



Nevada Commission on Peace Officer Standards and Training

POST COMMISSION MEETING
WEDNESDAY FEBRUARY 12, 2020 – 1:00 PM

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
HEADQUARTERS, BUILDING A, TRAINING ROOM 111,
400 S. MARTIN LUTHER KING BLVD, LAS VEGAS, NV.

NOTICES

NOTICE OF WORKSHOP TO SOLICIT COMMENTS

NOTICE OF PUBLIC MEETING



STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
5587 Wa Pai Shone Avenue
Carson City, Nevada 89701
(775) 687-7678 FAX (775) 687-4911

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Commission on Peace Officer Standards and Training is proposing the adoption, amendment and repeal of regulations pertaining to Chapter 289 of the Nevada Administrative Code.

A workshop has been scheduled for 1:00 p.m., Wednesday, February 12, 2020, at the Las Vegas Metropolitan Police Department Headquarters, Building A, Training Room 111, 400 S Martin Luther King Blvd., Las Vegas, Nevada 89183. The purpose of the workshop is to solicit comments from interested persons on the following general topic(s) that may be addressed in the proposed regulations:

TOPIC

NAC REGULATION

The Commission to discuss revisions to its regulations to comply with annual continuing education requirements established in NRS 289.510(1)(c)(2) mandating all peace officers annually complete not less than 12 hours of continuing education training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms.

289.230(1)

A copy of all materials for the meeting may be obtained by contacting Scott Johnston, Standards Division Chief, at (775) 687-3335, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulations has been sent to all listed meeting locations, all persons on the agency's mailing list for administrative regulations, all Nevada law enforcement agencies, agency single points of contact and posted at the following:

POST Administrative Office, Carson City
Nevada State Capitol, Carson City
Blasdel State Building, Carson City
Nevada State Library and Archives, Carson City
Grant Sawyer Building, Las Vegas
Carson City Sheriff's Office
White Pine County Sheriff's Office

<http://post.nv.gov>

<http://notice.nv.gov>

Electronically Posted pursuant to NRS 241.020(4)

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701 or call Scott Johnston at (775) 687-7678, Ext. 3335, no later than 2 working days prior to the meeting.



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NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT 1:00 P.M. ON WEDNESDAY, FEBRUARY 12, 2020 THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A WORKSHOP AND REGULARLY SCHEDULED MEETING AT THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT HEADQUARTERS, BUILDING A, TRAINING ROOM 111, 400 S. MARTIN LUTHER KING BLVD, LAS VEGAS, NV 89183.

The agenda will include the following items. The Commission, at their discretion, may take items out of order, combine two or more agenda items for consideration, and remove an item from the agenda or delay discussion relating to an item on the agenda at any time. A request to have an item on the agenda heard out of order shall be made to the Commission's secretary prior to the commencement of the meeting. Prior to the commencement or conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the Commission may refuse to consider public comment. See NRS 233B.126.

I. WORKSHOP

1. Call to order
2. Roll call of Commission Members

THE PURPOSE OF THE WORKSHOP IS TO SOLICIT COMMENTS FROM INTERESTED PERSONS ON THE FOLLOWING GENERAL TOPIC THAT MAY BE ADDRESSED IN THE PROPOSED REGULATIONS (WORKSHOP HAS BEEN PREVIOUSLY NOTICED PURSUANT TO THE REQUIREMENTS OF NRS CHAPTER 233B):

3. Workshop on proposed/future regulation related to mandatory continuing education requirements found in NRS 289.510(1)(c)(2).

TOPIC

NAC REGULATION

The Commission to discuss revisions to its regulations to comply with annual continuing education requirements established in NRS 289.510(1)(c)(2) mandating that all peace officers annually complete not less than 12 hours of continuing education training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms. **289.230(1)**

4. PUBLIC COMMENTS

The Commission may not take action on any matter considered under this item until the matter is specifically included on an agenda as an action item.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

1. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Approval of minutes from the November 4, 2019 regularly scheduled POST Commission Meeting.

2. **INFORMATION.** Executive Director's report.

- a. Training Division
- b. Standards Division
- c. Administration

3. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to discuss and possibly take action to submit revisions to its regulations to the Legislative Counsel Bureau, to develop language to comply with annual continuing education requirements established by NRS 289.510(1)(c)(2) mandating all peace officers annually complete not less than 12 hours of continuing education training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms.

4. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Hearing pursuant to NAC 289.290 (1) (e) on the revocation of Earl T. Mitchell, formerly of the Henderson Constables Office, certification based on a conviction for Fraudulent Conveyance (Gross Misdemeanor – NRS 205.330). The Commission will decide whether to revoke Mr. Mitchell's Category I Basic Certificate.

5. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Hearing pursuant to NAC 289.290 (h) on the revocation of Brian Wilk, formerly of the Department of Public Safety, certification based on a conviction for Domestic Violence (Misdemeanor – NRS 200.485.1a). The Commission will decide whether to revoke Mr. Wilk's Category I Basic Certificate.

6. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to conduct a blind review of an agency request to revoke the Basic Certificate of a former employee, based upon court documents and conviction for Harassment – First Offense, Misdemeanor NRS 200.571. The Commission to decide whether to move forward with a revocation hearing at a future meeting.

7. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Request from the Carson City Sheriff's Office requesting a 6 month extension pursuant to NRS 289.550, for their employee Deputy Robert Routon to meet certification requirements. The request would extend the time period to meet certification to August 22, 2020.

8. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Request from the Carson City Sheriff's Office requesting a 6 month extension pursuant to NRS 289.550, for their employee Deputy Jared Blue to meet certification requirements. The request would extend the time period to meet certification to August 22, 2020.

9. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the Eureka County Sheriff's Office requesting a 6 month extension pursuant to NRS 289.550, for their employee Undersheriff James R. Clark to meet certification requirements. The request would extend the time period to meet certification to July 17, 2020.

10. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the North Las Vegas Police Department, for their employee Chief Pamela A. Ojeda, for an Executive Certificate.

11. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

Request from the Humboldt County Sheriff's Office, for their employee Sheriff Mike Allen, for an Executive Certificate.

12. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

Request from the Las Vegas Metropolitan Police Department, for their employee Captain Larry R. Clark, for an Executive Certificate.

13. PUBLIC COMMENTS

The Commission may not take action on any matter considered under this item until the matter is specifically included on an agenda as an action item.

14. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Schedule upcoming Commission Meeting May 7, 2020 at 8:30 A.M. at the Commission on Peace Officer Standards and Training, 5587 Wa Pai Shone Ave, Carson City, NV 89701.

15. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Adjournment.

POSTED AT THE FOLLOWING LOCATIONS:

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Blasdel State Building, Carson City
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Electronically Posted pursuant to NRS 241.020(4)

Pursuant to NRS 241.020(2)(c), a copy of supporting materials for the meeting may be obtained by contacting POST Standards Division, at (775) 687-3335, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

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I. WORKSHOP

1. Call to order
2. Roll call of Commission Members

THE PURPOSE OF THE WORKSHOP IS TO SOLICIT COMMENTS FROM INTERESTED PERSONS ON THE FOLLOWING GENERAL TOPIC THAT MAY BE ADDRESSED IN THE PROPOSED REGULATIONS (WORKSHOP HAS BEEN PREVIOUSLY NOTICED PURSUANT TO THE REQUIREMENTS OF NRS CHAPTER 233B):

3. Workshop on proposed/future regulation related to mandatory continuing education requirements found in NRS 289.510(1)(c)(2).

TOPIC

NAC REGULATION

The Commission to discuss revisions to its regulations to comply with annual continuing education requirements established in NRS 289.510(1)(c)(2) mandating that all peace officers annually complete not less than 12 hours of continuing education training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms.

289.230(1)

4. PUBLIC COMMENTS

The Commission may not take action on any matter considered under this item until the matter is specifically included on an agenda as an action item.

NAC 289.230 Basic or reserve certificate: Requirements for maintaining certificate and resuming duties. (NRS 289.510, 289.590)

1. Except as otherwise provided in subsections 7 and 8, to maintain a basic certificate or reserve certificate, the officer must annually satisfy the requirements of subsection 5 and *annually complete not less than 12 hours of additional agency in-service continuing education training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms as required by NRS 289.510(1)(c)(2).* ~~by the administrator of the employing agency of the officer. Agency in-service training may include, without limitation, training related to legal issues, the policies and procedures of the employing agency of the officer, driving, first aid, cardiopulmonary resuscitation, blood-borne pathogens, sexual harassment or any other training prescribed by the administrator of the employing agency of the officer.~~

2. The employing agency shall ensure that its officers comply with the requirements of subsection 1. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 4 for failure to comply with this section. After an officer completes the requirements of subsection 1, the employing agency shall submit to the Executive Director by any means approved by the Executive Director verification that the officer has completed those requirements. Verification must be submitted on or before December 31 of the year in which the officer was required to complete the requirements of subsection 1.

3. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before December 31 of the year in which the officer was required to complete those requirements, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 2 and that if the verification is not received on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before March 1 following the year in which training was required, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

4. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the requirements of subsection 1. The Commission will notify each officer and his or her employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not complete the requirements of subsection 1 within 60 days after the date on which he or she received the notice of noncompliance. The Executive Director may temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1. The temporary reinstatement of the suspended certificate is effective upon the Executive Director's approval of the temporary reinstatement and expires on the date on which the Commission determines whether to reinstate the certificate. The Commission will reinstate the suspended certificate or temporarily reinstated certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1.

5. Except as otherwise provided in subsections 7 and 8, in addition to completing the agency in-service training required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any firearm he or she is authorized to use may not carry or use the firearm until he or she participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less than lethal weapon, at least annually demonstrate a minimum level of proficiency in the use of each such weapon or device he or she is authorized to use. An

officer who does not demonstrate a minimum level of proficiency with the use of any such weapon may not carry or use that weapon until the officer participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(c) If the duties of an officer require him or her to use arrest and control tactics, demonstrate annually a minimum level of proficiency in the use of arrest and control tactics, including, without limitation, techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review annually each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

6. Each employing agency shall establish and provide the courses set forth in subsection 5 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

7. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 4 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 4 consecutive months but not more than 60 consecutive months; or

(c) Who, during a period of continuous employment as a peace officer, is absent from his or her duties as a peace officer because of medical leave, military leave or other approved leave for at least 4 consecutive months,

↳ must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 5 and demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use before resuming his or her duties as a peace officer.

8. An officer who instructs a course pursuant to subsection 5 is not required to comply with the requirements of subsection 5 to which the instruction applies if the officer:

(a) Instructs a course in the subject for which the officer is qualified and approved by the administrator of the officer's agency during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he or she instructs.

9. Each agency shall maintain documentation of the courses provided pursuant to subsection 5. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; R171-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R127-04, 11-8-2004; R003-07, 4-17-2008; R118-09, 1-28-2010; R188-12, 12-23-2013; R121-13, 3-28-2014)

CHAPTER.....

AN ACT relating to law enforcement; revising provisions governing the standards for programs of continuing education for peace officers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Peace Officers' Standards and Training Commission and requires the Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.500) The regulations of the Commission must establish, among other things, standards for programs of continuing education for peace officers, including minimum courses of study. (NRS 289.510) This bill requires the Commission to include in the regulations a requirement for all peace officers to annually complete not less than 12 hours of continuing education in courses that address: (1) racial profiling; (2) mental health; (3) officer well-being; (4) implicit bias recognition; (5) de-escalation; (6) human trafficking; and (7) firearms.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.510 is hereby amended to read as follows:
289.510 1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) Shall adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. The regulations must establish:

(1) Requirements for basic training for category I, category II and category III peace officers and reserve peace officers:

(2) Standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance ~~{-}~~, *which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:*

(I) Racial profiling;

(II) Mental health;

(III) The well being of officers;



- (IV) Implicit bias recognition;*
- (V) De-escalation;*
- (VI) Human trafficking; and*
- (VII) Firearms.*

(3) Qualifications for instructors of peace officers; and

(4) Requirements for the certification of a course of training.

(d) Shall, when necessary, present courses of training and continuing education courses for category I, category II and category III peace officers and reserve peace officers.

(e) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in its regulations.

(f) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(g) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.650, inclusive.

(h) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

2. Regulations adopted by the Commission:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers;

(b) Must require that all peace officers receive training in the handling of cases involving abuse or neglect of children or missing children;

(c) Must require that all peace officers receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons; and

(d) May require that training be carried on at institutions which it approves in those regulations.



II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

1. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Approval of minutes from the November 4, 2019 regularly scheduled POST Commission Meeting.

1 STATE OF NEVADA

2 Commission on Peace Officer Standards and Training

3 Monday, November 4, 2019

4 2:00 pm - 3:00 pm

5

6 SOTO: Good.

6

7 SHEA: You ready? Let's get it done. We're
8 recording, Chief. Go ahead.

7

8

9 SOTO: Okay. Ready? Good afternoon. It is
10 November 4th, 2019 at 1431 hours. I'm going to call this meeting
11 to order. I'm going to start off with roll call. So, we'll start
12 on the left side of the room, and then we'll just work our way
13 around.

9

10

11

12

13

14 KETSAA: Jim Ketsaa.

14

15 MCKINNEY: Kevin McKinney.

15

16 TOGLIATTI: George Togliatti.

16

17 SHEA: Tim Shea.

17

18 ALLEN: Mike Allen.

18

19 MCGRATH: John McGrath.

19

20 SOTO: Jason Soto.

20

21 FREEMAN: Michele Freeman.

21

22 JENSEN: Mike Jensen.

22

23 SHERLOCK: And Mike Sherlock from POST.

23

24 JOHNSTON: And Scott Johnston from POST.

24

25

1 SOTO: All right. Sorry about those
2 technological issues. But good thing we've got Apple with us.
3 This is the time and place for a public comment hearing today.
4 The purpose of the hearing is to receive comments from all
5 interested persons regarding the adoption, amendment, and repeal
6 of regulations that pertain to Chapter 289 of the Nevada
7 Administrative Code, or NAC. This public comment hearing has been
8 previously noticed, pursuant to the requirements of NRS Chapter
9 233B.

10 The existing regulations authorize the Commission to
11 suspend, refuse, or revoke the certificate of a peace officer if,
12 among other circumstances, the peace officer one, is convicted of
13 or pleads guilty but mentally ill or nolo contendere to a felony
14 or gross misdemeanor, or two, is convicted of a misdemeanor. If
15 the peace officer is convicted of a misdemeanor and the employing
16 agency recommends the suspension or revocation, existing
17 regulations authorize the Commission to revoke or suspend the
18 certificate of the peace officer.

19 NAC 289.290. This proposed regulation authorizes the
20 Commission to suspend or revoke the certificate of the peace
21 officer without a recommendation from the employing agency if the
22 peace officer is convicted of a misdemeanor crime of domestic
23 violence as defined pursuant to federal law. I'm going to throw
24 this over to Scott Johnston for an explanation and history in
25 notices.

1 JOHNSTON: Thank you. Scott Johnston for the
2 record. The meeting today includes a public comment hearing, a
3 workshop and regularly scheduled meeting, has been posted in
4 compliance with the required regulations and statues. It was
5 emailed out to all law enforcement agencies. It was posted in the
6 POST Administrative Office in Carson City, Nevada State Capital
7 in Carson City, Blasdel State Building, Carson City, Nevada State
8 Library Archives, Carson City, Grant Sawyer Building, Las Vegas,
9 Carson City Sheriff's Office, White Pine County Sheriff's Office,
10 POST website at post.nv.gov, the notice website at notice.nv.gov,
11 and additional postings were done specifically for the public
12 comment hearing. And that requirement is to send the notice out
13 to all of the county libraries that are the primary library in
14 that county. And that was all completed, so that we're in
15 compliance with the meeting today.

16 SOTO: Thank you. Okay, I'm going to ask for
17 any comments from the public. Anybody have any comments? All
18 right. Seeing as there's none, any from the Commission? Okay.

19 Now, we're going to have a quick workshop. The purpose of
20 the workshop is to solicit comments from interested persons on
21 the following general topic that may be addressed in the proposed
22 regulations. Workshop has been, as Scott stated previously,
23 noticed pursuant to the requirements of NRS Chapter 233B. I'm
24 going to throw this workshop to Mike Sherlock for a topic
25 explanation and a little bit of background.

1 SHERLOCK: Thank you, Mr. Chairman. Mike Sherlock
2 for the record. As the Commissioner should recall at our last
3 meeting, the Commission voted to begin the rule-making process in
4 terms of amending the regulations. Specifically, currently under
5 the regulations, anyone who leaves service as a law enforcement
6 officer in the state of Nevada, after 60 months, that certificate
7 expires. It's as if they never had attended any training or went
8 to the Academy, they have to start all over at the five-year
9 mark.

10 It was proposed that that particular regulation be amended
11 to allow specifically those who transition from state employment-
12 law enforcement employment to federal employment when they are
13 assigned specifically here in Nevada during that time of working
14 in law enforcement on the federal level but within the state of
15 Nevada that that clock does not begin.

16 And also for those that work full-time in a POST-approved
17 basic training academy that also the time does not begin to toll
18 as they work for those academies. Or Academy in our case, Nevada
19 POST Academy would be the only academy that I can think of off
20 the top of my head that would fall into that category. And I
21 believe we have at least one person that would like to speak on
22 that particular topic.

23 SOTO: Okay. Well then, we will go on to
24 public comments. And anybody would like to speak on that.

1 SCHOFIELD: Good afternoon, Commissioners. My name
2 is Gary Scofield.

3 SPEAKER: Spell that.

4 SCHOFIELD: S-C-H-O-F-I-E-L-D. I am currently the
5 United States Marshal for the District of Nevada and former POST
6 Commissioner. So, it's a unique opportunity to speak before you
7 about this whole issue. I started the conversation when I
8 realized that I had employees within the Marshal Service that
9 were former - and specific, one's a Nevada Highway Patrol trooper
10 still serving under the fantastic leadership of Director George
11 Togliatti. And then also Washoe County Sheriff's Department. They
12 had gone over to the federal service. And if they stayed within
13 federal service upon retirement from federal service, they would
14 not be able to go back and get re-hired and placed within Las
15 Vegas, Clark County, and the state of Nevada without having to go
16 back through the POST Academy. And since they are still in law
17 enforcement, I thought it would be an appropriate change to the
18 rules and just kind of have a discussion here.

19 SOTO: Thank you for that. Does anybody have
20 any comment on that or questions or any additional points that
21 they wanted to bring up on this?

22 MCGRATH: Deputy Chief McGrath from Las Vegas.
23 I'm not sure that this change is the same, because there's two
24 separate issues. Could they be separated, or do we have to keep
25 it together as one change?

1 SHERLOCK: Mike Sherlock for the record. I don't
2 know if Mike, you want to comment. For us, it would be within the
3 same regulation either way. It would fall under that five-year
4 expiration. And you could separate them out. That's a language
5 issue between the two. Language, well, it may be the most
6 important part of this.

7 MCGRATH: Right.

8 SHERLOCK: But again, I think it goes back to
9 that training issue. It is similar from this point that if
10 someone is, even if they're in federal law enforcement but
11 they're assigned here in Nevada, it's likely that they are
12 somehow involved and up-to-date on current trends in Nevada law,
13 to a certain extent, just as someone who is training full-time in
14 Academy within the state that still works for POST. And I can
15 tell you for us, from the training side of it, you know, you have
16 officers assigned to Metro Academy. They don't lose their
17 certificate.

18 And so, what happens for me, in terms of recruiting, is
19 someone who comes to POST to work in the basic academy, that
20 clock starts ticking. So, there's some inequity there. Frankly, I
21 think everybody's having difficulty, including us at POST,
22 recruiting. If we are able to be able to say that you could come
23 over to the POST Academy and not lose your POST Certificate, and/
24 or at the same time, go to work for a federal law enforcement
25 agency and as long as you keep up to date, keep that POST

1 Certificate, it would help in terms of recruiting. But there are
2 similarities there.

3 JENSEN: Mike Jensen for the record. In terms
4 of whether you could split these apart, you certainly could. The
5 point that we're at in the rule-making process, it's just the
6 workshop stage, which means we don't even really have language
7 drafted at this point. It's just an opportunity for interested
8 parties to talk about the subject matter. But certainly, you
9 could set that up. And the reality is, when it goes to LCB,
10 they're going to put it in the language they want it to be in
11 anyway.

12 From a legal perspective, however, I think one of the
13 important things that I think should be taken into consideration
14 is past practice of the Commission in terms of denying
15 individuals who have come before the Commission who are outside
16 the five-year window. And it's been pretty consistent I think for
17 folks who have come to the Commission and have been denied if
18 they're outside the five years. So, I think would be important to
19 be able to tie the reason for the tolling of that five-year
20 period to something either in the existing regs or some other
21 basis for why the folks that are going to get this five-year
22 tolling are different from folks coming from out of state who go
23 out of state for a while - were certified in Nevada, go out of
24 state, then come back outside the five years. That's probably the
25 situation that the Commission sees most often.

1 return to Nevada state service. Now under the regulations
2 already, if you return after four months, you have to update all
3 your training anyway. So, they would still fall under that. But
4 anybody that returned would have to do those perishable and
5 federal skills training before they could resume duties as a
6 Nevada peace officer anyway. If that makes sense.

7 SOTO: Any other questions or comments from
8 anybody?

9 SHEA: Tim Shea for the record. I read
10 through the language that's here, and I do realize you quoted a
11 much more concise and clear language than the actual statute. But
12 one of the things I'm reading here when it says, "employed full-
13 time in a training officer/supervisor/manager position at school
14 and primarily teaches a basic training course certified by POST
15 Commission." There's nothing in there that indicates a person has
16 to be involved in the instruction. It just says he has to be
17 employed at the institution.

18 So, I could be at an institution that teaches it, but I
19 have nothing to do with it. If this regulation is meant for the
20 POST Academy specifically, then why not just say "the POST
21 Academy?" Because right now, you've opened this up for other
22 places that teach this course. But I don't have to be involved.

23 SHERLOCK: Mike Sherlock for the record.
24 Again, that's a language issue that we can clean up. And if it
25 goes further, it would be up to the Commission to look at. But I

1 agree with you. One of the things that we want in there is full-
2 time because there's clearly some issues, whether or not they
3 understand all of it and are up to date on all the trends within
4 the state of Nevada. And if you have an officer that just comes
5 in and teaches a specific subject, that's another issue. And
6 that's the reason for the language of "full-time" I think. But
7 again, these are language issues that we'll clean up if the
8 decision is moving forward.

9 SHEA: Yeah, I'd just like to know the
10 specific law instead of ambiguous law, so that people have to
11 interpret somehow, some way that people have to determine what
12 our intent was back in 2019 when we passed this thing. And it
13 drives me nuts trying to figure those things out sometimes.

14 So, I like my specific thing, and the federal line the same
15 thing. It says, "recognized by the POST Commission for pursuant
16 for the training." I'd like for it to say that "are identical to
17 or approved by the training officer at POST" or something along
18 those lines.

19 SHERLOCK: Mike Sherlock for the record.
20 And that reference is just simply to federal agencies that we
21 already recognize for reciprocity. And that's why that language
22 is in there. Again, it's language.

23 SHEA: It's like, you know, use of
24 force for the state is pretty much different for the federal
25

1 government because they can do a lot of things that we can't, for
2 example.

3 SOTO: [laughs]

4 SHEA: So, I agree with the concept. I
5 think it's sound business. I just like the nice, specific
6 language [inaudible]. That's all.

7 SOTO: So, it sounds like we can work
8 on the language. If anybody has any suggestions, I'd reach out to
9 Mike and give him those suggestions. Specific to what your
10 concerns are with the language piece. Anybody else have any other
11 questions or concerns that they'd like to bring up while we have
12 this open? Okay. Well, with that, I think we can close this
13 workshop. Thank you. Thank you.

14 All right. So, now we're onto our regular scheduled
15 meeting. I want to start off real quick with the meeting by
16 recognizing Chief Ben Reed who's here with us. He's served on
17 this Commission for several years. He tirelessly gave himself to
18 make this a better Commission, and certainly gave me a lot of
19 learning advice through the years. And I just want to say thank
20 you. You are a leader, and it was nice working with you. And I
21 also enjoyed some time off with you and hanging out at the
22 ballgames and things like that, so thanks for all your work over
23 the years. And congratulations on your retirement. You earned it.

24 I just wanted to start off with a little shout-out to my
25 buddy, Ben. Okay. So, Item #1, Approval of Minutes for May 2nd

1 Meeting. Any comments on minutes from the May 2nd meeting? Okay.

2 Seeing as there's none, does somebody want to make a motion to

3 approve the minutes?

4 SHEA: I'll make a motion to approve
5 the minutes.

6 SOTO: And second?

7 FREEMAN: Michele Freeman. Second.

8 SOTO: Okay. We got a motion and second
9 from Ms. Freeman. All those in favor? [ayes all around] Opposed?
10 Motion carries unanimously. Okay. I'm going to - Item #2. I'm
11 going to throw it over to Mike Sherlock for an Executive Director
12 Report.

13 SHERLOCK: All right. I'll try to make it
14 short. I just wanted to thank Chief Ben Reed, who's retiring, for
15 his time on the Commission. And your voice will be missed.
16 There's no California people left on here, so.

17 SOTO: [laughs]

18 SHERLOCK: [inaudible] [laughter]

19 SHEA: Wait a minute.

20 SHERLOCK: Well, hey, sorry, Tim. Again,
21 Mike Sherlock for the record. I'll try to be quick. Let's start
22 with training. Many of you know Bo Turner, who was our Chief of
23 Advanced Training, retired. During a recruitment, we hired Chris
24 Carter as the new Training Division Chief. Chris has some great
25 leadership training and management background. He's a former

1 Chief of Police. He truly understands training. We're pretty
2 excited to have him on board. He's excited. And he started about
3 two weeks ago.

4 Our current Academy graduates November 14th. Everybody's
5 welcome who'd like to attend. Sorry, it's outside. It's in
6 Northern Nevada. [laughter] It might be snowing or raining. I
7 can't change the weather. We do what we can with our [inaudible].
8 Our next Academy begins in January. If you're interested in
9 sending people, get ahold of us. Basic training is telling me
10 that it's filling up quite fast for a change. Because I hear that
11 agencies are having some success in hiring. But get ahold of us
12 if you need a spot.

13 Just a reminder that we do continue to increase the
14 discipline and structure of our Academy. Some people like to call
15 it a "stress academy." That's not what I call it. But we've done
16 our own sort of study on our academies as we've increased that
17 discipline level. And we're seeing actually fewer recruits fail
18 out academically. There's a slight uptick in those who
19 voluntarily quit. But that's not necessarily a bad thing. And so,
20 we're pretty happy with the results so far on increasing that
21 discipline in our Academy.

22 As you all know, there were some monumental changes this
23 last legislative session. Some of those things we're talking
24 about today on the agenda. A couple of takeaways from last
25 legislative session, POST is doing what we can to help agencies.

1 Please understand that we received no new funding for these
2 mandates. We have put out some new objectives for domestic
3 violence training based on AB60. We just updated that document
4 again, and thank you to Metro and the Clark County DA for their
5 review and input on that. And that's on our website. And I
6 believe training's put that down to all training agencies.

7 AB478 and AB20-129 were two bills requiring training for
8 both continuing ed and in basic training. I'll talk about AB478
9 at a further agenda item. But let me say this, that if you are in
10 compliance with 478, you will likely also meet the mandate of
11 AB129. I'll talk about that later. But 129 requires training in
12 developmental disabilities and mandates that academies must
13 provide this training in their curriculum beginning on October
14 2019. We've already sent that out to our academies. But it also
15 requires incumbents to have the training. It's a one-time thing
16 by October of 2020. So, those that are currently certified under
17 AB129, they must have training in developmental disabilities by
18 October 2020. That said, 478, if you use what POST put out would
19 cover both of those, so you could kill two birds with one stone
20 when you do your mandatory training for 2020. And hopefully,
21 that'll help in terms of compliance.

22 In terms of the crime bill, as you know, this changed the
23 definition, and even in some cases, the elements of crimes. We
24 are in the process of updating all the basic training curriculum
25 to reflect these changes. We will have that new curriculum, along

1 with performance objectives, out to all the academies by January,
2 prior to that going into effect. But again, remember, we received
3 no funding. We are trying to do this as extra duties and get it
4 done.

5 In the area of professional development, we have updated
6 and revamped the supervisor's course and the management course.
7 We'll be rolling those out for 2020. One of the mandates for the
8 new training chief is to have regularly scheduled offerings with
9 both of these. That's one of the big complaints is not being able
10 to get to the supervisor school or management school. So, we'll
11 get that done.

12 We have been working with the federal DOJ, the COPS Office,
13 to try to get some training out here to Nevada. They are offering
14 a recruitment and retention seminar on December 10th in Reno. And
15 a symposium on rural policing issues on December 11th. Again, both
16 of these will be at the Reno Training Center in Reno. As most of
17 you know, the COPS Office does have funds available to pay for
18 travel and per diem for agencies that would want to attend those.
19 I believe both of these COPS Offices demand staff to attend. You
20 can check out our website for more on those two days. We are
21 working with COPS Office to bring leadership for line level
22 officer's training and leadership for executives. So, hopefully
23 we'll hear from that soon and get some of that training out.

24 On the standards side, we continue to work on obviously the
25 regulatory issues, as you see on the agenda. And hopefully coming

1 up with the next legislative session to deal with some of the
2 issues that are forthcoming there. We continue to do audits and
3 inspections to ensure compliance. Some of the usual exceptions,
4 training compliance was quite good for last calendar year. We
5 also, of course, are required to inspect standard employment
6 requirements. Namely ensuring backgrounds are done, and we
7 continue to work with agencies to improve in those areas.

8 From an administrative standpoint, budgeting, I know I've
9 talked a lot of about Marsy's Law and the projection that it
10 would affect POST's budget. So far, as we had predicted, we have
11 not seen a reduction in court assessment funds from our side. In
12 fact, we have been above authorization nearly every month so far,
13 which is quite unusual. Don't get me wrong. Just because we go
14 over authorization, we don't get to keep it. But the fact that we
15 are meeting authorization hopefully will help later in
16 negotiations in terms of improving our budget. That kind of
17 thing.

18 So, I know it's been a while since I last briefed the
19 Commission. Sorry for delaying on that. Mr. Chairman, then, I'll
20 leave it at that for now.

21 SOTO: No. You did pretty good. I'm
22 impressed. Thanks for keeping that somewhat brief.

23 FREEMAN: Michele Freeman. I have a
24 question. If you don't mind. So, for the recruitment training,
25 the workshop that's going to be December 10th, is that open to

1 non-Commission personnel as well? Or is it just for Commission
2 personnel?

3 SHERLOCK: My understanding from the COPS
4 Office, it's for sworn-

5 FREEMAN: Okay. I just wanted to verify.
6 Thank you.

7 SHERLOCK: And that's what they're looking
8 at specifically is recruiting for law enforcement.

9 FREEMAN: Yeah. So, follow-up - Michele
10 Freeman. Follow-up, just because we have a recruiter that's a
11 civilian. So, it would be advantageous for him to be able to
12 listen to some of that delivery. That's why I'm asking.

13 SHERLOCK: Yeah, Mike Sherlock for the
14 record. I would contact them; the contact is on our website.

15 FREEMAN: Okay.

16 SHERLOCK: Because they may allow them to
17 attend. I'm not sure.

18 FREEMAN: Thank you.

19 SHERLOCK: I don't know that they would pay
20 for it though.

21 FREEMAN: Okay.

22 SOTO: Any other questions from the
23 Commission for Mr. Sherlock on his report? Okay. Moving on, Item
24 #3, Discussion, Public Comment, and Possible Action Related to
25 the Workshop Item. The Commission to discuss and possibly take

1 action to continue the rule-making process to change Nevada
2 Administrative Code, Chapter 289. The Commission is considering
3 an amendment to its regulations that would toll the running of
4 the five-year time period in NAC 289.200, Section 8 during the
5 time the person is employed by a federal law enforcement agency
6 in the state of Nevada that requires its officers to complete
7 training recognized by the POST Commission, pursuant to NAC
8 289.200, Section 2. Or the person is employed full-time in a
9 training officer, supervisor, or manager position at a school
10 that primarily teaches at a basic training course certified by
11 the POST Commission. Throw this over to Mike for further
12 explanation.

13 SHERLOCK: And again, as we spoke in the
14 workshop, that the language is a different issue. Again, I think
15 it provides some help in terms of recruiting, but still
16 recognizes the need to be current on Nevada law and Nevada
17 procedure, that type of thing. And again, the language will be
18 massaged by LCB, believe me.

19 SOTO: We have any public comment on
20 this? Any discussion from anybody on the Commission? Any more
21 discussion? All right. So, I'm looking for a motion and a vote to
22 continue the rule-making process.

23 ALLEN: I'll make a motion to continue
24 the rule-making process. Mike Allen for the record.

1 SOTO: A motion from Mike Allen. A
2 second?

3 SHEA: Tim Shea, I'll second.

4 SOTO: Okay, and we have a second from
5 who?

6 SHEA: Tim Shea.

7 SOTO: From Tim Shea. Okay. Perfect.

8 All those in favor, say aye. [ayes all around] Opposed? Motion
9 carries. All right. Item #4, Discussion, Public Comment, and for
10 Possible Action, the Commission to discuss and possibly take
11 action to amend its regulations as set out in LCB file No. R006-
12 19 to provide the Commission with authority to suspend or revoke
13 a peace officer's certification upon conviction for a misdemeanor
14 crime of domestic violence as defined in 18 USC § 921(1)(33)
15 without the recommendation of the employing agency.

16 One, this is related to the public comment hearing just
17 held. And I'm going to throw this over to Scott Johnston for
18 explanation as to where the regulation is now.

19 JOHNSTON: Thank you, Mr. Chairman. Scott
20 Johnston for the record. Just want to outline a little bit of the
21 history on how this developed up to where it is today. Back in
22 February, this topic came up for discussion before the
23 Commission. The Commission agreed to get some more information on
24 this and see where it goes. Subsequently - that was in February.
25 In May, we had a workshop, and the Commissioners motioned to move

1 forward in the rule-making to the next process. Staff has done
2 that down to LCB, and what you have here is the finished language
3 that we got this summer. And I bring it to you today to take
4 action on it.

5 SOTO: Okay. Thank you, Scott. Do we
6 have any public comment on this? Any discussion from the
7 Commission? On this or the language? All right. So, I'm looking
8 for a motion and a vote to amend the regulation as proposed. Can
9 I get a motion from someone?

10 MCGRATH: John McGrath, I'll make a
11 motion.

12 SOTO: Thank you.

13 MCGRATH: Sorry.

14 SOTO: You saved me, John. And I'm
15 looking for a second.

16 MCGRATH: [laughs]

17 SHEA: I'll second. Tim Shea.

18 SOTO: Tim Shea seconds. All right,
19 motion and a second. All those in favor, say aye. [ayes all
20 around] And opposed? Motion carries unanimously. All right. Item
21 #5, Discussion, Public Comment, and for Possible Action. The
22 Commission to discuss and possibly take action to start the rule-
23 making process to amend NAC 289.230 to reflect the statutorily
24 mandated continuing education/training for peace officers. The
25 proposed amendment would remove the current 12-hour continuing

1 education/training requirement and add the statutorily mandated
2 training. I'm going to throw this to Mike again for explanation.

3 SHERLOCK: Thank you, Mr. Chairman. Mike
4 Sherlock for the record. As you know, AB478 required 12 hours of
5 specific training yearly for peace officers to maintain their
6 certification. NAC 289.230 also requires 12 hours of non-specific
7 training to maintain your POST certificate. We are finding some
8 confusion out with agencies. They're unclear as to whether they
9 have to do 24 hours, and how to handle the training requirements.
10 And obviously, you know, AB478 mandates very specific 12 hours.

11 I don't think, at least from staff's perspective, that the
12 Commission intends on mandating 24 hours for agencies and their
13 sworn staff. So, we would recommend that we look at some language
14 changes in 230-289.230 to reflect the new mandates under AB478.
15 And again, I'm not sure what that language would be. I would be
16 reluctant to put that specific language because we may be back in
17 two years-

18 SOTO: Well-

19 SHERLOCK: -to change it again. I know.

20 SOTO: That was going to be my
21 question.

22 SHERLOCK: But maybe there's a way that we
23 can clean that up and just refer to legislative mandates. And
24 keep the perishable and critical skills mandate at the same time.
25 But I think the big thing for us is to make sure the Commission

1 understands there is confusion. We have two different 12-hour
2 mandates. And that's where we're at statewide.

3 SOTO: Okay.

4 SHEA: Tim Shea for the record. So, I
5 looked into this quite a bit, because we earlier discussed
6 whether or not this was added. So, I went and listened to the
7 testimony for the committees of the legislator who was pushing
8 this. And clearly, he stated multiple times that this was to be
9 included within the current 12-hour requirement. He said the
10 problem with the state was we mandated 12 hours, but we didn't
11 tell the agencies what we thought was important for them to be
12 trained upon.

13 So, this was an attempt to fill some of that 12 hours of
14 required training with what the state decided was important for
15 our officers to be trained in. It was not designed to be added
16 to. Now, we can certainly go beyond the 12 hours. We can do 300
17 hours a year if we choose. But within our training hours, we must
18 do this. And if you only do 12 a year, you must do these
19 subjects.

20 Now, these subjects, according to him, might only take 20
21 minutes each. It wasn't designed to fill the 12 hours. It may
22 take 20 minutes to do each one of the subject areas. It was just
23 to be included with this. So, I think the intent [inaudible] is
24 clear. And that our part of this should match the legislative
25 intent.

1 SHERLOCK: Yeah, Mike Sherlock for the
2 record. So, as you probably know, I opposed this bill in
3 legislation. I spoke to Speaker Frierson several times about this
4 bill. And I would agree with your assessment that the problem is
5 the agreement was to remove the 12-hour requirement from the
6 mandate. That, for a variety of reasons, never occurred. So,
7 unfortunately, it does mandate 12 hours on those subjects. And
8 therein lies the confusion. And this body mandated 12 hours. And
9 now the legislature has mandated 12 hours. And so, you're right.
10 That's our intent is to try to clear that up. Clearly, you can do
11 more than 12 hours of training. That's not the issue. But the
12 mandate is the issue.

13 SOTO: Okay, thank you for that
14 explanation. Do we have any public comment on this? Yes. Come on
15 up.

16 DELEON: Hi.

17 SOTO: Hi, how are you? Please state
18 your name for the record.

19 DELEON: My name is Marco DeLeon. I am
20 the enterprise director for an organization called PoliceOne. I
21 just want to make you all aware of what we do. Because we've
22 actually helped several other states deal with situations like
23 this that have come up when the legislature comes in and passes a
24 law with mandates to do a significant amount of training. In this
25 case, Colorado did something very similar a few years back. An

1 organization and hundreds of hours of continuing education. One
2 of the things that we've done is actually had both POST certified
3 and nationally certified as well. We have a platform that allows
4 you to distribute that training, make sure it gets done. Make
5 sure compliance reports are done across the board.

6 I happen to sit on a committee on the IADLEST, part of the
7 Advisory Board, where I actually spoke with Director Sherlock for
8 a few minutes and found out that this legislation passed. So, at
9 PoliceOne, we are very much dedicated to helping our public
10 servants of that kind for 18 years. We've put some things in
11 place to help reduce costs so you guys will have man hours. So,
12 just know we're here to help. We've done it with thousands of
13 other agencies across the board when the legislature comes in and
14 makes decisions without thinking it all the way through.

15 SOTO: Well, thank you, Mr. DeLeon for
16 coming out here and giving us that information. We'll certainly
17 take it into consideration. Appreciate you. Any other public
18 comment? Any discussion or comments from the Commission?
19 Commission members? Okay. So, then I am looking for a motion and
20 a vote to start the rule-making process to amend the regulations
21 to reflect legislative changes. Can I get a motion?

22 SHEA: I'll make a motion to do what
23 you just said. [laughter]

24 SOTO: Made a motion to start the rule-
25 making process to amend the regulations. Can I get a second?

1 MCGRATH: John McGrath. Second.

2 SOTO: Second from John McGrath. Have a
3 motion and a second. All those in favor, say aye. [ayes all
4 around] Opposed? Motion carries unanimously. Okay, Item #6,
5 Discussion, Public Comment, and for Possible Action. The
6 Commission to discuss and possibly take action to delegate
7 authority to the Executive Director to make any decision
8 regarding litigation concerning any action or proceeding in which
9 the Commission or any member or employee of the Commission is a
10 party in an official capacity or participates or intervenes in an
11 official capacity. And I'm going to throw this over to Mike
12 Jensen for an explanation please.

13 JENSEN: Thank you, Mr. Chairman. All
14 right. Just to explain a little bit about why this is on your
15 agenda today. There was a Nevada Supreme Court opinion in 2018.
16 It was called Commission on Ethics v. Hansen. And the holding on
17 that case was that the Commission on Ethics had improperly
18 brought an appeal of a case to the Nevada Supreme Court because
19 they hadn't voted as a Commission to authorize the appeal.

20 And so, out of that particular case, the Nevada Legislature
21 in 2019 passed a bill: AB70. And AB70 dealt with a whole bunch of
22 different things related to the Open Meeting Law. But one of the
23 things it did was because of that decision allowed for
24 commissions within the state of Nevada to delegate authority to

25

1 make any litigation decisions to either the Chairman or the
2 Executive Director of a particular board or commission.

3 And so, based on that, we thought it would be prudent to
4 bring to the Commission this particular item to at least allow
5 you to consider whether you think it would be appropriate for
6 Commission-related litigation for the Executive Director to have
7 authority to make litigation decisions. When I talk about
8 litigation decisions, generally, the kinds of decisions that
9 would come back to the Board in a litigation case would be what
10 we call material type decisions, or what are the more important
11 kinds of decisions like settlement of a case.

12 If you had a case against the Commission and there was a
13 proposed settlement, in the past we would bring it back to the
14 Commission and you would have to approve a particular settlement
15 of a case before it could be settled. That's an example of one of
16 the types of litigation decisions. The one that was involved in
17 the Hansen case is another where the Commission's been sued, and
18 maybe there was an adverse ruling at the District Court level.
19 And there's a desire to appeal that ruling up to the Appellate
20 Court, as the Court said in the Hansen case, that would generally
21 be something that would have to be brought to the Commission in
22 order to give your authorization to do that.

23 Now, the problem with many of these things is, the
24 Commission meets four or five times a year. Litigation decisions
25 like those have timeframes attached to them, especially when it

1 comes to appeal. Generally, there has to be a notice of appeal
2 filed within about 30 days of the decision. And so, there often
3 isn't time to be able to bring those kinds of requests for
4 authorization back to the Commission in time to make those
5 deadlines.

6 And so, I think the reasoning for this one is probably to
7 bring it in to have the Commission vote consistent with kind of
8 the way that we've been doing things within the Commission staff
9 anyway, which is on those kinds of decisions with time deadlines
10 attached to them. Usually, the Executive Director in consultation
11 with the Chairman has been able to authorize moving forward on
12 those sorts of things.

13 With regard to settlements and appeals, I think it's up to
14 you guys what you're comfortable with authorizing to have them. A
15 couple of the ways that I've seen this dealt with in other
16 commissions is they've put into their authorization what they
17 call a ratification provision, which essentially would be that
18 you would authorize on certain things like settlement a decision
19 to be made.

20 But the Commission would have to ratify that decision
21 within a certain period of time after that decision was made.
22 That may be best in the situation like a settlement type
23 situation where you might want to have a say in what happens, or
24 doesn't happen, as the case may be. With appeals, a broader
25 authority to make those decisions may be prudent. Because if you

1 were to later on decide that you didn't like that particular
2 appeal, that could still be a decision made by the Commission.
3 And the appeal could be withdrawn at that point. As opposed to a
4 settlement, once it's approved, it's going to be final.

5 So, I guess what we're looking for essentially today is a
6 motion to authorize the Executive Director to make litigation
7 decisions with regard to litigation as outlined in the motion.
8 And at your preference, if you want to break out things like
9 settlement or something else, certainly that would be appropriate
10 as well.

11 SOTO: Thank you, Mike, for that
12 explanation. Any discussion from the Commission?

13 SHEA: Tim Shea for questions. I assume
14 every commission that the state has now is going through the same
15 process. So, I was wondering if there might be some boilerplate
16 type language that basically covers all the commissions and how
17 they're deciding to do this so we're not all doing it differently
18 and can take a look at what our fellow commissions are doing.

19 JENSEN: Yeah. I have some very anecdotal
20 information from the ones that I'm aware of. There has not been
21 any formed language put out, for example, by the Attorney
22 General's Office on this yet. I'm not sure if they are not going
23 to do that. But you're right, there's probably going to be some
24 inconsistency, and it's probably going to rely a lot on the
25 comfort level of a particular commission in terms of how

1 comfortable you are with the Executive Director making decisions
2 primarily in those three areas. You know, settlements, appeals,
3 and initiating new cases. Those are kind of the three areas that
4 are the big material kind of decisions. So, I'm not anticipating
5 any time in the near future any kind of boilerplate, I'm sorry to
6 say. We probably aren't going to have that for you.

7 SOTO: Any other questions from the
8 Commission? Any public comment? All right. Seeing as there's no
9 more from the Commission or the public, I'm looking for a motion
10 and a vote to delegate the authority to Executive Director for
11 litigation decisions. Can I get a motion?

12 ALLEN: Mike Allen. I'll make that
13 motion.

14 SOTO: Got a motion from Mike Allen.
15 Can I get a second from someone please?

16 FREEMAN: I'll second.

17 SHEA: Shea, I'll second.

18 SOTO: She beat you to it. Okay. We got
19 a motion and a second. All those in favor, say aye. [ayes all
20 around] Opposed? Motion carries unanimously. Okay, Item #7.
21 Discussion, Public Comment, and for Possible Action. Hearing
22 pursuant to NAC 289.290 § (1)(g) on the revocation of Bret W.
23 Theil, formerly of the Las Vegas Metropolitan Police Department,
24 certification based on felony convictions, including first-degree
25 kidnapping of a minor, lewdness with a minor under the age of 14,

1 and information regarding the specific convictions, upon which
2 any revocation action would be based, informed Mr. Theil the day,
3 time, and location of this hearing and his right to appear here
4 today to present evidence and cross-examine witnesses. It also
5 informed him that pursuant to your regulations, request to appear
6 generally has to be made within 15 days of the preceding
7 [inaudible] letter of the intended action of the Commission. It
8 let him know the scope of the hearing is whether or not his POST
9 certification should be revoked for a felony conviction.

10 Exhibit B shows that that Notice of Intent to Revoke was
11 served on Mr. Theil personally on September 9th, 2019, which
12 complies with both the NRS and Commission's notice requirements
13 under NAC. Exhibit C is a Personnel Action Report showing that
14 Mr. Theil's employment was terminated. The effective date on that
15 was May 3rd of 2019. Exhibit D is a certified copy of the Category
16 I Certificate of Mr. Theil that would be potentially revoked
17 today.

18 The criminal court documents start with Exhibit E, which is
19 a certified copy of the indictment, which as stated in the agenda
20 item, charged Mr. Theil with multiple felony counts of first-
21 degree kidnapping of a minor, lewdness with a minor under the age
22 of 14, sexual assault of a minor under 14 years of age, sexual
23 assault of a minor under 16 years of age, sexual assault and
24 child abuse, neglect, or endangerment. The indictment alleges

1 the—those felony offenses were committed in Clark County, Nevada
2 between the dates of August 26th, 2005 and January 5th, 2017.

3 Exhibit F is the judgment of conviction, which is the
4 primary document that would be relied upon today by the
5 Commission for any action. It is the judgment of conviction
6 pursuant to a jury trial. In this case, the jury found Mr. Theil
7 guilty of multiple felony counts as described earlier, which
8 relate to various sexual acts with a minor. Mr. Theil was
9 sentenced to an aggregate total sentence of life in prison with
10 possibility of parole after serving 323 years.

11 I think this is a pretty straightforward case based on the
12 conviction for revocation where the conviction involves sexual
13 conduct with a minor child, multiple counts. It certainly is an
14 extremely serious conviction and constitutes a gross violation of
15 public trust placed in peace officers. It's certainly
16 inconsistent [inaudible] activity convicted of and the conduct is
17 inconsistent with any activity that we would expect of our peace
18 officers. And the recommendation would be that Mr. Theil's
19 certificate be revoked.

20 SOTO: Any discussion from the
21 Commission? Any public comment? Okay. I'm looking for a motion
22 and a vote on whether to revoke Mr. Theil's basic certificate.
23 Can I get a motion?

24 MCGRATH: John McGrath for the record. I
25 make a motion to revoke Mr. Theil's Basic I Certificate.

1 SOTO: Got a motion from Commissioner
2 McGrath. Can I get a second?

3 FREEMAN: Second. Michele Freeman.

4 SOTO: Second from Ms. Freeman. All
5 those in favor, say aye. [ayes all around] All those opposed?
6 Motion carries unanimously. Item #8, Discussion, Public Comment,
7 and for Possible Action. Hearing pursuant to NAC 28-289.290 §
8 (1)(g) on the revocation of Robert J. Griffin, formerly of the
9 Clark County School District Police Department, certification
10 based on a conviction for grand larceny, a Category C felony -
11 NRS 205.220.1, 205.222.2. The Commission will decide whether to
12 revoke Mr. Griffin's Category I Basic Certificate. Again, I'm
13 going throw it to Mr. Jensen for the hearing.

14 JENSEN: Thank you, Mr. Chairman. Again,
15 this hearing is being held pursuant to NRS 289.510 and 289.290 §
16 (1)(g), which mandates a certificate be revoked for a felony
17 conviction. The exhibits that are in your packet support any
18 decision that may be made by the Commission today and I ask that
19 those exhibits A through H be admitted as part of any action the
20 Commission may take. Just real quickly go through those.

21 These start with the Notice of Intent to Revoke [inaudible]
22 Mr. Griffin, again informing him of his due process rights and
23 particular felony conviction that any action today would be
24 taken, would be based on a given opportunity to request that he
25 be able to appear and contest any action, including presenting

1 evidence, cross-examining witnesses, and hearing [inaudible]
2 hearing today.

3 Just go through the hearing again [inaudible] his
4 certificate should be revoked for a felony conviction. Exhibit B
5 is the Declaration of Service showing that he was personally
6 served with the notice on September 10th, 2019. And the
7 Commission, based on that, has complied with the legal notice
8 requirements. Exhibit C is the Personnel Action Report showing
9 Mr. Griffin's employment was terminated effective December 5th of
10 2018. Exhibit D is a certified copy of Mr. Griffin's Category I
11 Basic Certificate.

12 Exhibit E starts the court documents. The first of those is
13 the certified copy of the information that charged Mr. Griffin
14 with one felony count of grand larceny, in violation of NRS
15 205.221 and NRS-NRS 205.222 § (2). The information alleges that
16 on or between November 30th, 2018 and December 1st, 2018 within
17 Clark County, Nevada, he did then and there willfully and
18 lawfully and feloniously with intent to deprive the owner
19 permanently thereof steal, take, and carry leeway or drive away
20 property owned by West Career and Technical Academy having a
21 value over \$650. And it says a Canon camera was the object of the
22 theft.

23 Exhibit F is a guilty plea agreement where Mr. Griffin
24 agrees to plead guilty to grand larceny, a Category C felony.
25 Exhibit G is a certified copy of the court minutes, which show

1 that he entered his plea of guilty on March 20th, 2019 in open
2 court and pled guilty to grand larceny and felony, and that that
3 plea was accepted by the court. Exhibit G, again, is a certified
4 copy of the court minutes for the District Court of Clark County
5 showing that a judgment of conviction was entered against Mr.
6 Griffin for that grand larceny offense, a Category C felony.

7 He was sentenced at that time to a minimum of 12 months and
8 a maximum of 34 months in the Department of Corrections. That
9 prison sentence was suspended, and he was placed on probation for
10 an indeterminate period not to exceed five years. And one of the
11 special conditions was to pay restitution to Clark County School
12 District in the amount of \$43,473.

13 The evidence in this case shows Mr. Griffin has been
14 convicted of one count of grand larceny. That, again, is
15 extremely serious conduct for a peace officer, especially
16 involved in this type of activity of theft. It's certainly
17 inconsistent with the judgment and demeanor and conduct of a
18 peace officer and disqualifies him for being in a position of a
19 peace officer. And therefore, we would recommend his POST
20 certificate be revoked.

21 SOTO: Okay, thank you, Mr. Jensen. Any
22 discussion from the Commission? Any public comment? Seeing as
23 there's none, looking for a motion and a vote on whether to
24 revoke Mr. Griffin's Category I Basic Certificate. Can I get a
25 motion?

1 KETSAA: Jim Ketsaa for the record. I'll
2 make a motion.

3 SOTO: Okay, I got a motion. And can I
4 get a second?

5 SHEA: Tim Shea, I'll second.

6 SOTO: Have a motion and a second. All
7 those in favor, say aye. [ayes all around] Opposed? Motion
8 carries unanimously. Item #9, hearing pursuant to NAC 289.290 §
9 (1)(e) on the revocation of Earl T. Mitchell, formerly of the
10 Henderson Constable's Office, certification based on a conviction
11 for fraudulent conveyance, gross misdemeanor - NRS 205.330. The
12 Commission will decide whether to revoke Mr. Mitchell's Category
13 I Basic Certificate. This item has been withdrawn and will be
14 moved to the February meeting at the request of Mr. Mitchell's
15 attorney.

16 Item #10, Discussion, Public Comment, and for Possible
17 Action. Request from the Washoe County Sheriff's Office for their
18 employee, Deputy Chief Timothy K. O'Connor for an Executive
19 Certificate. I'm going to throw this over to Mr. Sherlock.

20 SHERLOCK: Thank you. Mike Sherlock for the
21 record. Thank you, Mr. Chairman. I do have the Executive
22 Certificates here with me. We have a bunch of them today. I'm not
23 sure if they're here. But I do have them for your presentation if
24 they are here. So, in terms of Deputy Chief O'Connor, staff did
25 review the application for the Executive Certificate and

1 determined that Deputy Chief O'Connor meets the requirements for
2 that particular certificate. We would recommend issuance of the
3 Executive Certificate.

4 SOTO: Okay. Any discussion from the
5 Commission? Any public comment? Looking for a motion and vote for
6 issuance of the Executive Certificate to Deputy Chief O'Connor.
7 Can I get a motion?

8 FREEMAN: Michele Freeman, I'll make a
9 motion.

10 SOTO: A motion. Can I get a second?

11 ALLEN: Mike Allen, I'll second.

12 SOTO: A motion and a second. All those
13 in favor, say aye. [ayes all around] Opposed? Motion carries
14 unanimously. Item #11, Discussion, Public Comment, and for
15 Possible Action. Request from the Washoe County Sheriff's Office
16 for their employee, Deputy Chief Jeffery S. Clark for an
17 Executive Certificate. Again, to Mike Sherlock.

18 SHERLOCK: Again, staff received
19 application for the Executive Certificate for Deputy Chief Clark.
20 After review, it was determined that Deputy Chief Clark meets the
21 requirements for the Executive Certificate, and staff would
22 recommend issuance of that certificate.

23 SOTO: Okay. Any discussion from the
24 Commission? Any public comment? I'm looking for a motion and a
25

1 vote for the issuance of the Executive Certificate to Deputy
2 Chief Clark. Can I get a motion? Can I get a motion?

3 TOGLIATTI: I move, Togliatti.

4 SOTO: Got a motion from Mr. Togliatti.

5 Can I get a second?

6 MCGRATH: John McGrath, I'll second.

7 SOTO: Got a motion and second. All

8 those in favor, say aye. [ayes all around] Opposed? Motion

9 carries unanimously. Item #12, request from the Carson City

10 Sheriff's Office for their employee, Captain James W. Primka for

11 an Executive Certificate. I'm going to turn this over to Mr.

12 Sherlock. I know that guy.

13 SHERLOCK: Once again, staff received an

14 application for the Executive Certificate for Captain Primka.

15 Staff found that Captain Primka met the requirements for the

16 Executive Certificate, and staff would recommend issuance of that

17 Executive Certificate.

18 SOTO: Any discussion from the

19 Commission? We have Sheriff Furlong here with us.

20 FURLONG: [inaudible] today. It's an honor

21 and privilege to receive [inaudible] through the chains of

22 commands [inaudible] educational opportunities [inaudible]. And

23 it's sincerely an honor to see that Captain Primka is awarded the

24 certificate. Thank you.

25

1 SOTO: Thank you very much, Sheriff.

2 Can I get a motion and a vote for issuance of the Executive
3 Certificate to Captain Primka? Go ahead.

4 FREEMAN: Sorry. I'll make a motion.
5 Michele Freeman.

6 SOTO: Could I get a second?

7 TOGLIATTI: Togliatti. Second.

8 SOTO: Have a motion and a second. All
9 those in favor, say aye. [ayes all around] Opposed? Motion
10 carries unanimously. Item #13, Discussion, Public Comment, and
11 for Possible Action. Request from the Henderson Police Department
12 for their employee, Deputy Chief David C. Burns for an Executive
13 Certificate. Turn this over to Mr. Sherlock.

14 SHERLOCK: Once again, we're just happy to
15 see that we have four times as many Executive Certificates as
16 revocations, so. It's a pretty good thing when that happens.
17 [laughter] The POST staff received an application for the
18 Executive Certificate for Deputy Chief Burns. After review, staff
19 determined that Deputy Chief Burns meets the requirements for the
20 Executive Certificate, and staff would recommend the issuance of
21 that certificate.

22 SOTO: Okay. Any discussion from the
23 Commission? Any public comment? All right, I'm looking for a
24 motion and vote for the issuance of the Executive Certificate to
25 Deputy Chief Burns.

1 SPEAKER: So moved.

2 SOTO: A motion. Can I get a second?

3 FREEMAN: I'll make a second. Michele
4 Freeman.

5 SOTO: Motion and a second. All those
6 in favor, say aye. [ayes all around] Opposed? Motion carries
7 unanimously. Item #14, Discussion, Public Comment, and for
8 Possible Action. Request from the Carson City Alternative
9 Sentencing for their employee, Chief Tad N. Fletcher for an
10 Executive Certificate. Again, I'll turn it over to Mr. Sherlock.

11 SHERLOCK: Thank you, Mr. Chairman. And I
12 think this is the last one for today. Staff received an
13 application for the Executive Certificate for Chief Fletcher.
14 After review, staff determined that Chief Fletcher meets the
15 requirements of the Executive Certificate, and staff would
16 recommend issuance of that certificate.

17 SOTO: Okay. Any discussion from the
18 Commission? Any public comment? I'm looking for a motion and vote
19 for issuance of the Executive Certificate to Chief Fletcher. Can
20 I get a motion?

21 ALLEN: Mike Allen, I'll make the motion
22 for the Executive Certificate for Chief Fletcher.

23 SOTO: I got a motion. Can I get a
24 second?

25 SHEA: Tim Shea, I'll second.

1 SOTO: Got a motion to adjourn. And can
2 I get a second?

3 ALLEN: Mike Allen, second.

4 SOTO: All right. Got a second. And all
5 those in favor, say aye. [ayes all around] Opposed? Motion
6 carries. Thank you for being here.

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II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

2. INFORMATION. Executive Director's report.

- a. Training Division
- b. Standards Division
- c. Administration

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

3. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

The Commission to discuss and possibly take action to submit revisions to its regulations to the Legislative Counsel Bureau, to develop language to comply with annual continuing education requirements established by NRS 289.510(1)(c)(2) establishing all peace officers annually complete not less than 12 hours of continuing education training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms.

NAC 289.230 Basic or reserve certificate: Requirements for maintaining certificate and resuming duties. (NRS 289.510, 289.590)

1. Except as otherwise provided in subsections 7 and 8, to maintain a basic certificate or reserve certificate, the officer must annually satisfy the requirements of subsection 5 and **annually complete *not less than* 12 hours of additional agency in-service *continuing education* training in courses that address racial profiling, mental health, the well-being of officers, implicit bias recognition, de-escalation, human trafficking, and firearms as required by NRS 289.510(1)(c)(2).** ~~by the administrator of the employing agency of the officer. Agency in-service training may include, without limitation, training related to legal issues, the policies and procedures of the employing agency of the officer, driving, first aid, cardiopulmonary resuscitation, blood-borne pathogens, sexual harassment or any other training prescribed by the administrator of the employing agency of the officer.~~

2. The employing agency shall ensure that its officers comply with the requirements of subsection 1. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 4 for failure to comply with this section. After an officer completes the requirements of subsection 1, the employing agency shall submit to the Executive Director by any means approved by the Executive Director verification that the officer has completed those requirements. Verification must be submitted on or before December 31 of the year in which the officer was required to complete the requirements of subsection 1.

3. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before December 31 of the year in which the officer was required to complete those requirements, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 2 and that if the verification is not received on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before March 1 following the year in which training was required, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

4. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the requirements of subsection 1. The Commission will notify each officer and his or her employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not complete the requirements of subsection 1 within 60 days after the date on which he or she received the notice of noncompliance. The Executive Director may temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1. The temporary reinstatement of the suspended certificate is effective upon the Executive Director's approval of the temporary reinstatement and expires on the date on which the Commission determines whether to reinstate the certificate. The Commission will reinstate the suspended certificate or temporarily reinstated certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1.

5. Except as otherwise provided in subsections 7 and 8, in addition to completing the agency in-service training required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any firearm he or she is authorized to use may not carry or use the firearm until he or she participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less than lethal weapon, at least annually demonstrate a minimum level of proficiency in the use of each such weapon or device he or she is authorized to use. An

officer who does not demonstrate a minimum level of proficiency with the use of any such weapon may not carry or use that weapon until the officer participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(c) If the duties of an officer require him or her to use arrest and control tactics, demonstrate annually a minimum level of proficiency in the use of arrest and control tactics, including, without limitation, techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review annually each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

6. Each employing agency shall establish and provide the courses set forth in subsection 5 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

7. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 4 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 4 consecutive months but not more than 60 consecutive months; or

(c) Who, during a period of continuous employment as a peace officer, is absent from his or her duties as a peace officer because of medical leave, military leave or other approved leave for at least 4 consecutive months,

↳ must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 5 and demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use before resuming his or her duties as a peace officer.

8. An officer who instructs a course pursuant to subsection 5 is not required to comply with the requirements of subsection 5 to which the instruction applies if the officer:

(a) Instructs a course in the subject for which the officer is qualified and approved by the administrator of the officer's agency during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he or she instructs.

9. Each agency shall maintain documentation of the courses provided pursuant to subsection 5. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; R171-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R127-04, 11-8-2004; R003-07, 4-17-2008; R118-09, 1-28-2010; R188-12, 12-23-2013; R121-13, 3-28-2014)

CHAPTER.....

AN ACT relating to law enforcement; revising provisions governing the standards for programs of continuing education for peace officers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Peace Officers' Standards and Training Commission and requires the Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.500) The regulations of the Commission must establish, among other things, standards for programs of continuing education for peace officers, including minimum courses of study. (NRS 289.510) This bill requires the Commission to include in the regulations a requirement for all peace officers to annually complete not less than 12 hours of continuing education in courses that address: (1) racial profiling; (2) mental health; (3) officer well-being; (4) implicit bias recognition; (5) de-escalation; (6) human trafficking; and (7) firearms.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.510 is hereby amended to read as follows:
289.510 1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) Shall adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. The regulations must establish:

(1) Requirements for basic training for category I, category II and category III peace officers and reserve peace officers:

(2) Standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance ~~{-}~~, *which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:*

(I) Racial profiling;

(II) Mental health;

(III) The well being of officers;



- (IV) Implicit bias recognition;**
- (V) De-escalation;**
- (VI) Human trafficking; and**
- (VII) Firearms.**

(3) Qualifications for instructors of peace officers; and

(4) Requirements for the certification of a course of training.

(d) Shall, when necessary, present courses of training and continuing education courses for category I, category II and category III peace officers and reserve peace officers.

(e) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in its regulations.

(f) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(g) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.650, inclusive.

(h) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

2. Regulations adopted by the Commission:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers;

(b) Must require that all peace officers receive training in the handling of cases involving abuse or neglect of children or missing children;

(c) Must require that all peace officers receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons; and

(d) May require that training be carried on at institutions which it approves in those regulations.



II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

4. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290 (1) (e) on the revocation of Earl T. Mitchell, formerly of the Henderson Constables Office, certification based on a conviction for Fraudulent Conveyance (Gross Misdemeanor – NRS 205.330). The Commission will decide whether to revoke Mr. Mitchell's Category I Basic Certificate.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

5. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290 (h) on the revocation of Brian Wilk, formerly of the Department of Public Safety, certification based on a conviction for Domestic Violence (Misdemeanor – NRS 200.485.1a). The Commission will decide whether to revoke Mr. Wilk's Category I Basic Certificate.



EXHIBIT A

STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

5587 Wa Pai Shone Avenue
Carson City, Nevada 89701
(775) 687-7678 FAX (775) 687-4911

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

January 6, 2020

Brian Michael Wilk

Dear Mr. Wilk:
POST PIN #: 29290

Based upon documentation received by the Nevada Peace Officer Standards and Training Commission and in accordance with Nevada Administrative Code 289.290 and Nevada Revised Statute 241.033, you are hereby notified that the Commission has initiated action to revoke your Nevada Peace Officer Certificate that authorizes the holder to be employed as a peace officer in the state of Nevada.

I have included a copy of Nevada Administrative Code 289.290 for your convenience.

The Commission's regulations provide that a person's POST certification may be revoked pursuant to NAC 289.290(1)(h) based on a conviction for a misdemeanor. The conviction(s) which have led to this action are as follows:

Battery Which Constitutes Domestic Violence (Misdemeanor – NRS 200.485 and NRS 33.018)

Case No: **RCR-2019-102766**

Dept No: 1

Jurisdiction: **Justices' Court of Reno Township, County of Washoe, State of Nevada**

You are further advised that you have the right to appear before the POST Commission to contest the revocation of your Nevada POST certification. To exercise your rights, you must, within fifteen (15) days from the date of the Certified Mail receipt, provide written notice to the POST Commission of your intended action concerning these charges.

Written requests can be made to:

NEVADA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

**5587 Wa Pai Shone Avenue
Carson City, NV 89701**

The POST Commission will determine whether your Nevada POST certification should be revoked at the meeting listed below:

Date: February 12, 2020

Time: 1:00 pm

Location: Las Vegas Metropolitan Police Department Headquarters, Bldg A, Training Room 111, 400 S. Martin Luther King Blvd, Las Vegas, Nevada 89106.

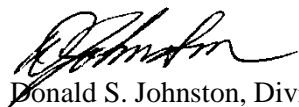
If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing, or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense.

The hearing will cover the following: NAC 289.290 (1)(h), Revocation of a certificate based upon a misdemeanor conviction.

You will be notified of the Commission's decision within 15 days after said hearing, or as soon thereafter as is practicable.

If you need additional information concerning this matter, contact P.O.S.T. at (775) 687-7678.

Sincerely,



Donald S. Johnston, Division Chief
Peace Officer Standards and Training

MS/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen
File

Sec. 2. NAC 289.290 is hereby amended to read as follows:

289.290 1. Each of the following constitutes cause for the Commission to revoke, refuse or suspend the certificate of a peace officer:

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's ability to perform his or her full range of duties.
- (c) Chronic drinking or drunkenness on duty.
- (d) Addiction to or the unlawful use or possession of narcotics or other drugs.
- (e) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed.
- (f) Failure to comply with the standards established in this chapter.
- (g) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction or entry of a plea of guilty, guilty but mentally ill or nolo contendere, the certificate will be revoked.
- (h) Conviction of a misdemeanor. If the employing agency recommends suspension or revocation following conviction of the employee for a misdemeanor, suspension or revocation may be imposed. In determining whether to suspend or revoke the certificate, the Commission will consider the type of conviction and other information provided by the agency indicating unprofessional conduct or similar undesirable activity by the officer that resulted in disciplinary action.

2. Denial, suspension or revocation procedures will not be considered by the Commission in cases where the employment of an officer is terminated for violations of the policies, general orders or similar guidelines of operation of the employing agency which do not constitute any of the causes for denial, suspension or revocation specified in subsection 1.

3. The employing agency shall notify the Commission any time that it becomes aware that one of its officers has been charged with a crime that could result in denial, suspension or revocation procedures. Upon receipt of information alleging any of the causes enumerated in subsection 1, the Commission will determine whether to pursue revocation or suspension of the certificate of the officer.

4. The Commission will notify the officer by certified mail at the officer's last known address of any pending revocation or suspension action and of the nature of the charges and the officer's right to appear and answer the charges. The officer shall, within 15 days after the date on the certified mail receipt, respond in writing, notifying the Commission of his or her intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his or her intention to appear in answer to the pending action, the Commission will:

(a) Consider the case on its own merits, using the statement from the head of the employing agency or the substantiated information derived from any independent investigation it deems necessary;

(b) Take no action pending the outcome of possible criminal action which may be filed against the officer; and

(c) Take no action pending the outcome of an appeal.

↪ The Commission's decision will be determined by a majority vote of the members of the Commission present.

6. When an officer notifies the Commission of his or her intention to appear and answer the charges pending against him or her, the Commission will elect to sit as a whole at a hearing or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. The Commission will review the recommendations of any such hearing officer and arrive at a decision by majority vote of the members present.

7. The Commission will notify the officer of its decision within 15 days after the hearing.

8. An applicant for a certificate who has not been previously certified, but who would be subject to revocation for any cause set out in subsection 1, will not be granted a certificate.

9. If, upon receiving a written allegation that a peace officer is in violation of any provision of subsection 1 and that the facts and circumstances indicate that suspension rather than revocation would be in the best interests of the agency and law enforcement in general, the Commission will suspend the officer's certificate.

10. The Commission will provide each peace officer whose certificate is suspended with written notice of the suspension by certified registered mail. The suspension becomes effective 24 hours after receipt of the certified notice. The notice will contain a statement advising the officer of the right to a hearing.

11. Suspension of a certificate is not a bar to future revocation of the certificate and any prior suspensions may be considered as a factor if revocation is being considered by the Commission.

12. Five years after the revocation of a certificate, an officer may submit a written request to the Commission to allow him or her to reinstate his or her certificate. The Commission will schedule a hearing to consider whether to reinstate the officer's certificate. The Commission will notify the agency that requested the revocation of the date and time of the hearing. After the hearing, the Commission will determine whether to reinstate the certificate. If the certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in revocation.

I hereby certify that this record is a true and current copy of the original on file at the office of the Commission on Peace Officer Standards and training.


by  Date: 01/27/2020

EXHIBIT B

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>BRIAN MICHAEL WILK</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7018 1130 0001 8258 2993</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	



9590 9402 5273 9154 1597 84

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

USPS CRM #

9590 9402 5273 9154 1597 84

United States Postal Service

First Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
 ATTN: CHIEF JOHNSTON
 5587 WA PAI SHONG AVE
 CARSON CITY NV 89701

I hereby certify that this record is a true and current copy of the original on file at the office of the Commission on Peace Officer Standards and training.

by [Signature] Date: 01/27/2020

State of Nevada - POST
UPDATE - Personnel Action Report (PAR)

EXHIBIT C

Post ID Number:

Last Name:

First Name:

MI: Suffix:

Name Change?

Last Name:

First Name:

MI: Suffix:

Address Change?

Street Address:

City: State: Zip Code:

County: E-Mail:

Level Change? Line Supervisor Management Executive
 Part Time Full Time

Status Change? Deceased Retired Separated

NAC289.290 Notification (Cause For Commission Action)

Pursuant to NAC 289.290(3) "The employing agency shall notify the Commission any time that it becomes aware that one of its officers has been charged with a crime that could result in denial, suspension or revocation procedures. Upon receipt of information alleging any of the causes enumerated in subsection 1, the Commission will determine whether to pursue revocation or suspension of the certificate of the officer."

Does the above NAC apply? No Yes

****If you selected YES, ensure it is correct and provide details in the Comment field.****

Comments\Additional Information:

Trooper Wilk plead guilty to a domestic violence charge and has been sentenced. Documentation will be sent soon.

Effective Date:

Submitters Name:

Submitters Phone:

Submitters E-Mail:

I hereby certify that this record is a true and current copy of the original on file at the office of the Commission on Peace Officer Standards and training.


by  Submission number: 151980
Date: 01/27/2020

EXHIBIT D

STATE OF NEVADA

Commission On Peace Officers' Standards And Training

Hereby Awards the
Basic Certificate
To

BRIAN M. WILK
CATEGORY I

*For having fulfilled all the requirements for Basic Certification
as prescribed by Nevada Revised Statutes*

Jim Gibbons
Governor

Richard Clark
Executive Director

June 29, 2010

Issuance Date

I hereby certify that this record is a true and current copy of the original on file at the office of the Commission on Peace Officer Standards and training.

by *[Signature]* Date: 01/27/2020

STATE OF NEVADA

Commission On Peace Officers' Standards And Training

Hereby Awards the
Basic Certificate
To

Brian M. Wilk
CATEGORY I

*For having fulfilled all the requirements for Basic Certification
as prescribed by Nevada Revised Statutes*

Jim Gibbons
Governor

Richard Clark
Executive Director

June 29, 2010

Issuance Date

Nevada Commission on Peace Officers' Standards and Training
Peace Officer Basic Certification and Training Identification Card

Name: **Brian M. Wilk** POST ID No.: **29290**

This is your POST Identification Number (PIN). In order to reduce the chance of identity theft, please use this number for all correspondence with POST and when you sign in on a POST course roster. The use of your SSN on POST course rosters is no longer mandatory.

It is your responsibility to receive the required annual continuing education as outlined in NAC 289.230. If you fail to meet the annual POST training requirement, the POST Commission may take action against your Basic Certificate. This could adversely affect your ability to carry out your duties as a peace officer.

If found, please deliver to any law enforcement agency or mail to:

Nevada Commission on Peace Officers' Standards and Training
5587 Wai Pai Shone Avenue
Carson City, NV 89701
775-687-7678 (POST)

INSTRUCTIONS

This is your POST Basic Certificate and Identification Card.

The large certificate is for the officer and suitable for framing.

The smaller certificate is for the agency to place in the officer's file for record.

The identification card is for the officer to carry at all times. The POST ID number assigned to this officer is for POST identification and identity security purposes. This number will be used when signing in on the POST roster at any POST certified training. The use of SSN are now optional on training rosters. This number can also be used by the agency for correspondence to POST regarding the officer's POST file.

EXHIBIT E

1 AARON D. FORD
 Attorney General
 2 CHRISTINE BRADY (Bar #11065)
 Second Assistant Attorney General
 3 LAURIE L. TROTTER (Bar #8696)
 Senior Deputy Attorney General
 4 State of Nevada
 Office of the Attorney General
 5 100 N. Carson Street
 Carson City, NV 89701
 6 (775) 684-1185
 (775) 684-1108
 7 ltrotter@ag.nv.gov
 Attorneys for Plaintiff
 8

FILED
 2019 NOV 18 PM 2:03
 WASHOE COUNTY
 BY
 CLERK

9 IN THE JUSTICE COURT OF RENO TOWNSHIP

10 IN AND FOR THE COUNTY OF WASHOE, STATE OF NEVADA

11 STATE OF NEVADA,)	
)	
12 Plaintiff,)	Case No. RCR2019-102766
)	
13 v.)	Dept. No. 5
)	
14 BRIAN MICHAEL WILK,)	
)	
15 Defendant.)	

16 **AMENDED CRIMINAL COMPLAINT**

17 The undersigned, AARON D. FORD, Attorney General of the State of Nevada, by and through
 18 CHRISTINE BRADY, Second Assistant Attorney General of the State of Nevada, and LAURIE L.
 19 TROTTER, Senior Deputy Attorney General, complains and charges the above-named defendant,
 20 BRIAN MICHAEL WILK, with having committed the crime of BATTERY WHICH CONSTITUTES
 21 DOMESTIC VIOLENCE, FIRST OFFENSE (NRS 200.485 and NRS 33.018), within Washoe County,
 22 State of Nevada, committed as follows:

23 **COUNT I**

24 **BATTERY WHICH CONSTITUTES DOMESTIC VIOLENCE, FIRST OFFENSE**
 25 **Misdemeanor - NRS 200.485 and NRS 33.018**

26 That on or about May 25, 2019, said defendant did willfully and unlawfully use force or violence
 27 upon the person of another, as defined in NRS 33.018, to-wit: his spouse, [REDACTED], in the

28 ///

1 following matter, to-wit: said defendant pulled her hair, dragged her into the hallway, threw her, caused
2 her to fall, and/or struck her in the face, one or more times;

3 AND

4 That on or about May 25, 2019, said defendant did willfully and unlawfully use force or violence
5 upon the person of another, as defined in NRS 33.018, to-wit: J.G., born in 2005, the minor child of said
6 defendant's spouse, [REDACTED], in the following manner, to-wit: said defendant grabbed J.G. by
7 the face, forced one or more of his fingers into J.G.'s eye socket, struck J.G. in the face one or more
8 times, and/or grabbed J.G. in the torso, all of which occurred in Washoe County, State of Nevada.

9 All of which is contrary to the form, force, and effect of the statutes in such cases, made and
10 provided, and against the peace and dignity of the State of Nevada.

11 Said complainant makes this declaration under penalty of perjury.

12 **AFFIRMATION PURSUANT TO NRS 239B.030**

13 The undersigned does hereby affirm that the preceding document, AMENDED CRIMINAL
14 COMPLAINT, does not contain the social security number of any person.

15 DATED this 18th day of November, 2019.

16 AARON D. FORD
17 Attorney General

18 By: Laurie Trotter
19 CHRISTINE BRADY (Bar #11065)
20 Second Assistant Attorney General
21 LAURIE L. TROTTER (Bar #8696)
22 Senior Deputy Attorney General
23 Financial Fraud Unit
24
25
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BAIL: 5/28/19 \$8,000.00 BOND POSTED -
ACTION BAIL BONDS

I hereby certify that the document to which this certificate is affixed is a full, true and correct copy of the original document found in the records or files of the Reno Justice Court.

Reno Justice Court

By: *[Signature]* - 12/11/2019
Deputy Clerk of the Court

I further certify that this is a copy of a 2 page Original and that each page of this copy is a true and correct copy of the corresponding Original document found in the records or files of the Reno Justice Court.

By: *[Signature]* - 12/11/2019
Deputy Clerk of the Court

EXHIBIT F

IN THE JUSTICE'S COURT OF RENO TOWNSHIP
COUNTY OF WASHOE, STATE OF NEVADA

State of Nevada

Plaintiff

Case No. RCR2019-102766
Department 5

2019 NOV 18 PM 4:20

vs.

Brian Michael Wilk

Defendant.

DOMESTIC VIOLENCE WAIVER OF
CONSTITUTIONAL RIGHTS

Defendant's
Initials

Laurie Trotter
State's Counsel

X 3 I understand I have been charged with battery constituting domestic violence in having willfully and unlawfully committed an act of force or violence upon my spouse, former spouse, any other person to whom I am related by blood or marriage, a person with whom I am or was actually residing, a person with whom I have had or am having a dating relationship, a person with whom I have a child in common, my minor child or the minor child of any of these persons, as set forth in the complaint filed on 05/25/2019; 05/25/2019, in violation of WCC 53.110 or NRS 33.018 or NRS 200.481 or NRS 200.485.

X 3 I understand the State must prove the elements in the above paragraph beyond a reasonable doubt and I give up this right.

X 3 I understand the State will use this and any other constitutionally valid prior conviction of this type of offense to enhance the penalty for any subsequent offense.

X 3 I understand the following possible punishments:

1st Offense in 7 years: At least 2 days in jail to a maximum of 6 months in jail; not less than 48 hours but not more than 120 hours of community service; a fine of not less than \$200 and not more than \$1000 plus assessments; successful completion of weekly Domestic Violence counseling sessions of not less than 1 ½ hours per week for not less than 6 months nor more than 12 months at my own expense.

2nd Offense in 7 years: At least 20 days in jail but not more than 6 months; at least 100 hours but not more than 200 hours of community service; a fine of not less than \$500 and not more than \$1,000 plus assessments; successful completion of weekly Domestic Violence counseling sessions of not less than 1 ½ hours per week for 12 months at my own expense.

3rd Offense in seven years: A category B felony punishable by a sentence of imprisonment in the Nevada State Prison for not less than 1 year and no more than 6 years and a possible fine of not more than \$10,000.00 plus assessments.

X 3 I understand I have the right to have an attorney represent me, and if I cannot afford an attorney, the Court will appoint one.

X 3 I understand I have the right to a speedy trial and I give up this right.

X 3 I understand I have the right to confront and question all witnesses against me and I give up this right.

X 3 I understand that I have the right to subpoena witnesses on my behalf and compel their attendance and I give up this right.

X 3 I understand I have the right to remain silent, not incriminate myself, and I could not be compelled to testify if there was a trial, and I give up this right.

XZ I understand that the judge is not bound by any agreement between parties.
XZ I understand that if I am not a citizen of the United States, any criminal conviction may result in serious negative immigration consequences including but not limited to:

- The removal from the United States through deportation;
- An inability to reenter the United States;
- The inability to gain United States citizenship or legal residency;
- An inability to renew and/or retain any legal residency status and/or
- An indeterminate term of confinement with the United States Federal Government based on my conviction and immigration status.

Regardless of what I have been told by any attorney, no one can promise me that this conviction will not result in negative immigration consequences and/or impact my ability to become a United States citizen and/or legal resident.

XZ I am voluntarily entering the following plea to the offense as stated in the first paragraph, without any promises of leniency or threats having been made. I do not wish to contest the charge and hereby give consent to the court to enter my plea of:

XZ Guilty OR _____ No Contest

I AM ALSO HEREBY INFORMED that, if I am convicted of this offense and the criminal complaint filed has an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim, pursuant to 18 U.S.C. § 921(a)(33) and NRS 202.360, you are permanently prohibited from owning, possessing, or having under your custody or control any and all firearms. Violation of this prohibition is a Category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years and may further be punished by a fine of not more than \$5,000.

XZ
Defendant's Signature

XZ
Initials

Driver's License No/State

09/19/1984
Date of Birth

11/18/2019

I certify that I am the attorney of record for the Defendant; that I have fully discussed the matters herein with Defendant and advised Defendant thereon; that the representations above are Defendant's own; that the plea and waivers were intelligently, voluntarily and expressly made; that I join in the plea and waiver; and that I stipulate there is a factual basis for the plea.

[Signature]
Attorney

11/18/19
Date

I have addressed Defendant personally, canvassed Defendant on the above to include the elements of this offense as supported by the facts, the possible penalties and Defendant's Constitutional rights; and I find the defendant's plea is made voluntarily and with an understanding of the nature of the charge and consequences of the plea: Judgment is entered accordingly.

[Signature]
Justice of the Peace / Magistrate

11-18-19
Date

I hereby certify that the document to which this certificate is affixed is a full, true and correct copy of the original document found in the records or files of the Reno Justice Court.

Reno Justice Court

By: Louis S. Wilson
Deputy Clerk of the Court

I further certify that this is a copy of a 2 page Original and that each page of this copy is a true and correct copy of the corresponding Original document found in the records or files of the Reno Justice Court.

By: Louis S. Wilson
Deputy Clerk of the Court

EXHIBIT G

In the Justices' Court of Reno Township, County of Washoe
State of Nevada

FILED

25 Nov 2019 4:31 pm

Reno Justice Court

The State of Nevada,

Plaintiff,

Case No.: RCR 2019-102766

vs.

Misdemeanor Judgment

BRIAN MICHAEL WILK,

Defendant.

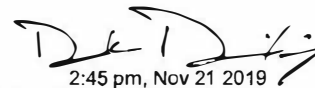
The Defendant on November 18, 2019, pled guilty and was found guilty of BATTERY WHICH CONSTITUTES DOMESTIC VIOLENCE, FIRST OFFENSE, a violation of NRS 200.485 and NRS 33.018, a misdemeanor. No Cause appearing why judgment should not be pronounced.

It is ordered and adjudged by the Court that the Defendant is sentenced to serve TEN (10) days in the Washoe County Detention Facility with credit for TWO (2) days time previously served.

The jail sentence is hereby suspended for an indefinite period of time not to exceed TWELVE (12) months on the following conditions: 1) The Defendant shall serve TWO (2) days in the Washoe County Detention Facility with credit for TWO (2) days time previously served; 2) To complete FORTY-EIGHT (48) hours of community service by December 31, 2019; 3) To attend, participate and pay for weekly Domestic Violence Counseling sessions of not less than 1 ½ hours per week for SIX (6) months with a State certified program by June 30, 2020, which may be completed in Arizona; 4) To pay a fine of \$200.00, \$85.00 Administrative Assessment, \$10.00 Court Facility Assessment, \$7.00 Specialty Court Assessment, \$3.00 DNA Assessment and \$35.00 Domestic Violence Fee by today; 5) Pursuant to SB124 (2017) and NRS 53.045, Defendant declares he does not own or possess or have in his/her custody any firearms.

It is further ordered that the Defendant be detained and brought forthwith before the Court by any duly sworn peace officer of the State of Nevada if the Defendant violates or fails to fulfill any condition of sentence ordered herein or if the Defendant violates or fails to fulfill any condition of alternative sentencing in which the Defendant is allowed to participate by any agency of the state or local government.

Dated this 20th day of November, 2019.



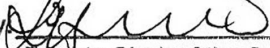
2:45 pm, Nov 21 2019

JUSTICE OF THE PEACE

Department No. 1

I hereby certify that the document to which this certificate is affixed is a full, true and correct copy of the original document found in the records or files of the Reno Justice Court.

Reno Justice Court

By  12/11/2019
Deputy Clerk of the Court

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

6. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

The Commission to conduct a blind review of an agency request to revoke the Basic Certificate of a former employee, based upon court documents and conviction for Harassment – First Offense, Misdemeanor NRS 200.571. The Commission to decide whether to move forward with a revocation hearing at a future meeting.

ORIGINAL

MUNICIPAL COURT OF THE CITY OF HENDERSON FILED

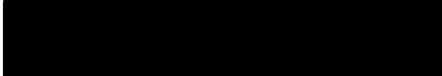
IN THE COUNTY OF CLARK, STATE OF NEVADA

19 CI 23 A 10:09

CITY OF HENDERSON, NEVADA,

Plaintiff,

vs.



Defendant.

AMENDED CRIMINAL COMPLAINT

CASE NO:

- COUNT 1 - 19CR009245
- COUNT 2 - 19CR009246
- COUNT 3 - 19CR010401
- COUNT 4 - 19CR010403
- COUNT 5 - 19CR010404
- COUNT 6 - 19CR010405

Nicholas G. Vaskov, Esq., City Attorney

The defendant has committed the crimes of:

STALKING - FIRST OFFENSE (Misdemeanor - NRS 200.575(1), Henderson City Charter, Section 2.140)

HARASSMENT - FIRST OFFENSE (Misdemeanor - NRS 200.571, Henderson City Charter, Section 2.140)

TRESPASS (Misdemeanor - NRS 207.200, Henderson City Charter, Section 2.140)

INJURING OR TAMPERING WITH VEHICLE (Misdemeanor - NRS 205.274(1), Henderson City Charter, Section 2.140)

REQUEST OR OBTAIN CRIMINAL HISTORY RECORDS UNDER FALSE PRETENSES (Misdemeanor - NRS 179A.900(1), Henderson City Charter, Section 2.140) within the City of Henderson, in the County of Clark, State of Nevada, in the manner following, that the said defendant, on or about December 7, 2018:

COUNT 1 - STALKING - FIRST OFFENSE

did, on or between June 1, 2018 and September 17, 2019, without lawful authority, willfully or maliciously engage in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, to wit: did use one or more police database system(s) to run and/or ascertain [redacted] personal information and/or the personal information of her acquaintance(s) and/or boyfriend(s) and/or did follow [redacted] one or more times and/or did come to [redacted] residence uninvited one or more times and/or did look into [redacted] residence through the windows one or more times and/or did drive by [redacted] residence one or more times and/or did observe and/or comment on [redacted] private intimate behavior and/or did send [redacted] a photo of an acquaintance's and/or of a friend's home and/or did make one or more implied or express threat(s) to her and/or did call [redacted] place of employment one or more times to

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV Dated: 12/15/19 Court Clerk: [signature]

ascertain her whereabouts, and/or did send her a text message regarding the issuance of the arrest warrant(s) in this case, and/or did read and/or review and/or did access [REDACTED] private text messages to another individual, which would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for her immediate safety or the immediate safety of a family or household member, and that actually caused [REDACTED] to feel terrorized, frightened, intimidated, harassed or fearful for her immediate safety or the immediate safety of a family or household member.

COUNT 2 - HARASSMENT - FIRST OFFENSE

did, on or about August 28, 2019, unlawfully, and knowingly threaten to cause bodily injury in the future to the person threatened or to any other person; to cause physical damage to the property of another; to subject the person threatened or any other person to physical confinement or restraint; or to do any act which is intended to substantially harm the person threatened or any other person with respect to his physical or mental health or safety; and did place the person receiving the threat in reasonable fear that the threat will be carried out, to-wit: did threaten [REDACTED] by informing her of words to the effect of, "If I lose my job, I have nothing to lose," after [REDACTED] personnel contacted him for an interview, and did, in fact, place [REDACTED] in fear that the threat would be carried out.

COUNT 3 - TRESPASS

did, on or about July 28, 2019, unlawfully go upon the land or into the building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act and/or did willfully go or remain upon any land or in any building after having been warned by the owner or occupant thereof not to trespass, to-wit: did enter [REDACTED] residence and/or did then take one or more photo(s) of her bedroom area, with the intent to commit, promote and further the unlawful act of stalking and/or did enter the residence without [REDACTED] knowledge or permission.

COUNT 4 - INJURING OR TAMPERING WITH VEHICLE

did, on or between July 28, 2019 and July 29, 2019, did, willfully break, injure, tamper with or remove any part of parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner or person in charge of the a vehicle climb into or upon such vehicle with the intent to commit any crime, malicious mischief, or injury thereto, or who while a vehicle is at rest and unattended shall attempt to manipulate any of the levers, starting crank or other starting device, brakes or other mechanism thereof, or to set such vehicle in motion, to-wit: did cause damage and problems with the normal operation of a Chevrolet Silverado belonging to [REDACTED] by placing a substance and/or foreign liquid in the vehicle's fuel tank.

I hereby certify that this report is a true copy of the original on file at the Anderson Municipal Court, Clark County, NV dated 12/18/19
Court Clerk: RWA

COUNT 5 - REQUEST OR OBTAIN CRIMINAL HISTORY RECORDS UNDER FALSE PRETENSES

did, on or between November 18 and November 20, 2018, willfully request, obtain or seek to obtain records of criminal history under false pretenses, and/or communicate or seek to communicate criminal history to any agency or person except pursuant to Nevada Revised Statutes Chapter 179A, and/or willfully falsified any record of criminal history or any record relating to records of criminal history, to-wit: did query [REDACTED] and/or the criminal history or personal identifying information for [REDACTED] which was not related to said defendant's employment as a police officer.

COUNT 6 - REQUEST OR OBTAIN CRIMINAL HISTORY RECORDS UNDER FALSE PRETENSES

did, on or about December 7, 2018, willfully request, obtain or seek to obtain records of criminal history under false pretenses, and/or communicate or seek to communicate criminal history to any agency or person except pursuant to Nevada Revised Statutes Chapter 179A, and/or willfully falsified any record of criminal history or any record relating to records of criminal history, to-wit: did query and/or obtain the criminal history or personal identifying information for [REDACTED] which was not related to said defendant's employment as a police officer.

All of which is contrary to the form, force and effect of statutes in such cases made and provided and against the peace and dignity of the City of Henderson, State of Nevada. Said Complainant makes this declaration on information and belief subject to the penalty of perjury.



Marc M. Schifalacqua, Esq.
Sr. Assistant City Attorney

Dated: October 21, 2019
CAO File #: 025619
PCN#:

I hereby certify that this report is a true and correct copy of the original on file of the Henderson Municipal Court, Clark County, NV
and. 12/15/19
Court Clerk: [Signature]

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GPA
DANIEL R. GILLIAM
BIGHORN LAW
NV BAR # 9267
2340 W. Horizon Ridge Pkwy, Suite 100
Henderson, NV 89052
Office: (702) 378.2442
Attorney for Defendant

FILED
2019 NOV 26 A 10:14
MUNICIPAL COURT
CLARK COUNTY NEVADA
CLERK

HENDERSON MUNICIPAL COURT
CLARK COUNTY, NEVADA

CITY OF HENDERSON,)
)
 PLAINTIFF,)
)
 vs.)
)
 [REDACTED])
)
 DEFENDANT.)

Case No. 19CR009246
Dept. No. 3

GUILTY PLEA AGREEMENT

I, [REDACTED] hereby agree to plead NO CONTEST to HARASSMENT, a misdemeanor, in violation of NRS 200.571.

My decision to plead NO CONTEST is based upon the plea agreement in this case which is as follows:

1. I, [REDACTED] will enter a plea of NO CONTEST to HARASSMENT as listed above;
2. Both parties agree to recommend the following;
 - a. 180 days in the Henderson Detention Center – to be suspended;
 - b. Fines and fees totaling \$640;
 - c. Anger Management Counseling (online);
 - d. No contact with [REDACTED] except for that which is ordered by Family Court, for one year;

I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County, NV
and dated 11/18/19
Clerk

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- e. No further criminal arrests or criminal citations for one year;
- f. Indirect supervision for one year;
- g. Dismissal of all remaining counts; and
- h. Henderson Police Department will not submit any related offenses from the investigation from Event #19-13698.

3. I understand that should I violate any of the provisions stated above, that I will be subjected to remand for part of or all of the 180 day suspended sentence.

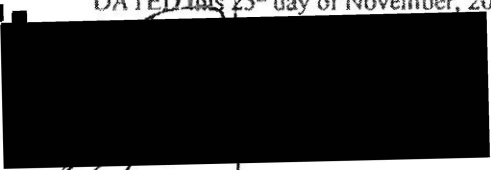
Additionally, I understand that a second or subsequent offense for HARASSMENT will be treated and charged as a gross misdemeanor.

I have read the Admonishment of Rights and understand that by pleading NO CONTEST, I am giving up the rights delineated in the document.

This plea is both freely and voluntarily given and I have not been made any promises as to the ultimate sentence - which shall be determined by the presiding judge.

By signing this guilty plea agreement, I am consenting to my attorney making the representations to the Court on my behalf.

DATED this 25th day of November, 2019.



~~_____~~
Daniel R. Grilliam, Attorney for Defendant

Marc Schifalacqua
Marc Schifalacqua, Attorney for the City of Henderson

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV
 Date: 12/18/19
 Clerk: *CWR*

MUNICIPAL COURT, CITY OF HENDERSON, CLARK COUNTY, NEVADA

THE CITY OF HENDERSON, NEVADA)
Plaintiff)
)
)
)
)
Defendant)

Court Case No: 19CR009246
Department No: 3

ADMONISHMENT OF RIGHTS

I ACKNOWLEDGE AND AM AWARE THAT I HAVE EACH OF THE FOLLOWING RIGHTS AND THAT I WILL BE WAIVING THESE RIGHTS IF I PLEAD GUILTY OR NOLO CONTENDERE (NO CONTEST):

1. The right to a speedy trial;
2. The right to require the City to prove the charge(s) against me beyond a reasonable doubt;
3. The right to confront and question all witnesses against me;
4. The right to subpoena witnesses on my behalf and compel their attendance;
5. The right to remain silent and not be compelled to testify if there were a trial; and
6. The right to appeal my conviction except on constitutional or jurisdictional grounds.

ALL DEFENDANTS MUST INITIAL EITHER #1 OR #2 BELOW DO NOT INITIAL BOTH

(Handwritten mark)

1. I am represented by an attorney in this case. My attorney has fully discussed these matters with me and advised me about my legal rights. My attorney is GILBERT, Bar Number: 9267.

2. I have declined to have an attorney represent me and I have chosen to represent myself. I have made this decision even though there are dangers and disadvantages in self-representation in a criminal case; including, but not limited to, the following:

- a) Self-representation is often unwise, and a defendant may conduct a defense to his or her own detriment;
- b) A defendant who represents him/herself is responsible for knowing and complying with the same procedural rules as lawyers, and cannot expect help from the judge in complying with those procedural rules;
- c) A defendant representing him/herself will not be allowed to complain on appeal about the competency or effectiveness of his or her representation;
- d) The City is represented by experienced professional attorneys who have the advantage of skill, training and ability;
- e) A defendant unfamiliar with legal procedures may allow the prosecutor an advantage, may not make effective use of legal rights, and may make tactical decisions that produce unintended consequences; and
- f) The effectiveness of the defense may well be diminished by a defendant's dual role as attorney and accused.
- g) I understand that, as a consequence of my plea of guilty or nolo contendere, if I am not a citizen of the United States, I may, in addition to other consequences provided by law, be removed, deported or excluded from entry into the United States or denied naturalization.

11/25/19
DATE

I HAVE REVIEWED THIS ADMONISHMENT WITH MY CLIENT AND HE/SHE UNDERSTANDS THE RIGHTS HE/SHE IS WAIVING AND THE CONSEQUENCES OF HIS/HER PLEA OF GUILTY/NOLO CONTENDERE TO THIS CHARGE.

DEFENDANT'S ATTORNEY (if applicable)

9267
BAR NUMBER

(Handwritten signature)

Judge, Henderson Municipal Court

F:\HOME\SHIRD MCS\hrd_scd\FORMS\Admonishments Affidavit\Admonishment of Rights 0410.doc

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV
Dated: 11/25/19
Court Clerk: RWA



HENDERSON MUNICIPAL COURT: SENTENCING ORDER

CITY OF HENDERSON, Plaintiff

Case #: 19CR009246
DR #: 19-13698
[] DOMESTIC BATTERY / [] DUI:
[] 1st Offense / [] 2nd Offense
[X] OTHER (List Below):
HARASSMENT 1st

FILED
2019 NOV 26 A 0:17
MUNICIPAL COURT
CITY OF HENDERSON

VS.

[Redacted]

Defendant) HARASSMENT 1st

[] Guilty; [X] Nolo; [] Adjudication Stayed [] Submitted on the Record,

Pending: [] Dismissal; [] Amendment to

Total Fines/AA Fees Imposed: \$ 640 Fines/Fees Suspended if compliant: \$ -

[] \$35 DB Assessment Fee [] \$60 Blood/Breath Test [] \$50 Time Payment Setup Fee; [] \$100 DUI Specialty Courts' Fee

Total Fines/Fees Due: \$ 640 Payments: \$ - per month or fine (due in full) beginning 11/26/2019

Mail to: Henderson Municipal Court, PO Box 95050 - MS621, 243 Water Street, Henderson, NV 89009 On-line: www.cityofhenderson.com/municipal_court/

THE ABOVE REFERENCED DEFENDANT IS HEREBY SENTENCED TO THE FOLLOWING:

SENTENCING CONDITIONS

[] PROBATION / DIRECT SUPERVISION (See Agreement & Rules Form) [X] PROBATION / INDIRECT SUPERVISION

You must appear in person to Special Programs and Services (SPS), located at 243 Water Street, Lower Level, Henderson NV immediately following court or upon the first business day following your release from custody. Failing to appear at the Special Programs and Services office, failing to comply with the court's order or receipt of a non-compliant report from any agency may result in immediate arrest for Probation Violation or a Bench Warrant issued for your arrest. You must report to Special Programs and Services as directed throughout the term of Supervision. You must provide correct contact information to Special Programs and Services and report any changes of that information immediately.

Probation / Supervision Expiration Date: 11/24/2020

- [] DUI School
[] Victim's Impact Panel
[] Coroner's DUI Program
[] Breath Ignition Interlock Device **
[] Suspension of Registered Vehicles **
** Separate order required
[] SCRAM Program ___ weeks/months
[] Install Prior to Release from Custody
[] Report out-of-custody to SPS upon release for installation
[] AA / NA / GA (or Acceptable Alternative)
[] Sponsor required ___ x/wk for ___ wks
[] DART Program
[] ___ weeks/month [] Duration
[] Controlled Subst. including Marijuana
[] Alcohol
[] CAT Program ___ weeks/months
[] Coroner's Visitation Program (CVP)
[] Restitution of \$ ___
Payable to City of Henderson on behalf of:
[] Via Monthly Payments \$ ___
[] In Full by/beginning ___/___/___
(Submit payment to SPS)

- [] Domestic Battery Counseling (26 sessions, 1x/week)
[] Long-Term Domestic Battery Counseling (52 sessions, 1x/week)
[] Surrender, Sell or Transfer Firearms ** Separate order required
[X] Anger Control Management online
[X] Level 1 [] Level 2
[] Substance Abuse Counseling (SAC)
[] Outpatient SAC [] Inpatient SAC
[] Intensive outpatient SAC
[] Group / [] Individual ___ times/week for ___ weeks
[] Petit Larceny Class
[] 8 Hour Drug & Alcohol Education Class
[] High School Equivalency/College Classes
[] Trespassed From:

- [X] Jail sentence imposed. 180 days
Suspended/Pending: 180 days
Jail Time Served: ___ days
Balance of Jail Due ___ days
Converted to. [] House Arrest [] Com. Svc
[] House Arrest ___ days
[] Community Service ___ hours;
(To be completed at a min. rate of 4 hrs/week)
[X] No Further Arrests or Criminal Cites
[] Same/ Similar [X] Any Criminal
[X] Duration [] ___ months/years
[] One year or duration-whichever is longer
[] **No Possession / Use of Alcohol
[] **No Possession / Use of Controlled Substances - including Marijuana, unless a Nevada medical marijuana card is obtained
Submit to testing as deemed necessary by SPS
[] No Weapons [] Submit to search of person, residence, vehicle, or property under your control, as instructed by SPS
[] Other: ___

[X] No Contact With: [Redacted]
[X] for case duration [] months
except through family court
[] Compliance with Conditions on Case(s)

[] UNSUPERVISED / COURT ORDERED STATUS CHECKS

UNSUPERVISED PARTICIPANTS: You must provide the Court completion certificates/documentation for court ordered programs on or before your return court date.

For a list of approved classes/programs please refer to https://www.cityofhenderson.com/special-programs-and-services

COURT DATES: [X] None at this time Return Court Date: ___/___/___ @ ___:___ AM / PM Department 1 / 2 / 3
Appearance Required Appearance Not Required if compliant with ALL orders

It is hereby ordered this 26 day of NOVEMBER, 2019.

[Signature]
Presiding Judge of the Henderson Municipal Court

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV.
Dated: 12/18/19
Court Clerk: [Signature]

1 CITY OF HENDERSON MUNICIPAL COURT
IN THE COUNTY OF CLARK, STATE OF NEVADA

2 CITY OF HENDERSON, NEVADA,
3 Plaintiff,

4 Vs.



5
6 Defendant

FILED

SEP 17 P 4:34

DR # 19-13698

CASE NO.: 19CR009245 / 19CR009246
MUT
CLERK

CONDITIONS OF RELEASE ORDER

7 Pursuant to NRS 178.484, the following Conditions of Release are hereby imposed for all Henderson
8 Municipal Court charges related to the above noted arrest if the named defendant is released from
custody:

9 Defendant is released on Own Recognizance (OR) with the following conditions of release:

10 If the defendant is able to or has posted the required bail, then the following conditions shall apply:

11 The Defendant is advised that if arrested while on Own Recognizance or Bail release, the Own
Recognizance or Bail is revoked and the defendant is subject to arrest by any law enforcement officer.

12 Defendant is ordered to abstain from the use of any and all:

Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

13 **NO CONTACT ORDER:** Defendant is hereby ordered to have no contact, personally, by telephone, in
writing, through any other person acting on his/hers behalf, or by any electronic means, including but not limited to
e-mail, pagers, cell phone, with [REDACTED], including any minor children of the
above, except as specifically allowed by an order of the Family Division of the District Court.

14 THIS NO CONTACT ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE IS DISPOSED OF
OR UNTIL MODIFIED BY THE COURT.

15 Defendant is advised that he/she must stay away from the following location:

16 For any of the Conditions of Release noted below, the defendant must report to Special Programs and
17 Services located at 243 Water Street in the Criminal Justice Facility within 72 hours of release from
custody.

18 Defendant is ordered to have the Secure Continuous Remote Alcohol Monitor (SCRAM) device
installed at the Henderson Detention Center prior to release from custody or within ___ hours of release.

19 DART program (Drug/Alcohol Random Testing) and order to abstain from
Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

20 CAT program (Continuous Alcohol Testing) and order to abstain from alcohol

GPS

21 Other: *House Arrest

22 In accordance with NRS 178.484, any law enforcement officer is ordered to arrest the person if he has
probable cause to believe the person has violated a condition of bail or Own Recognizance release.

23 IT IS SO ORDERED:

Dated this 17 day of September 2019

Henderson Municipal Judge

24 Telephonically confirmed: ___ / ___ / ___ @ ___ : ___ a.m. / p.m.

25 Confirmed by: ___ P# ___ Return Court Date: ___ / ___ / ___

26 Confirmed with Judge ___ Court Time: ___ : ___ am / pm Dept. #: ___

27 Original = Court / Yellow = SPS / Pink = Defendant / Goldenrod = HDC (Rev 050117)

28 I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County,
Nevada.
Date: 12/15/19
Court Clerk: [Signature]

Amended

Amended

CITY OF HENDERSON MUNICIPAL COURT
IN THE COUNTY OF CLARK, STATE OF NEVADA

FILED

CITY OF HENDERSON, NEVADA,
Plaintiff,

2019 EP 30 A 11:09

Vs.

DR # 19-13698

CASE NO.: 19CR007245 *Jan 17*
19CR009246

Defendant

CONDITIONS OF RELEASE ORDER

Pursuant to NRS 178.484, the following Conditions of Release are hereby imposed for all Henderson Municipal Court charges related to the above noted arrest if the named defendant is released from custody:

Defendant is released on Own Recognizance (OR) with the following conditions of release:

If the defendant is able to or has posted the required bail, then the following conditions shall apply:

The Defendant is advised that if arrested while on Own Recognizance or Bail release, the Own Recognizance or Bail is revoked and the defendant is subject to arrest by any law enforcement officer.

Defendant is ordered to abstain from the use of any and all:

Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

NO CONTACT ORDER: Defendant is hereby ordered to have no contact, personally, by telephone, in writing, through any other person acting on his/ her behalf, or by electronic means, including but not limited to e-mail, pagers, cell phone, with [REDACTED], including any minor children of the above, except as specifically allowed by an order of the Family Division of the District Court.

THIS NO CONTACT ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE IS DISPOSED OF OR UNTIL MODIFIED BY THE COURT.

Defendant is advised that he/she must stay away from the following location:

For any of the Conditions of Release noted below, the defendant must report to Special Programs and Services located at 243 Water Street in the Criminal Justice Facility within 72 hours of release from custody.

Defendant is ordered to have the Secure Continuous Remote Alcohol Monitor (SCRAM) device installed at the Henderson Detention Center prior to release from custody or within ___ hours of release.

DART program (Drug/Alcohol Random Testing) and order to abstain from

Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

CAT program (Continuous Alcohol Testing) and order to abstain from alcohol

GPS

Other *House Arrest* -> may travel out of state from 7:40am on 10/2/19 to 10:30am on 10/6/19 and from 7:10am on 10/17/19 to 7:55am on 10/21/19 in accordance with NRS 178.484, any law enforcement officer is ordered to arrest the person if he has probable cause to believe the person has violated a condition of bail or Own Recognizance release.

IT IS SO ORDERED:

Dated this 30th day of September, 2019.

[Signature]
Henderson Municipal Judge

Telephonically confirmed: ___ / ___ / ___ @ ___ : ___ a.m. / p.m.

Confirmed by: _____ P# _____ Return Court Date: ___ / ___ / ___

Confirmed with Judge _____ Court Time: ___ : ___ am / pm Dept. #: _____

Original = Court / Yellow = SPS / Pink = Defendant/ Goldenrod = HDC (Rev 050117)

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV filed. 12/15/19
Court Clerk: *[Signature]*

Modified

CITY OF HENDERSON MUNICIPAL COURT
IN THE COUNTY OF CLARK, STATE OF NEVADA

CITY OF HENDERSON, NEVADA,
Plaintiff,

FILED

2019 OCT 23 A 10:29

DR # 19-13698 *9msA*
19CR009245 / 19CR009246
CASE NO.: 19CR009246

Vs
[Redacted]

Defendant

CONDITIONS OF RELEASE ORDER

Pursuant to NRS 178.484, the following Conditions of Release are hereby imposed for all Henderson Municipal Court charges related to the above noted arrest if the named defendant is released from custody:

- Defendant is released on **Own Recognizance (OR)** with the following conditions of release:
 - If the defendant is able to or has posted the required bail, then the following conditions shall apply:
 - The Defendant is advised that if arrested while on **Own Recognizance** or **Bail** release, the **Own Recognizance** or **Bail** is revoked and the defendant is subject to arrest by any law enforcement officer.
 - Defendant is ordered to abstain from the use of any and all:
 - Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances
 - NO CONTACT ORDER:** Defendant is hereby ordered to have no contact, personally, by telephone, in writing, through any other person acting on his/her behalf, by any electronic means, including but not limited to e-mail, pagers, cell phone, with [Redacted], including any minor children of the above, except as specifically allowed by an order of the Family Division of the District Court.

THIS NO CONTACT ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE IS DISPOSED OF OR UNTIL MODIFIED BY THE COURT.
 - Defendant is advised that he/she must stay away from the following location:

For any of the Conditions of Release noted below, the defendant must report to Special Programs and Services located at 243 Water Street in the Criminal Justice Facility within 72 hours of release from custody.

- Defendant is ordered to have the **Secure Continuous Remote Alcohol Monitor (SCRAM)** device installed at the Henderson Detention Center prior to release from custody or within ___ hours of release.
 - DART program (Drug/Alcohol Random Testing) and order to abstain from
 - Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances
 - CAT program (Continuous Alcohol Testing) and order to abstain from alcohol GPS
 - Other *Arrest to be vacated only if \$5,000 cash security is posted on each case - \$5,000 on 19CR009245 + \$5,000 on 19CR009246*
- In accordance with NRS 178.484, any law enforcement officer is ordered to arrest the person if he has probable cause to believe the person has violated a condition of bail or Own Recognizance release.

IT IS SO ORDERED:

Dated this 23rd day of October, 2019

[Signature]
Henderson Municipal Judge

Telephonically confirmed: ___ / ___ / ___ @ ___ : ___ a.m. / p.m.

Confirmed by: _____ P# _____ Return Court Date: ___ / ___ / ___

Confirmed with Judge _____ Court Time: ___ : ___ am / pm Dept. #: _____

Original = Court / Yellow = SPS / Pink = Defendant/ Goldenrod = HDC (Rev 050117)

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV
Dated: 12/18/19
Court Clerk: [Signature]

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

7. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the Carson City Sheriff's Office requesting a 6 month extension pursuant to NRS 289.550, for their employee Deputy Robert Roton to meet certification requirements. The request would extend the time period to meet certification to August 22, 2020.



Ken Furlong
Sheriff

911 E. Musser St.
Carson City, NV 89701

775-887-2500
Fax: 775-887-2026

January 02, 2020

Michael Sherlock, Executive Director
Nevada Commission on Peace Officer
Standards and Training
5587 Wa Pai Shone Avenue
Carson City, Nevada 89701

Dear Executive Director Sherlock,

I am requesting to be placed on the POST Commission meeting agenda for a 6-month extension for my employee Deputy Robert Routon. Due to staffing issues within the agency, Deputy Routon was unable to attend an academy within the one year time requirement.

Deputy Routon's date of hire was February 22, 2019, and to be grant a 6-month extension would extend his time to August 22, 2020. He will be scheduled to attend the July 2020 Basic Academy at POST.

Therefore, I am requesting this extension past the one year requirement to become POST certified for Deputy Routon.

Thank you for your consideration.

Regards,


Ken Furlong, Sheriff
Carson City Sheriff's Office

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

8. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the Carson City Sheriff's Office requesting a 6 month extension pursuant to NRS 289.550, for their employee Deputy Jared Blue to meet certification requirements. The request would extend the time period to meet certification to August 22, 2020.



Ken Furlong
Sheriff

911 E. Musser St.
Carson City, NV 89701

775-887-2500
Hearing Impaired: 711
Fax: 775-887-2026

January 27, 2020

Michael Sherlock, Executive Director
Nevada Commission on Peace Officer
Standards and Training
5587 Wa Pai Shone Avenue
Carson City, Nevada 89701

Dear Executive Director Sherlock,

I am requesting to be placed on the POST Commission meeting agenda for a 6-month extension for my employee Deputy Jared Blue. Deputy Blue was scheduled to attend the January 27, 2020 POST Basic Academy. However, due to Deputy Blue failing the sit-up portion of the POST Physical Fitness Test Battery he will need to be rescheduled for the July 2020 academy.

Deputy Blue's date of hire was February 22, 2019, and to be grant a 6-month extension would extend his time to August 22, 2020. He will be scheduled to attend the July 2020 Basic Academy at POST.

Therefore, I am requesting this extension past the one year requirement to become POST certified for Deputy Blue.

Thank you for your consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Ken Furlong", is written over a horizontal line.

Ken Furlong, Sheriff
Carson City Sheriff's Office

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

9. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the Eureka County Sheriff's Office requesting a 6 month extension pursuant to NRS 289.550, for their employee Undersheriff James R. Clark to meet certification requirements. The request would extend the time period to meet certification to July 17, 2020.



EUREKA COUNTY SHERIFF'S OFFICE

Jesse J. Watts - Sheriff-Coroner

James R. Clark - Undersheriff

Mr. Sherlock & POST Commissioner;

The Eureka County Sheriff's Office is asking for a six-month extension for Undersheriff James Clark.

There are two main reasons for this extension request. The extreme staffing shortage, the Eureka County Sheriff's Office experienced from January to July is the first reason. Undersheriff Clark worked patrol and detentions 6 to 7 days a week, on top of attempting to do his administrative duties. Undersheriff Clark worked over 1,800 from January to the end of July.

The last week of July, Undersheriff Clark experienced a very serious medical emergency and was life flighted out of state, where he was in the ICU. Undersheriff Clark was out of work for an extended period of time and on work restrictions until the later part of September, when he was released to work. Since September, Undersheriff Clark has been covering Patrol and Detentions shifts due to the staffing shortage again.

This has limited his time to prepare for the PPFT. We ask for the one-time six-month extension for him to complete the PPFT. Undersheriff Clark has already completed the Reciprocity requirement.

Respectfully,

Jesse J. Watts
Sheriff-Coroner

James R. Clark
Undersheriff-Chief Deputy Coroner

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

10. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the North Las Vegas Police Department, for their employee Chief Pamela A. Ojeda, for an Executive Certificate.

02-12-2020

EXECUTIVE CERTIFICATE REVIEW

Name: Pamela A. Ojeda

Agency: NLVPD

Hired: March 11,1997

- | | | | |
|--|---|-----------------------------|--|
| A. Current Basic Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 08/01/1998 |
| B. Current Intermediate Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 11/09/2001 |
| C. Current Advanced Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 03/19/2003 |
| D. Current Supervisor Certificate | <input type="checkbox"/> Yes | <input type="checkbox"/> No | N/A |
| E. Current Management Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 06/12/2006 |
| F. 6 years experience as peace officer | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 22+ years |
| including 1 year at executive level | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 10/27/2018 Assist Chief,
Nov 16, 2018 promoted to Chief of Police |

Orgchart: Attached

G. 200 hours of training in advanced management in addition to the requirements of A-F.

FBI national Academy 400 Hrs 09/18/2009

Yes No

H. Proof meeting the requirements in NAC 289.047 Executive Level position

Yes No

I. Conflicts with Management Certificate: NONE

State of Nevada - POST

Professional Certificate Application

POST ID#

15 941

Officer's Name

Ojeda Pamela A

Select the Professional Certificate and choose the applicant's qualifications for the certificate.

All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. (use the *POST Professional Training OR Annual Compliance Formatta* form).

Meets the following requirements:

Intermediate (NAC 289.240)

Has an Intermediate Certificate and meets the following requirements:

Advanced (NAC 289.250)

Meets the following requirements:

Supervisor (NAC 289.255)

Has Advanced and Supervisor Certificates and meets the following:

Management (NAC 289.260)

Has a Management Certificate and meets the following:

Executive (NAC 289.270)

6 yrs (1 Exec) exp., supervise 2 mgrs, head of agency/div./bureau, 200 hrs adv mgmt trng

Click the Attachments button to submit Only the following documents as REQUIRED:

- > Intermediate & Advanced - copy of degree or proof of required credits (if no degree)
- > Management - a letter confirming job level, org. chart
- > Executive - a letter confirming job level, org. chart, and proof of 200 hrs. advanced management training

Additional Information or comments:

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate selected.

Submitters Name:

Crystal Patterson

Submitters Phone:

(702) 633-1832

Submitters E-Mail:

pattersonc@cityofnorthlasvegas.com

Submission number: 144970

**** This Section is for POST Approval ONLY **** Do NOT Enter in this Section ****

Education Credit Hours Date Achieved

400 FEINA 1/2/16/19

Approved By:



Comments:

Certification Date:

2/12/2020

Mayor
John J. Lee

City Manager
Ryann Juden



CITY OF
NORTH LAS VEGAS

Be a Community of Choice

City Manager's Office

2250 Las Vegas Boulevard, North · Suite #900 · North Las Vegas, Nevada 89030
Telephone: (702) 633-1005 · Fax: (702) 633-1339 · TDD: (800) 326-6868
www.cityofnorthlasvegas.com

November 19, 2019

Mr. Mike Sherlock
Executive Director
Nevada POST

I am writing this letter to recommend Chief Pamela Ojeda for her Executive Certificate from Nevada POST. Chief Ojeda has been the Chief of Police for the North Las Vegas Police Department since November 16, 2018. Chief Ojeda has obtained her Intermediate, Advanced, and Management Certificates from Nevada POST. Chief Ojeda has a BA in Criminal Justice and a MA in Business Management and is a graduate of the FBI National Academy and FBI LEEDS.

Chief Ojeda has been with the North Las Vegas Police department for over 24 years. Chief Ojeda started as a dispatcher in September 1995. In March 1997, Chief Ojeda entered the police academy and started her law enforcement career. Chief Ojeda has gained vast knowledge and experience from her many assignments in the department which include: Patrol, Crime Scene Investigations (CSI), Patrol Sergeant, CSI Sergeant, Detective Sergeant, Patrol Lieutenant, K9 Lieutenant, Narcotics Lieutenant (HIDTA Task Force), and Detective Lieutenant.

Chief Ojeda was promoted to Captain on February 17, 2018. On October 27, 2018, she was promoted to Assistant Chief and then promoted to Chief of Police on November 16, 2018.

During Chief Ojeda's time as Chief of Police she has made several organizational changes which has led to the decrease in crime rates throughout the City of North Las Vegas. Chief Ojeda is making great strides in improving community relations by creating a Community Oriented Policing (COP) unit. Chief Ojeda also attends several community events, including being invited as a guest speaker. Chief Ojeda shows personal dedication by spending off days participating in several charitable organization events.

Chief Ojeda is passionate not only about creating quality leaders in the department, but also the well-being of the officer. Chief Ojeda has implemented additional training for her police officers to include leadership training, suicide prevention for law enforcement, and substance abuse training for law enforcement.

In closing, Chief Ojeda is nothing short of amazing and we are so lucky to have her leading the charge in North Las Vegas as our Police Chief. I have no doubt that her qualifications, experience and leadership capabilities make her an outstanding candidate for the Executive Certificate from Nevada POST

Sincerely,

A handwritten signature in black ink, appearing to read "Ryann Juden", is written over a horizontal line.

Ryann Juden
City Manager

Ojeda, Pamela A. (15941)

Employment Summary

North LV PD - Active Full-time **Total Service:** 22 Years 268 Days
Hired: 3-11-1997 **Last Action:** 3-11-1997 Hired

Assignment: **Pos/Rank:**
Level: Executive **Class:**
Shift: :

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 6-12-2006	Active	6-12-2006			
Professional: Advanced 3-19-2003	Active	3-19-2003			
Professional: Intermediate 11-09-2001	Active	11-09-2001			
Basic: Category I 8-01-1998	Active	8-01-1998			

Employment History

North LV PD **Service:** 22 Years 267 Days
Date: 3-11-1997 **Action:** Hired **Status:** Active Full-time

Assignment: **Pos/Rank:**
Level: Executive **Class:**
Shift: :

Training

Course	Title	Date	Hours	Score	Status
C000001	Firearms Proficiency 1	12-31-2019	1.00	0.00	Passed
C000003	Arrest Control/ Defensive Tactics	11-12-2019	1.00	0.00	Passed
C000004	Less Lethal Weapon Proficiency	11-12-2019	1.00	0.00	Passed
C000005	Use of Force Policy Review	11-12-2019	1.00	0.00	Passed
M0000359	Agency Continuing Education Training	11-12-2019	1.00	0.00	Passed
2019 Pass/Complete:			5.00		
C000001	Firearms Proficiency 1	12-31-2018	1.00	0.00	Passed
M0000359	Agency Continuing Education Training	12-31-2018	1.00	0.00	Passed
C000003	Arrest Control/ Defensive Tactics	12-31-2018	1.00	0.00	Passed
C000004	Less Lethal Weapon Proficiency	12-31-2018	1.00	0.00	Passed
C000005	Use of Force Policy Review	12-31-2018	1.00	0.00	Passed
C000002	Firearms Proficiency 2	12-31-2018	1.00	0.00	Passed
2018 Pass/Complete:			6.00		
M0000359	Agency Continuing Education Training	12-31-2017	1.00	0.00	Passed
C000001	Firearms Proficiency 1	12-31-2017	1.00	0.00	Passed



FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

400 hrs.



Issues this award thereby certifying that

Pamela Ann Ojeda

*North Las Vegas, Nevada, Police Department
has completed a general course of instruction afforded by the*

***FBI National Academy
United States Department of Justice***

9-18-09

*antico in the State of Virginia for a period of ten weeks ending this the eighteenth
y of September in the year of our Lord two thousand and nine and by these
s is entitled to such professional standing as a law enforcement officer as may be
roperly accorded by reason of the completion of such course of instruction*

*E. Holder
y General*

*Robert S. Mueller
Director*

C I T I Z E N S



John J. Lee
Mayor



Isaac Barron
Councilman Ward 1



Pamela Goynes-Brown
Councilwoman Ward 2



Scott Black
Councilman Ward 3



Richard Charchio
Councilman Ward 4



Sean Hoeffgen
Municipal Judge



Niccola Moore
City Attorney



Ryann Juden
City Manager



Darren Adair
Chief Financial Officer



Alfredo Malasio
Deputy City Manager



Delen Goldberg
Chief of Staff



Gina Gavan
Chief Innovation Officer

Grants, Government Affairs,
Communications, Council Liaisons

Economic
Development



Cass Palmer
Neighborhood and
Leisure Services



Forrest Lewis
Libraries



Catherine Rayner
City Clerk



Director
IT



Dale Daffern
Public Works



Marc Jordan
Land Development &
Community Services



Randy DeVest
Utilities



Director
Finance



Joseph Colthoun
Fire Chief



Pamela Ojeda
Police Chief



Nicole Washington
Human Resources



Cindy Marshall
Court Administrator

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

11. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the Humboldt County Sheriffs Office, for their employee Sheriff Michael E. Allen, for an Executive Certificate.

13932

02/12/2020

EXECUTIVE CERTIFICATE REVIEW

Name: Allen, Michael

Agency: Humboldt County SO

Hired

- A. Current Basic Certificate Yes No 09/21/1984
- B. Current Intermediate Certificate Yes No 12/16/1987
- C. Current Advanced Certificate Yes No 02/11/1997
- D. Current Supervisor Certificate Yes No Exempt
- E. Current Management Certificate Yes No 02/11/1997
- F. 6 years experience as peace officer Yes No 30+ years
- including 1 year at executive level Yes No

Orgchart: Attached

G. 200 hours of training in advanced management in addition to the requirements of A-F.

See attachment total 360.5 hours

Yes No

H. Proof meeting the requirements in NAC 289.047 Executive Level position

Yes No

Recorded elected Sheriff of Humboldt County

I. Conflicts with Management Certificate: NONE

State of Nevada - POST

Professional Certificate Application

POST ID# 13932

Officer's Name
Allen, Michael E.

Select the Professional Certificate and choose the applicant's qualifications for the certificate.

All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. (use the *POST Professional Training OR Annual Compliance Formatta* form).

Meets the following requirements:

Intermediate (NAC 289.240)

Has an Intermediate Certificate and meets the following requirements:

Advanced (NAC 289.250)

Meets the following requirements:

Supervisor (NAC 289.255)

Has Advanced and Supervisor Certificates and meets the following:

Management (NAC 289.260)

Has a Management Certificate and meets the following:

Executive (NAC 289.270)

6 yrs (1 Exec) exp., supervise 2 mgrs, head of agency/div./bureau, 200 hrs adv mgmt trng

Click the Attachments button to submit Only the following documents as REQUIRED:

- > Intermediate & Advanced - copy of degree or proof of required credits (if no degree)
- > Management - a letter confirming job level, org. chart
- > Executive - a letter confirming job level, org. chart, and proof of 200 hrs. advanced management training

Additional Information or comments:

Letter of Recommendation signed attached

Org Chart showing management level of Executive attached

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate selected.

Submitters Name:

Johnston - POST

Submitters Phone:

775-687-3335

Submitters E-Mail:

Submission number: 154153

**** This Section is for POST Approval ONLY **** Do NOT Enter in this Section ****

Education Credit Hours Date Achieved

01/27.2020

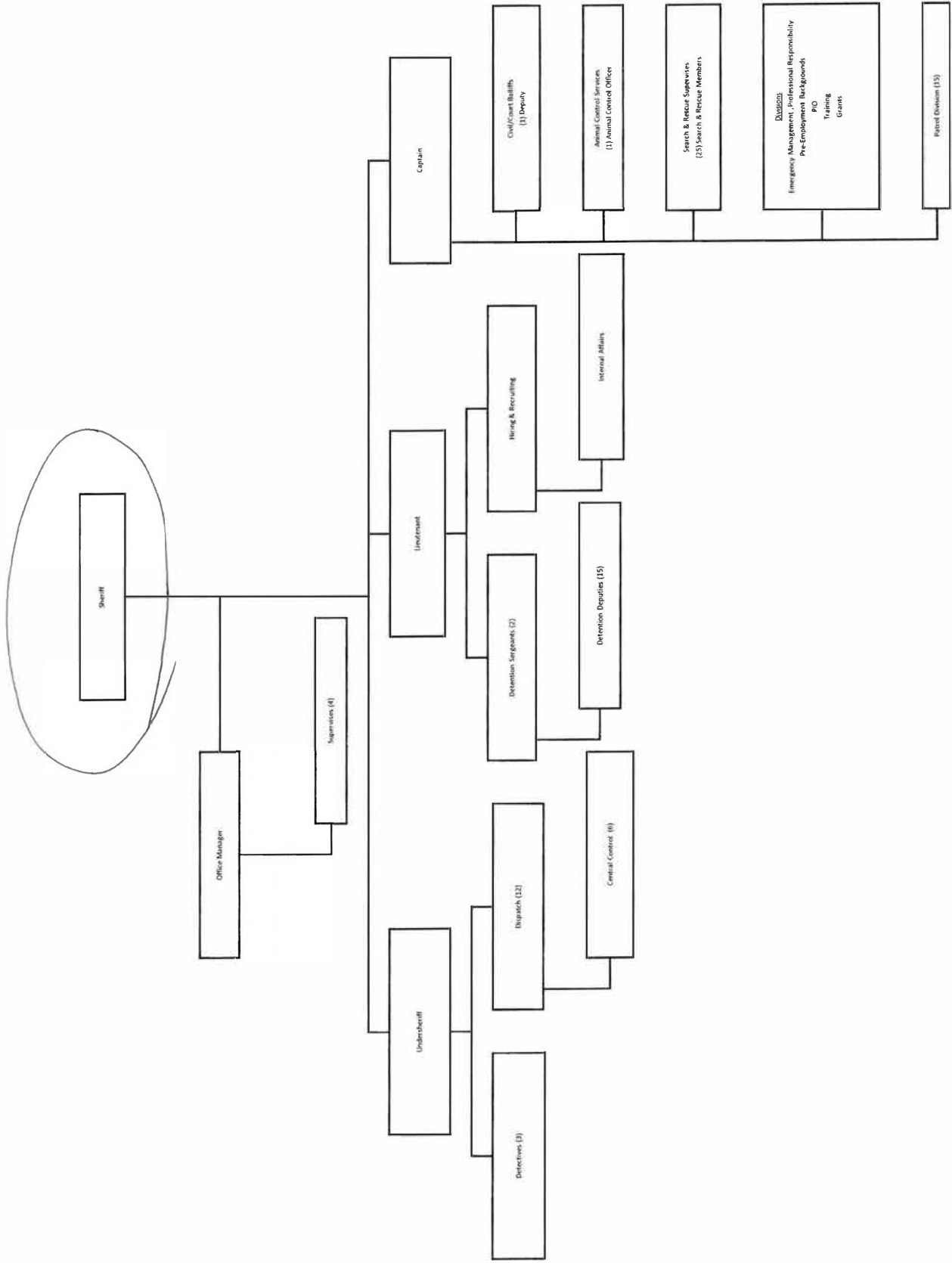
Approved By:



Comments:

Certification Date:

02/12/2020



Sheriff

Office Manager

Supervisors (4)

Undersheriff

Detectors (3)

Dispatch (12)

Central Control (6)

Chief/Inmate

Detention Sergeants (2)

Hiring & Recruiting

Detention Deputies (15)

Internal Affairs

Captain

Civil/Court Bailiffs (1) Deputy

Animal Control Services (1) Animal Control Officer

Search & Rescue Supervisors (25) Search & Rescue Members

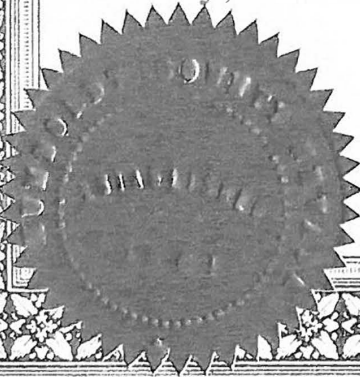
Disposition: Emergency Management, Professional Responsibility, Pre-Employment Backgrounds, Training, Grants

Retired Division (15)

State of Nevada, County of Humboldt

I, Tami Rae Spero, County Clerk, within and for Humboldt County, do hereby certify that at the General Election held in the County of Humboldt, on November 4, 2014, MICHAEL "MIKE" ALLEN, was duly elected for the Office of COUNTY SHERIFF, Humboldt County, in and for the said County, as appears from the official canvass of the returns of said County now on file and of record in this office, and that MICHAEL "MIKE" ALLEN is the duly elected COUNTY SHERIFF, Humboldt County, as aforesaid.

In Witness Whereof, I have hereunto set my hand and official seal this 5th day of January, 2015.



Tami Rae Spero
TAMI RAE SPERO
Humboldt County Clerk

STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

Basic Certificate

To

MICHAEL E. ALLEN

For having completed 200 hours, fulfilling the requirements for training as prescribed by Nevada Revised Statutes.

[Signature] Governor

[Signature] Director, Nevada Department of Motor Vehicles

Presented this 21st day of September, 1984

STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

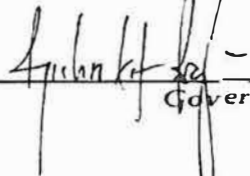
Intermediate Certificate

To

MICHAEL E. ALLEN

*For having fulfilled the requirements for Intermediate Certification
as prescribed by Nevada Revised Statutes.*

CATEGORY I, POLICE OFFICER


Governor


Director, Department of
Motor Vehicles and Public Safety

Presented this...16...day of...December..., 1987...

STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

Advanced Certificate

To

MICHAEL E. ALLEN

For having fulfilled the requirements for Advanced Certification as prescribed by Nevada Revised Statutes.

AS PRESCRIBED IN NEVADA ADMINISTRATIVE CODE 481

[Signature of Governor]

Governor

[Signature of Director]

Director, Department of Motor Vehicles and Public Safety

Presented this 11 day of February, 19 97

STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

Management Certificate

To

MICHAEL E. ALLEN

For having fulfilled the requirements for Management Certification as prescribed by Nevada Revised Statutes.

AS PRESCRIBED IN NEVADA ADMINISTRATIVE CODE 481

[Signature of Governor]

Governor

[Signature of Director]

Director, Department of Motor Vehicles and Public Safety

Presented this 11 day of February, 1997

Training Certificates for consideration of Executive POST Certificate for Sheriff Mike Allen

Team Building Strategies for Managers	June 1998	8 Hours
Modular Drug Training Train the Trainer	March 1999	40 Hours
Northwestern University Retraining	June 1999	40 Hours
Review of Tribal Issues	November 1999	3 Hours
Road Map to Police Chiefs Success	December 1999	4 Hours
Community Policing Workshop	December 1999	4 Hours
National Fusion Center Conference	March 2009	24 Hours
National Fusion Center Conference	February 2010	24 Hours
National Fusion Center Security Workshop	July 2010	24 Hours
Risk Management and Loss for LE	February 2015	20 Hours
Supervising the Toxic Officer	June 2015	16 Hours
Ethics in Government Law	June 2015	2 Hours
Nevada Sheriff's & Chiefs Annual Conference	November 2015	16 Hours
Western States Sheriffs Association Training	March 2016	24 Hours
NSA Executive Level Management Training	June 2017	7 Hours
National Sheriffs Institute Exec Level Training	September 2017	41 Hours
Western States Sheriffs Association Training	March 2018	28 Hours
Nevada Sheriffs and Chiefs Annual Training	November 2018	16 Hours
FRISK Management Model Training	October 2019	3.5 Hours
Nevada Sheriffs and Chiefs Annual Training	November 2019	16 Hours
	Total Training Hours	360.5

STATE OF NEVADA

PEACE OFFICERS' STANDARDS AND TRAINING COMMITTEE

Certifies

MIKE E. ALLEN

Has completed 8 hours of instruction in a course entitled TEAM BUILDING STRATEGIES FOR MANAGERS. This training is presented under authority of, and is consistent with Nevada Revised Statutes.

[Signature]
Chief, Peace Officers' Standards and Training

Presented this 17th day of JUNE, 1998



Multijurisdictional Counterdrug Task Force Training



This Certifies That

Mike Allen

Has Attended and Successfully Completed

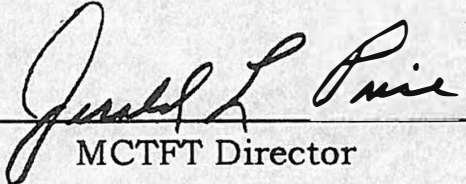
Modular Drug Training

40 Training Hours

March 15, 1999 - March 19, 1999
Reno, NV



Florida National Guard


MCTFT Director

NORTHWESTERN UNIVERSITY TRAFFIC INSTITUTE



This is to certify that

Mike E. Allen

has attended the three-day
GRAD RETRAINING SEMINAR

conducted at Tempe, Arizona

June 5-9, 1999

Paul M. Bendis

DIRECTOR OF TRAINING

Stuart R. Ruff

DIRECTOR OF THE TRAFFIC INSTITUTE

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Certifies

MIKE E. ALLEN

Has completed **3** hours of instruction in a course entitled
REVIEW OF TRIBAL ISSUES . This training is presented
under authority of, and is consistent with Nevada Revised Statutes.



Executive Director, Commission on Peace Officers'
Standards and Training

Presented this 30TH day of NOVEMBER 1999

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Certifies

MIKE E. ALLEN

Has completed 4 hours of instruction in a course entitled ROAD MAP TO POLICE CHIEFS SUCCESS . This training is presented under authority of, and is consistent with Nevada Revised Statutes.

[Signature]

Executive Director, Commission on Peace Officers' Standards and Training

Presented this 1ST day of DECEMBER, 1999

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

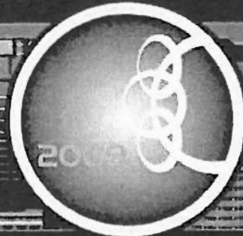
Certifies

MIKE ALLEN

Has completed 4 hours of instruction in a course entitled COMMUNITY POLICING WORKSHOP. This training is presented under authority of, and is consistent with Nevada Revised Statutes.

[Signature]
Executive Director, Commission on Peace Officers' Standards and Training

Presented this 1ST day of DECEMBER, 1999



MARCH 10-12, 2009

NATIONAL FUSION CENTER CONFERENCE KANSAS CITY, MISSOURI

This certificate is presented to

Lieutenant Mike Allen

Nevada Threat Analysis Center

on behalf of the National Fusion Center Coordination Group
in recognition of your participation at the

2009 National Fusion Center Conference

Jon Bunn
Supervisory Special Agent
Interagency Integration Unit
Directorate of Intelligence
Federal Bureau of Investigation
Cochair NFCCG

Robert Riegler
Director
State and Local Program Office
Office of Intelligence and Analysis
U.S. Department of Homeland Security
Cochair NFCCG



United States
Department of Justice





NATIONAL FUSION CENTER CONFERENCE

NEW ORLEANS, LOUISIANA

FEBRUARY 23-25, 2010

This certificate is presented to

Mike Allen

Nevada Threat Analysis Center

on behalf of the Fusion Center Management Group
in recognition of your participation at the

2010 National Fusion Center Conference

Bart R. Johnson
Principal Deputy Under Secretary for
Intelligence and Analysis
Office of Intelligence and Analysis
U.S. Department of Homeland Security

Susan B. Reingold
Acting Program Manager
Information Sharing Environment



United States
Department of Justice



National Fusion Center Security Liaison Workshop



United States
Department of Justice

This certificate is presented to

Mike Allen
Nevada Threat Analysis Center

On behalf of the DHS/DOJ Fusion Process Technical Assistance Program
in recognition of your participation at the

National Fusion Center Security Liaison Workshop

A handwritten signature in black ink, appearing to read "Bart Johnson".

Bart R. Johnson
Principal Deputy Under Secretary for
Intelligence and Analysis
Office of Intelligence and Analysis
U.S. Department of Homeland Security

A handwritten signature in black ink, appearing to read "Jerry Williams".

Jerry Williams
Chief Security Officer
Office of the Chief Security Officer
U.S. Department of Homeland Security

July 13–15, 2010

Oklahoma City, Oklahoma

Public Agency Training Council

National Criminal Justice
CERTIFICATE OF ATTENDANCE

Mike Allen

Has completed 20 hours in

**Risk Management and Loss Control
for Law Enforcement Conference**

Las Vegas, NV

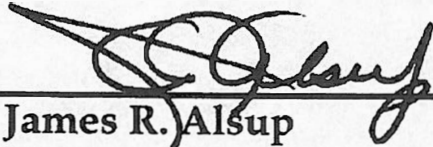
2/23/2015 through 2/25/2015

Instructors

**John "Jack" Ryan, Matthew Dolan,
Brian Nanavly, Brian Devlin,
Lou Relter, Mark Filburn
& Troy Pitcock**

South Carolina 047 Indiana 35-1639066

"Dedicated to Setting Training Standards"


James R. Alsup
Director



Public Agency Training Council

National Criminal Justice
CERTIFICATE OF ATTENDANCE

Mike Allen

Has completed 16 hours in

Supervising the Toxic Officer

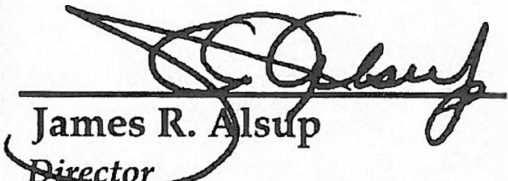
Winnemucca, NV

6/1/2015 through 6/2/2015

Instructor

Matt Dolan

South Carolina 047
Indiana 35-1639066


James R. Alsup
Director



"Dedicated to Setting Training Standards"



THE STATE OF NEVADA
COMMISSION ON ETHICS

hereby certifies that

Mike Allen

attended its training presentation entitled “Ethics in Government Law”
consisting of 2 hours of instruction
on June 24, 2015.

Yvonne Nevarez-Goodson, Esq.

Executive Director

Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, NV 89703
775-687-5469



*FBINAA Nevada Chapter
and
Nevada Sheriffs' & Chiefs' Association*

Certificate of Training

Mike Allen

Humboldt County Sheriff's Office

attended 16 hours of training
at the Annual Training Conference in Las Vegas, NV
November 3 & 4, 2015

November 4, 2015

Date

Dave Noahr

*Dave Noahr, President
FBINAA Nevada Chapter*



Western States Sheriffs' Association

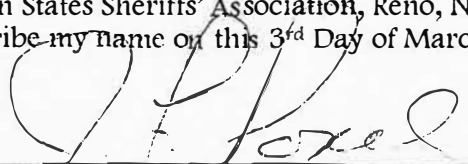
This is to certify that

Sheriff Mike Allen

Has successfully completed 24-hours of Training in:

Giving your Best and Being the Best – Begins with Practice – Mr. Michael Harper
Effective Communication is an Ethical Leadership Imperative – Ancil Sparks
Detention Specific Topics - NIJO
Social Media – Cheryl Bledso
Public Land Management and the Community with Round Table Discussion
Managing Detention Operation under Federal Consent Decree
Radicalization, Ideology and Terrorism in the Middle East
Annual Business Meeting

Conducted by the: Western States Sheriffs' Association, Reno, Nevada In testimony thereof
I subscribe my name on this 3rd Day of March, 2016


James F. Pond, Executive Director
Western States Sheriffs' Association



This is to certify that

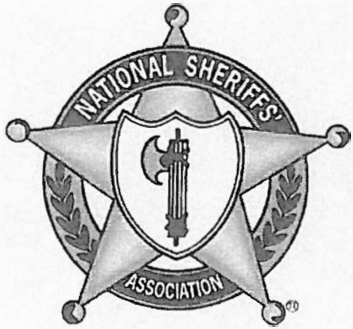
Michael Allen

Humboldt County

has completed a total of 7.00 hours
of Executive Level Management Education and Training
at the National Sheriffs' Association 2017 Annual Conference in Reno, NV

June 24-28, 2017

Jonathan F. Thompson
Executive Director



National Sheriffs' Institute

This is to certify that

Michael Allen

has completed a total of 41 hours
of Executive Level Management Education and Training
at the 113th National Sheriffs' Institute held in Aurora, Colorado

Sponsored by: National Sheriffs' Association
 National Institute of Corrections

Conferred this 22nd day of September, 2017

A handwritten signature in black ink, appearing to read "John Chapman".

Executive Director, National Sheriffs' Association

A handwritten signature in black ink, appearing to read "P. V. Reed".

Acting Director, National Institute of Corrections



Western States Sheriffs' Association

This is to certify that

Sheriff Mike Allen

Has successfully completed 28-hours of Training in:

Opening Session – Keynote Speaker – Mark “Oz” Geist
Association Funding Models

Contemporary Detention Issues by National Institute Jail Operations
The Aftermath of the fall of Isis & Impact to the US

Extremist in America

Annual Business Meeting

Marijuana & the Regional Effects

Mental Health in Jails

Case Study: Las Vegas Shooting

Conducted by the: Western States Sheriffs' Association, Reno, Nevada In testimony thereof

I subscribe my name on this 8th Day of March 2018

James F. Pond, Executive Director
Western States Sheriffs' Association



*FBINAA Nevada Chapter
and
Nevada Sheriffs' & Chiefs' Association*

Certificate of Training

Mike Allen

Humboldt County Sheriff's Office

attended 16 hours of training
at the Annual Training Conference in Las Vegas, NV
November 6 & 7, 2018

November 7, 2018

Date

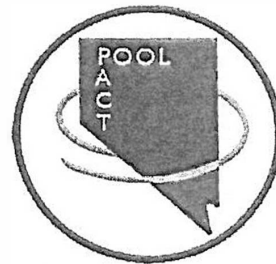
Pamela Ojeda

*Pamela Ojeda, President
FBINAA Nevada Chapter*

Certificate of Attendance

FRISK®

Documentation Model



MIKE ALLEN

presented by

A handwritten signature in black ink, appearing to read 'JL 10/10/19', is written over the printed text.

for POOL/PACT Human Resources

Date: October 10, 2019
Training hours: 3.5



*FBINAA Nevada Chapter
and
Nevada Sheriffs' & Chiefs' Association*

Certificate of Training

Mike Allen

Humboldt County Sheriff's Office

attended 16 hours of training

at the Annual Training Conference in Las Vegas, NV

November 5 & 6, 2019

November 6, 2019

Date

Pamela Ojeda

*Pamela Ojeda, President
FBINAA Nevada Chapter*

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

12. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Request from the Las Vegas Metropolitan Police Department, for their employee Captain Larry R. Clark, for an Executive Certificate

02/12/2020

EXECUTIVE CERTIFICATE REVIEW

Name: CLARK, Larry

Agency: LVMPD

Hired

- | | | | |
|--|---|-----------------------------|------------|
| A. Current Basic Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 09/28/1990 |
| B. Current Intermediate Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 10/04/2010 |
| C. Current Advanced Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 10/04/2010 |
| D. Current Supervisor Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 08/01/2012 |
| E. Current Management Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 09/17/2012 |
| F. 6 years experience as peace officer | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 29+ years |
| including 1 year at executive level | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

Orgchart: Captain of Civil Constables Bureau

- G. 200 hours of training in advanced management in addition to the requirements of A-F.

Northwestern University Police Staff and Command

Yes No

- H. Proof meeting the requirements in NAC 289.047 Executive Level position

Yes No

- I. Conflicts with Management Certificate: NONE

State of Nevada - POST

Professional Certificate Application

POST ID#

13044

Officer's Name

Clark Larry

Select the Professional Certificate and choose the applicant's qualifications for the certificate.

All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. (use the *POST Professional Training OR Annual Compliance* Formatta form).

Meets the following requirements:

Intermediate (NAC 289.240)

Has an Intermediate Certificate and meets the following requirements:

Advanced (NAC 289.250)

Meets the following requirements:

Supervisor (NAC 289.255)

Has Advanced and Supervisor Certificates and meets the following:

Management (NAC 289.260)

Has a Management Certificate and meets the following:

Executive (NAC 289.270)

6 yrs (1 Exec) exp., supervise 2 mgrs, head of agency/div./bureau, 200 hrs adv mgmt trng

Click the Attachments button to submit Only the following documents as REQUIRED:

- > Intermediate & Advanced - copy of degree or proof of required credits (if no degree)
- > Management - a letter confirming job level, org. chart
- > Executive - a letter confirming job level, org. chart, and proof of 200 hrs. advanced management training

Additional Information or comments:

Letter of Recommendation signed attached

~~Org Chart showing management level as Executive attached~~

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate selected.

Submitters Name:

Steve Hutchason

Submitters Phone:

(702) 828-1964

Submitters E-Mail:

s7088h@lvmpd.com

Submission number: 154153

**** This Section is for POST Approval ONLY **** Do NOT Enter in this Section ****

Education

Credit Hours

Date Achieved

Approved By:

01-27-2020



Comments:

Certification Date:

2-12-2020

CIVIL SECTION DEPUTIES		CONSTABLE SECTION			COUNTY CIVILIANS		
COMBARDO, JOE FSS	SR Deputy	10862					
AMMAN, DAVID FSS	Deputy Sheriff	1 1898					
BERNSTROM, JEFFERY BSM	Deputy Sheriff	18261					
DELUSSA, MICK FSS	Deputy Sheriff	18086					
GHASSERIANI, ALAN FSS	Deputy Sheriff	18064					
JEHUSHAN, JAMIE BBS	Deputy Sheriff	18067					
PEARSON, DERRICK FSS	Deputy Sheriff	18029					
RICHIE, KEVIN TH FSS	Deputy Sheriff	7967					
STIEGEMEYER, RICK BSM	Deputy Sheriff	18056					
THOMAS, BRIAN BSM	Deputy Sheriff	18083					
WYANT, ROBERT BSM	Deputy Sheriff	8247					
VACANT							

SR DEPUTY		SERGEANT DEPUTY CONSTABLE			COUNTY PART TIME CIVILIANS		
	1						
	18						

SR DEPUTY		SERGEANT DEPUTY CONSTABLE			COUNTY PART TIME CIVILIANS		
	2						
	3						
	3						
	1						
	1						
	12						
	3						
	0						

SR DEPUTY		SERGEANT DEPUTY CONSTABLE			COUNTY PART TIME CIVILIANS		
	1						
	1						
	12						
	3						
	0						

SR DEPUTY		SERGEANT DEPUTY CONSTABLE			COUNTY PART TIME CIVILIANS		
	1						
	11						
	12						
	3						
	0						

SR DEPUTY		SERGEANT DEPUTY CONSTABLE			COUNTY PART TIME CIVILIANS		
	1						
	11						
	12						
	3						
	0						

COUNTY EMPLOYEES - Constable

As of 01/13/20	AUTH	ASG	+/
Office Services Manager	1	1	0
Legal Office Assistant II	8	7	-1
Part Time	5	5	0
Process Server	1	1	0
SGY Deputy Constable	3	3	0
Deputies	20	17	-3
Civilian	14	13	-1
Part Time	6	5	-1
Civilian Process Server	1	1	0
Commissioned	20	17	-3

TOTALS

TOTAL CIVILIAN	AUTH	ASG	+/
TOTAL PART TIME	14	13	-1
TOTAL COMMISSIONED	20	17	-3

As of 01/13/20

As of 01/13/20	AUTH	ASG	+/
Asst. Capt.	1	1	0
Asst. Lieut.	2	2	0
Asst. Sargent	8	8	0
Asst. Constable	24	27	3
Field Services	68	68	0
Total Commissioned	103	106	3

As of 01/13/20

As of 01/13/20	AUTH	ASG	+/
Asst. Constable	1	1	0
Asst. Lieut.	2	2	0
Asst. Sargent	8	8	0
Asst. Constable	24	27	3
Field Services	68	68	0
Total Commissioned	103	106	3
Total Constables & Civilians	121	134	13
Part Time	0	0	0
TOTAL	121	134	13

COLOR LEGEND

ADMIN LEAVE / BAL	1
FEMALE / CO-SOLD	177
FILA	0
LIGHT DUTY	8
LOAD (LHM, MFT, DT)	4
MILITARY LEAVE	0
TOY FROM	0
TOY TO	0
TRAINEE	0
WORKMAN'S COMP	1
CRO TRAINED	0

CO SGT

CO SGT	1
CO	11
D	0
D-TI	39
E	0
F	7
G	4
H	1
I	2
J	1
K	1
L	1
M	1
N	1
O	1
P	1
Q	1
R	1
S	1
T	1
U	1
V	1
W	1

CO SGT

CO SGT	1
CO	11

CO SGT

CO SGT	1
CO	11

**LAS VEGAS METROPOLITAN
POLICE DEPARTMENT**

JOSEPH LOMBARDO, Sheriff

Partners with the Community

January 21, 2020

Nevada Commission on Peace Officers' Standards & Training
5587 Wa Pai Shone Avenue
Carson City, NV 89701

Attn: Mike Sherlock, Executive Director of NV P.O.S.T.

Reference: Executive Certificate for Captain Larry Clark.

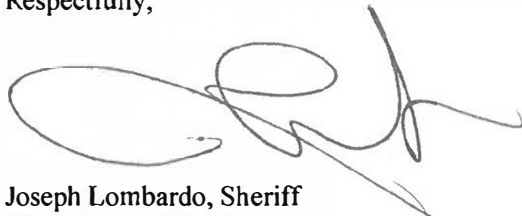
Dear Mr. Sherlock,

This letter certifies that Captain Larry Clark meets the requirement for the award of a Nevada P.O.S.T. Professional Executive Certificate. This is based on the Captain's current assignment as stated in NAC 289.260 and NAC 289.047 and holding an executive level position.

Captain Clark is currently assigned to a position supervising two or more persons who hold a management level position and is in charge of a major bureau within LVMPD.

An organization chart is included which demonstrates this officer's position within the LVMPD agency.

Respectfully,



Joseph Lombardo, Sheriff
Clark County Sheriff
Las Vegas Metropolitan Police Department

Clark, Larry R. (13044)

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 9-17-2012	Active	9-17-2012			
Professional: Supervisor 8-01-2012	Active	8-01-2012			
Professional: Advanced 10-04-2010	Active	10-04-2010			
Professional: Intermediate 10-04-2010	Active	10-04-2010			
Basic: Category III 9-28-1990	Active	9-28-1990			

Northwestern University
College of Arts and Sciences
Department of Public Safety
Chicago, Illinois

This is to certify that

Larry R. Clark

has successfully completed the

**School of
Police Staff and Command**

Henderson, Nevada

January 17 - May 20, 2011

480 HRS



Thomas F. Bishop

Dean of the School of Continuing Studies

Conrad Fish

Director of the Center for Public Safety

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

13. PUBLIC COMENTS

The Commission may not take action on any matter considered under this item until the matter is specifically included on an agenda as an action item.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

14. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Schedule upcoming Commission Meeting for May 7, 2020 at 8:30 am at the Commission on Peace Officers Standards and Training, 5587 Wa Pai Shone Ave, Carson City, NV 89701.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

15. DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.

Adjournment.