible). So --

15 RONALD PIERINI: Well, what we try to do
16 is we try to do it at the same time. The way it's
17 going to be right now is, and I think that Mr.
18 Sherlock is saying, is if we don't have an agenda
19 item, there's no, obviously, any reason to have any
20 meeting proposed. So we'll keep you posted on that
21 and if some items do come up that we need to deal
22 with, maybe we will do it in Elko or maybe we can
23 wait till March. All right. We're looking now for
24 discussion, public comment, for possible action
25 adjourning.

1 UNIDENTIFIED SPEAKER: Make a motion.

2 RONALD PIERINI: Thank you.

3 UNIDENTIFIED SPEAKER: Second.

4 RONALD PIERINI: All right. Thank you
5 very much.

6

7 (MEETING ADJOURNED AT 6:33 p.m.)

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

I certify that the foregoing is a true and accurate transcript of the electronic audio recording from the meeting in the above-entitled matter.

Michele Boyles
Trustpoint Reporting

11/12/15

DATE