



Nevada Commission on Peace Officer  
Standards and Training

**PUBLIC COMMENT HEARING  
WORKSHOP  
POST COMMISSION MEETING**

MONDAY OCTOBER 16, 2017 – 4:00 PM

SOUTH POINT HOTEL, CASINO AND SPA, NAPA Rooms A & B  
9777 LAS VEGAS BLVD S., LAS VEGAS, NEVADA





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

BRIAN SANDOVAL  
*Governor*

MICHAEL D. SHERLOCK  
*Executive Director*

**08/16/2017**

**NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Adoption, Amendment and Repeal**

**Of**

**Regulations of the Commission on Peace Officer  
Standards and Training**

**PUBLIC COMMENT HEARING NOTICE:** The Commission on Peace Officer Standards and Training ("Commission") will hold a public hearing at 4:00 p.m., on October 16, 2017, at the South Point Hotel, Casino and Spa, NAPA rooms A & B, 9777 Las Vegas Blvd. South, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment and repeal of regulations that pertain to Chapter 289 of the Nevada Administrative Code (NAC).

The following information is provided pursuant to the requirements of NRS 233B.0603:

**1. The need for and purpose of the proposed regulations.**

NRS Chapter 289 authorizes the Commission to adopt regulations setting the minimum standards for the certification, decertification, training and selection of peace officers. See, NRS 289.510. The Commission has adopted regulations establishing the minimum standards required to issue a peace officer a Basic Certificate and standards to maintain a Basic Certificate. See NAC 289.140 thru NAC 289.170, NAC 289.200 and NAC 289.230.

Existing regulations establish the minimum standard of training for peace officers in training categories I, II, III and reserve officers. The proposed regulation in **LCB File No. R003-17 Sections 1-4** makes various changes concerning the minimum standard of training. These changes will update the NAC topic areas of academy training so they match with NRS changes made by the Legislature. This includes topic areas in training standards from category II and III minimum training standards and include them in the category I training standards resulting in students achieving multiple certifications. NAC 289.200 authorizes the Executive Director to award a basic certificate to a peace officer who is certified in another state and has completed training specified in NAC 289.200. **Section 5** of this proposed regulation revises the requirements, in the same manner as Sections 1-4, for the training course a peace officer is required to complete before being awarded a basic certificate.

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic certificate or reserve certificate, including the completion of in-service training. In addition to such in-service training, a peace officer who is authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use. The proposed regulation in **LCB File No. R012-17** (NAC 289.230) **Section 1** requires a peace officer to demonstrate a minimum level of proficiency in the use of each **type of firearm** he or she is authorized to use. Additionally, existing regulations require a peace officer who does not serve as a peace officer for a certain period, depending on the reason therefor, to satisfy certain requirements before resuming his or her duties as a peace officer. (NAC 289.230) **Section 1** of this proposed regulation also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.

Existing regulations establish provisions relating to the certification of courses of training above the level of basic training. (NAC 289.310) **Section 2** of this proposed regulation updates the requirements for in state and out of state training providers to obtain certification of their courses, exemption, and decertification of a course.

2. **For a temporary regulation, the terms, or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.**

This is a permanent regulation.

3. **For a proposed regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation.**

The proposed regulation text may be obtained by contacting Kathy Floyd at [kfloyd@post.state.nv.us](mailto:kfloyd@post.state.nv.us) or by telephone at 775-687-3320.

4. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**

(a) **Both adverse and beneficial effects; and**



(1) Adverse effects: None anticipated.

(2) Beneficial effects: The amendment to the regulations will ensure that training topics are aligned with statutory titles and descriptions. This will provide academy training programs to be able to graduate officers with category I, II, III certificates. This will provide graduating officers with category I, II, and III certifications. This should lead to an increased level of professionalism among peace officers graduating from academies. This will also provide agencies with clear direction concerning annual training for newly hired, rehired or reinstated officers after July 1 of a reporting year. Training providers will have clear direction on the process for certification of professional development training courses.

**(b) Both immediate and long-term effects:**

The immediate effects: The changes and updates should provide more efficient and cost saving training with the consolidation of topic areas for Categories I, II, and III. Peace officers will be able to attend one academy and graduate with a certificate covering all three categories of law enforcement training and certification.

The long term effects: There should be beneficial long term fiscal savings to agencies. Instead of sending officers to two or three different academies to obtain necessary certifications to cover their changing duties, agencies can send officers to one training academy and achieve all three categories of certifications. The cost saving should effect both agencies and training academies run by the agencies.

**5. The methods used by the agency in determining the impact on a small business.**

The Commission on POST has reviewed the text of the proposed regulations. Because the regulation amends Nevada Administrative Code Chapter 289, dealing with minimum standards for the training, certification and decertification of peace officers employed by governmental law enforcement agencies, the proposed amendments to NAC Chapter 289 will have no impact on small business.

**6. The estimated cost to the agency for enforcement of the proposed regulation.**

The Commission does not project any extra costs for enforcement of the proposed regulations.

**7. A description of and citation to any regulations of other states or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.**

The proposed regulation does not overlap or duplicate any regulations of state, local or federal governmental agency regulating the same activity.

**8. If the regulation is required pursuant to federal law, a citation and description of the federal law.**

The proposed regulation is not required by federal law.

**9. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provision.**

There are no federal regulations that regulate the same activity.

**10. Whether the proposed regulation establishes a new fee or increases an existing fee.**

This regulation does not involve or establish fees.

**11. For a temporary regulation, each address at which the text of the regulation may be inspected and copied.**

This regulation is not a temporary regulation; it is a permanent regulation.

Persons wishing to comment upon the proposed action of the Commission on Peace Officer Standards and Training (Commission on POST) may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Michael D. Sherlock, Executive Director, Commission on POST, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. **Written submissions must be received by the Commission on POST on or before 5:00 pm on September 28, 2017.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission on POST may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted, amended or repealed will be available at the Commission on POST Administrative Offices, 5587 Wai Pai Shone Avenue, Carson City, 89701, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us>, the POST web site at <http://post.nv.gov> and at <https://notice.nv.gov> .

Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either

before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

The Notice of Hearing has been sent to all criminal justice agencies on the Commission on POST mailing list and posted at the following locations:

**CARSON CITY**

Blasdel Building, 209 East Musser Street  
Nevada State Library, 100 Stewart Street

**LAS VEGAS**

Grant Sawyer State Building, 555 Washington Avenue

Capitol Building, 101 N. Carson Street  
Commission on POST, 5587 Wa Pai  
Shone Ave.

**ELY**

White Pine County Sheriff's Office, 1785 Great  
Basin Blvd.

***LIBRARIES (MAIN BRANCHES)***

<b>Carson City Library</b> 900 N. Roop St Carson City, Nevada 89702	<b>Churchill County Library</b> 553 S. Maine Street Fallon, Nevada 89406-3387
<b>Clark County Library</b> 1401 E. Flamingo Rd. Las Vegas, Nevada 89119-5265	<b>Douglas County Public Library</b> 1625 Library Ln. PO Box 337 Minden, Nevada 89423-4420
<b>Elko County Library</b> 720 Court St. Elko, Nevada 89801-3331	<b>Esmeralda County Library</b> Corner of Crook & 4th Street Post Office Box 430 Gold Field, Nevada 89013-430
<b>Humboldt County Library</b> 85 E. 5th Street Winnemucca, Nevada 89445-3095	<b>Battle Mountain Branch Library</b> 625 S. Broad St Post Office Box 141 Battle Mountain, Nevada 89820-1920
<b>Lincoln County Library</b> 63 Main Street PO Box Box 330 Pioche, Nevada 89043	<b>Lyon County Library System</b> 20 Nevin Way Yerington, Nevada 89447-2399
<b>Mineral County Library</b> 110 1st St PO Box 1390 Hawthorne, Nevada 89415-1390	<b>Tonopah Public Library</b> 167 S. Central Street Post Office Box 449 Tonopah, Nevada 89049-0449
<b>Pershing County Library</b> 1125 Central Avenue PO Box 781 Lovelock, Nevada 89419-0781	<b>Storey County Library</b> 175 Carson Street PO Box 999 Virginia City, Nevada 89440-0999
<b>Washoe County Library System</b> 301 South Center Street Reno, Nevada 89501-2102	<b>White Pine County Library</b> 950 Campton Street Ely, Nevada 89301-1965

NOTE: We are pleased to make reasonable accommodations for members of the public with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Commission on POST, in writing, at 5587 Wai Pai Shone Avenue, Carson City, Nevada 89701, or call Kathy Floyd at (775) 687-7678, Extension 3320, no later than five working days prior to the meeting.

**SEE ATTACHED COPIES OF THE PROPOSED  
REGULATIONS**

**PROPOSED REGULATION OF  
THE PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION**

**LCB File No. R003-17**

June 21, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1, 2, 4 and 5, NRS 289.510 and 289.600; §3, NRS 289.510.

A REGULATION relating to peace officers; revising provisions relating to the minimum standard of training required for peace officers and reserve officers; revising requirements for the training course certain peace officers are required to complete before being awarded a basic certificate; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510) Existing law also requires the Commission to require each peace officer, as a condition of certification, to be trained in dealing with the crimes of stalking and aggravated stalking. (NRS 289.600)

Existing regulations establish the minimum standard of training for peace officers in training categories I, II and III and reserve officers. (NAC 289.140-289.170) **Sections 1-4** of this regulation make various changes concerning the minimum standard of training required for peace officers in training categories I, II and III and reserve officers, respectively.

Existing regulations establish the requirements for the awarding of a basic certificate to a peace officer and authorize the Executive Director of the Commission to award a basic certificate to a peace officer who is certified in another state or has successfully completed certain training approved by the Commission in certain circumstances. (NAC 289.200) **Section 5** of this regulation revises the requirements for the training course such a peace officer is required to complete before being awarded a basic certificate.

**Section 1.** NAC 289.140 is hereby amended to read as follows:

289.140 The minimum standard of training for officers in training category I is successful completion of a basic course that includes 480 hours of training in:

1. Law and legal procedures, specifically:

- (a) Civil liability;
- (b) Constitutional law;
- (c) Crimes against persons;
- (d) Crimes against property;
- (e) Juvenile law;
- (f) Laws governing coroners;
- (g) Laws relating to arrest;
- (h) *Laws relating to correctional institutions;*
- (i) Laws relating to drugs, including, without limitation, current trends in drugs;
- ~~{(i)}~~ (j) Miscellaneous crimes;
- ~~{(j)}~~ (k) Probable cause;
- ~~{(k)}~~ (l) Rights of victims;
- ~~{(l)}~~ (m) Search and seizure;
- ~~{(m)}~~ (n) *Searches of offender institutions;*
- (o) Traffic laws; and
- ~~{(n)}~~ (p) Use of force.

2. Patrol operations and investigations, specifically:

- (a) Abuse of ~~{elderly}~~ *older* persons;

- (b) ~~{Accident investigations;~~
  - (e)} Basic patrol procedures;
  - ~~{(d)}~~ (c) Child abuse and sexual abuse of a child;
  - ~~{(e)}~~ (d) *Crash investigations;*
  - (e) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking;*
  - (f) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (g) Principles of investigation;
  - (h) Techniques of interviewing and interrogation;
  - (i) The DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration; and
  - (j) Unknown-risk and high-risk vehicle stops.
3. Performance skills, specifically:
- (a) ~~{Health, fitness and wellness;}~~ *Fire safety and use of equipment;*
  - (b) Interpersonal communications;
  - (c) *Lifetime fitness;*
  - (d) Operation of emergency vehicles;
  - ~~{(d)}~~ (e) Provision of emergency first aid and cardiopulmonary resuscitation;
  - ~~{(e)}~~ (f) *Public and media relations;*
  - (g) Searching of buildings;
  - ~~{(f)}~~ (h) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - ~~{(g)}~~ (i) Training concerning active assailants;

~~{{h}}~~ (j) Training in the use of firearms; and

~~{{i}}~~ (k) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Care of persons in custody;

(b) *Classification and receiving of offenders;*

(c) Community policing;

~~{{e}}~~ (d) Counter-terrorism and weapons of mass destruction;

~~{{d}}~~ (e) Courtroom demeanor, including, without limitation, the giving of testimony;

~~{{e}}~~ (f) Crisis intervention;

~~{{f}}~~ (g) *Cultural awareness;*

(h) Ethics in law enforcement;

~~{{g}}~~ (i) *Games offenders play;*

(j) *Gangs and cults;*

(k) Handling of persons with mental illness;

~~{{h}}~~ (l) History and principles of law enforcement;

~~{{i}}~~ Management of stress;

(m) *Modern correctional philosophy;*

~~{{j}}~~ (n) National Crime Information Center procedures;

~~{{k}}~~ (o) *Records of offenders in institutions;*

(p) *Supervision of offenders;*

(q) Survival of peace officers;

~~{{t}}~~ (r) Systems of criminal justice; and



~~{{(m)}} (s)~~ The realities of law enforcement.

5. Course administration and examinations.

**Sec. 2.** NAC 289.150 is hereby amended to read as follows:

289.150 The minimum standard of training for officers in training category II is successful completion of a basic course that includes 200 hours of training in:

1. Law and legal procedures, specifically:

(a) Civil liability;

(b) Constitutional law;

(c) Crimes against persons;

(d) Crimes against property;

(e) Juvenile law;

(f) Laws relating to arrest;

(g) *Laws relating to correctional institutions;*

(h) Laws relating to drugs, including, without limitation, current trends in drugs;

~~{{(h)}} (i)~~ Miscellaneous crimes;

~~{{(i)}} (j)~~ Probable cause;

~~{{(j)}} (k)~~ Rights of victims;

~~{{(k)}} (l)~~ Search and seizure; ~~and~~

~~—{{(l)}} (m)~~ *Searches of offender institutions; and*

(n) Use of force.

2. Operations and investigations, specifically:

(a) Abuse of ~~{elderly}~~ *older* persons;

- (b) Child abuse and sexual abuse of a child;
  - (c) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking;*
  - (d) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (e) Principles of investigation; and
  - (f) Techniques of interviewing and interrogation.
3. Performance skills, specifically:
- (a) ~~{Health, fitness and wellness;}~~ *Fire safety and use of equipment;*
  - (b) Interpersonal communications;
  - (c) *Lifetime fitness;*
  - (d) Provision of emergency first aid and cardiopulmonary resuscitation;
  - ~~{(d)}~~ (e) *Public and media relations;*
  - (f) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - ~~{(e)}~~ (g) Training concerning active assailants;
  - ~~{(f)}~~ (h) Training in the use of firearms; and
  - ~~{(g)}~~ (i) Writing of reports.
4. The functions of a peace officer, specifically:
- (a) Care of persons in custody;
  - (b) *Classification and receiving of offenders;*
  - (c) Counter-terrorism and weapons of mass destruction;
  - ~~{(e)}~~ (d) Courtroom demeanor, including, without limitation, the giving of testimony;
  - ~~{(d)}~~ (e) Crisis intervention;

~~{(e)}~~ *(f) Cultural awareness;*

*(g) Ethics in law enforcement;*

~~{(f)}~~ *(h) Games offenders play;*

*(i) Gangs and cults;*

*(j) Handling of persons with mental illness;*

~~{(g)}~~ *(k) History and principles of law enforcement;*

~~{(h)}~~ *Management of stress;*

~~—{(i)}~~ *(l) Modern correctional philosophy;*

*(m) National Crime Information Center procedures;*

~~{(j)}~~ *(n) Records of offenders in institutions;*

*(o) Supervision of offenders;*

*(p) Survival of peace officers;*

~~{(k)}~~ *(q) Systems of criminal justice; and*

~~{(l)}~~ *(r) The realities of law enforcement.*

5. Course administration and examinations.

**Sec. 3.** NAC 289.160 is hereby amended to read as follows:

289.160 The minimum standard of training for officers in training category III is successful completion of a basic course that includes 160 hours of training in:

1. Legal subjects, specifically:

(a) Civil ~~{rights of offenders;}~~ *liability;*

(b) ~~{Searches of offender}~~ *Laws relating to correctional institutions;*

(c) ~~{Laws relating to correctional}~~ *Searches of offender institutions; and*

- (d) ~~{Laws relating to stalking and aggravated stalking; and~~
- ~~—(e)}~~ Use of force.
- 2. Procedures in the field, specifically:
  - (a) *Care of persons in custody;*
  - (b) *Classification and receiving of offenders;*
  - (c) *Crisis intervention;*
  - (d) *Games offenders play;*
  - (e) Gangs and cults;
  - ~~{(b)}~~ (f) *Records of offenders in institutions; and*
  - (g) Supervision of offenders . ~~{;~~
  - ~~—(e) Classification and receiving of offenders;~~
  - ~~—(d) Transportation of offenders;~~
  - ~~—(e) Crisis intervention;~~
  - ~~—(f) Records of offenders in institutions; and~~
  - ~~—(g) Games offenders play.}~~
- 3. Skills of officers, specifically:
  - (a) ~~{Writing of reports for correctional institutions;~~
  - ~~—(b)}~~ Fire safety and use of emergency equipment;
  - ~~{(e)}~~ Fingerprinting;
  - ~~—(d) Defensive tactics;~~
  - ~~—(e) Introduction of restraints;~~
  - ~~—(f) Physical conditioning; and~~

~~—(g)~~ (b) *Lifetime fitness;*

(c) *Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;*

(d) Training concerning active assailants ~~†~~ ;

(e) *Training in the use of firearms; and*

(f) *Writing of reports.*

4. Investigation, specifically:

(a) ~~{Crime scene and}~~ *Domestic violence, stalking and aggravated stalking;*

(b) *Handling of persons with mental illness;*

(c) *Investigation of crime scenes, collection and preservation of evidence †;*

~~—(b) Investigation of narcotics and abuse of controlled substances;~~

~~—(c) Investigation of allegations of stalking and aggravated stalking;† and fingerprinting; and~~

(d) ~~{Personality disorders and prevention of suicide.}~~ *Laws relating to drugs, including, without limitation, current trends in drugs.*

5. Community relations, specifically:

(a) ~~{Ethics for correctional officers;~~

~~—(b)}~~ Cultural awareness;

(b) *Ethics in law enforcement;*

(c) Interpersonal communications; and

(d) Public and media relations.

6. Miscellaneous subjects, specifically:

(a) *Counter-terrorism and weapons of mass destruction;*

(b) Modern correctional philosophy;

~~{(b) First}~~

(c) *Provision of emergency first aid* ~~;~~

~~—(e) ~~Cardiopulmonary~~ and cardiopulmonary resuscitation; and~~

(d) ~~{Criminal}~~ *Systems of criminal justice* . ~~{system; and~~

~~—(e) Counter terrorism and weapons of mass destruction.}~~

7. Course administration and examination.

**Sec. 4.** NAC 289.170 is hereby amended to read as follows:

289.170 The minimum standard of training for reserve officers is successful completion of a basic course that includes 120 hours of training in:

1. Law and legal procedures, specifically:

(a) Civil liability;

(b) Constitutional law;

(c) Crimes against persons;

(d) Crimes against property;

(e) Juvenile law;

(f) Laws relating to arrest;

(g) Laws relating to drugs, including, without limitation, current trends in drugs;

(h) Miscellaneous crimes;

(i) Probable cause;

(j) Search and seizure;

(k) Traffic laws; and

- (l) Use of force.
- 2. Patrol operations and investigations, specifically:
  - (a) Abuse of ~~{elderly}~~ *older* persons;
  - (b) Basic patrol procedures;
  - (c) Child abuse and sexual abuse of a child;
  - (d) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking*;
  - (e) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (f) Principles of investigation; and
  - (g) Unknown-risk and high-risk vehicle stops.
- 3. Performance skills, specifically:
  - (a) ~~{Health,}~~ *Lifetime* fitness ; ~~{and wellness;}~~
  - (b) Provision of emergency first aid and cardiopulmonary resuscitation;
  - (c) Searching of buildings;
  - (d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - (e) Training concerning active assailants;
  - (f) Training in the use of firearms; and
  - (g) Writing of reports.
- 4. The functions of a peace officer, specifically:
  - (a) Community policing;
  - (b) Counter-terrorism and weapons of mass destruction;
  - (c) Courtroom demeanor, including, without limitation, the giving of testimony;

- (d) Crisis intervention;
- (e) Ethics in law enforcement;
- (f) Handling of persons with mental illness;
- (g) History and principles of law enforcement; and
- (h) Survival of peace officers.

5. Course administration and examinations.

**Sec. 5.** NAC 289.200 is hereby amended to read as follows:

289.200 1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
  - (b) Passed the state certification examination with a score of at least 70 percent; and
  - (c) Passed the state physical fitness examination for the appropriate category of peace officer
- as described in NAC 289.205.

2. The Executive Director may award a basic certificate to any peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

- (a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;
- (b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;



(c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

(1) Abuse of ~~{elderly}~~ *older* persons;

(2) ~~{Active assailants}~~;

~~{(3)}~~ Child abuse and sexual abuse of a child;

~~{(4)}~~ (3) Civil liability;

~~{(5)}~~ (4) *Classification and receiving of offenders*;

(5) Constitutional law;

(6) Counter-terrorism and weapons of mass destruction;

(7) Crimes against persons;

(8) Crimes against property;

(9) Cultural awareness;

(10) Domestic violence , ~~{and}~~ stalking ~~{,}~~ *and aggravated stalking*;

(11) Ethics in law enforcement ; ~~{or for correctional officers;}~~

(12) *Fire safety and use of equipment*;

(13) *Games offenders play*;

(14) *Gangs and cults*;

(15) Juvenile law;

~~{(13)}~~ (16) Laws relating to arrest;

~~{{14}}~~ (17) *Laws relating to correctional institutions;*

(18) Laws relating to drugs, including, without limitation, current trends in drugs;

~~{{15}}~~ (19) Miscellaneous crimes;

~~{{16}}~~ (20) *Modern correctional philosophy;*

(21) Probable cause;

~~{{17}}~~ (22) *Public and media relations;*

(23) *Records of offenders in institutions;*

(24) Rights of victims;

~~{{18}}~~ (25) Search and seizure;

~~{{19}} Sexual harassment;~~

(26) *Searches of offender institutions;*

(27) *Supervision of offenders;*

(28) *Training concerning active assailants;* and

~~{{20}}~~ (29) Use of force;

(e) The peace officer passes the state certification examination with a score of at least 70 percent; and

(f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

3. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

(a) Satisfactorily completed the basic training course for a reserve certificate;

(b) Passed the state certification examination with a score of at least 70 percent; and

(c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.

4. Except as otherwise provided in subsection 5 or 6, an officer must pass the state physical fitness examination:

(a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or

(b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.

5. If a student enrolled in a basic training course certified or approved pursuant to NAC 289.300 sustains a bona fide physical injury that renders him or her incapable of completing the requirements of the state physical fitness examination, an agency may submit a request for an extension of time for the student to complete the examination. The agency shall submit such a request to the Executive Director. The request must include, without limitation, written verification by a physician that the student is incapable of completing the requirements of the state physical fitness examination. If the Executive Director determines that an extension of time is warranted, the Executive Director shall authorize an extension of time for a period not to exceed 12 months after the date on which the student was hired or, if the student is a reserve officer, the date of activation of his or her reserve status.

6. If an officer passes the state physical fitness examination:

(a) While not enrolled in a basic training course certified or approved pursuant to NAC 289.300; and

(b) More than 16 weeks, but less than 12 months, after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status, ⇒ the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection 4. The request must include, without limitation, the reason the officer was unable to pass the state physical fitness examination within the periods described in subsection 4. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

7. Upon satisfactory completion of the requirements listed in subsection 1, 2 or 3, the employing agency shall submit a request for certification to the Executive Director. The request must include:

(a) The name, social security number and date of hire of the officer or, if the officer is a reserve officer, the date of activation of his or her reserve status;

(b) Documentary evidence that the officer has successfully completed an approved basic training course;

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by this chapter; and

(d) The statement concerning child support prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

8. The basic certificate of an officer whose employment is terminated for any reason will be placed on inactive status. If such a person is again employed as a full-time peace officer, the employing agency shall request that the person's basic certificate be returned to active status. If the certification of such a person is on inactive status for more than 5 consecutive years, the

person must renew his or her basic certificate by successfully completing the requirements set forth in subsection 1.

9. If a person who successfully completes a basic training course for the purpose of obtaining a basic certificate is not employed by an agency within 24 months after completing the course, the person must repeat all of the requirements for basic certification set forth in subsection 1.

10. Except as otherwise provided in this subsection, to satisfactorily complete a basic training course for the purposes of this section, the person must successfully complete all of the requirements in one course. If a person is discharged from a basic training course for any reason that is not disciplinary, the person may complete any remaining requirements in a later course provided by the same entity if the person has not previously been discharged from a course and if:

(a) The administrator of the basic training course recommends that the person complete the requirements in a later course, the administrator of the employing agency of the person requests that the person be allowed to complete the requirements in a later course and the Executive Director gives approval;

(b) The subsequent course is provided in a manner which ensures that the person completes all of the requirements for a basic training course for which the course is certified; and

(c) The subsequent course begins not later than 120 days after the discharge.



**PROPOSED REGULATION OF  
THE PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION**

**LCB File No. R012-17**

June 30, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1 and 2, NRS 289.510.

A REGULATION relating to peace officers; requiring a peace officer who is authorized to use a firearm to demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use; requiring certain peace officers to satisfy certain requirements before commencing or resuming their duties as a peace officer; making various changes regarding the certification of courses for training above the level of basic training; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510)

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic certificate or reserve certificate, including the completion of in-service training. In addition to such in-service training, a peace officer who is authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use. (NAC 289.230) **Section 1** of this regulation instead requires a peace officer to demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. Existing regulations require a peace officer who does not serve as a peace officer for a certain period, depending on the reason therefor, to satisfy certain requirements before resuming his or her duties as a peace officer. (NAC 289.230) **Section 1** also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.



Existing regulations establish provisions relating to the certification of courses for training above the level of basic training. (NAC 289.310) **Section 2** of this regulation makes various changes regarding the certification of such courses.

**Section 1.** NAC 289.230 is hereby amended to read as follows:

289.230 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 complete 12 hours of additional agency in-service training prescribed 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 *type of* firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any *type of* firearm he or she is authorized to use may not carry or use ~~the~~ *that type of* 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; ~~to~~

(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 ~~to~~; or

*(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year,*

→ 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 *type of* firearm he or she is authorized to use before *commencing or* 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.

**Sec. 2.** NAC 289.310 is hereby amended to read as follows:

289.310 1. ~~{An agency or other}~~ A provider of training *whose principal place of business is located:*

(a) *Within this State* may, *except as otherwise provided in subsection 2*, apply for certification above the level of basic training for a course by submitting to the Executive Director, by any means approved by the Executive Director : ~~{a request to certify the course on a form approved by the Executive Director and:~~

~~—(a)}~~ (1) A ~~{concise synopsis of the}~~ course ~~{,}~~ *description*, including, without limitation, the title of the course, the intended goals of the course and specific objectives for ~~{the students in}~~ the course;

~~{(b) A detailed}~~

(2) *An outline of the* lesson plan, including, without limitation, a chronological list of the major subject headings;

~~{(c) A list of the intended instructors, including, without limitation, a brief résumé of experience in the subject area and experience in instructing for each instructor;~~

~~—(d)} (3) The total ~~{amount}~~ *number* of hours ~~{of instruction};~~~~

~~—(e) A description} *required to complete the course; and*~~

*(4) If applicable, a copy of the written examinations or a description of the practical examinations on the material covered by the course which is to be graded on a pass or fail basis and which measures accomplishment of the objectives . ~~{by the students, including, without limitation, an examination at the beginning and end of the course; and~~*

~~—(f) A bibliography of all resource materials used to prepare the course.}~~

*(b) Outside of this State may apply for certification above the level of basic training for a course in accordance with subsection 2.*

*2. Any provider of training who provides a course that is currently accredited under the Program, regardless of whether the principal place of business of the provider of training is located within or outside of this State, may apply for certification above the level of basic training for the course by submitting to the Executive Director documentation of such accreditation. The Executive Director shall award to the provider of training certification above the level of {a} basic training for the course {to an agency or other provider of training which did not comply with the provisions of subsection 1 for a} if the course {which has been certified by another state or other comparable agency if the submitting agency or other provider of training presents the supporting documents concerning the subject matter and instructors.} meets all minimum requirements for a course that is above the level of basic training and the provider of training complies with all requirements established by the Program.*



3. A ~~{request to certify a course must be approved by the administrator of the agency or other}~~ provider of training ~~{for the administrator's designee. If the course offers training in legal issues and subjects relating to legal liability, the legal adviser of the agency or other provider of training must approve the course.}~~ *may apply for an exemption from the requirements set forth in subsection 2 by submitting a request to the Executive Director, on the business letterhead of the provider of training, explaining the specific reasons for requesting the exemption. The Executive Director may grant an exemption upon a showing of good cause by the provider of training.*

4. The Executive Director shall review courses certified pursuant to this section periodically for compliance with the provisions of this section. The Executive Director shall notify ~~{an agency or other}~~ a provider of training that provides such a course of any noncompliance.

5. The Executive Director shall ~~{revoke the certification of}~~ *decertify* a course if ~~{the agency or other}~~ :

(a) *The provider of training that provides the course:*

~~{(a)}~~ (1) Requests ~~{revocation of}~~ the ~~{certification}~~ *decertification* of the course; or

(2) *Does not comply with the provisions of this section; or*

(b) ~~{Has not provided}~~ *There is no record of a peace officer completing* the course during any period of 24 consecutive months. ~~{or}~~

~~{(c) Does not comply with the provisions of this section.}~~

6. ~~{An agency or other}~~ A provider of training whose course has been certified shall maintain on file, and make available for inspection upon the request of the Commission or its designee:

- (a) A roster of the peace officers who attended the course;
- (b) Each officer's results on the examination; and
- (c) An evaluation of the course by each peace officer who attended the course.

7. ~~{An agency or other provider of training whose course is currently accredited by an organization, such as the National Accreditation Committee or the American Correctional Association, which:~~

- ~~—(a) Is nationally recognized; and~~
- ~~—(b) Gives accreditation to courses for peace officers,~~

~~↪ is not required to apply to the Executive Director for accreditation of the course. Such an agency or other provider of training shall maintain on file, and make available for inspection upon the request of the Commission or its designee, a roster of the peace officers who attended the course, each officer's results on the examination and an evaluation of the course by each peace officer who attended the course.~~

~~—8. An agency or other}~~ A provider of training whose course has been certified shall issue a certificate of completion to all peace officers who successfully complete the course of training.

The certificate must contain:

- (a) The certification number assigned to the course ; ~~{by the Commission;}~~
- (b) The name of the course;
- (c) The hours of training earned for the course; and
- (d) The date on which the course was presented.

~~{9.}~~ 8. The employing agency of a peace officer ~~{who attends a course certified pursuant to this section}~~ shall, upon receipt of ~~{the}~~ a certificate of completion issued to the peace officer

pursuant to subsection ~~{8,}~~ 7, report the ~~{peace officer's successful}~~ completion of the course of *training* to the Executive Director by any means approved by the Executive Director ~~{}~~ *on or before December 31 of the year in which the peace officer completes the course of training.*

9. *As used in this section, "Program" means the National Certification Program of the International Association of Directors of Law Enforcement Standards and Training.*





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

BRIAN SANDOVAL  
*Governor*

MICHAEL D. SHERLOCK  
*Executive Director*

**08/16/2017**  
**NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED  
REGULATIONS**

The Commission on Peace Officer Standards and Training, 5587 Wa Pai Shone Avenue, Carson City, Nevada, telephone number (775) 687-7678, is proposing the adoption, amendment and repeal of regulations pertaining to Chapter 289 of the Nevada Administrative Code.

A workshop has been scheduled for 4:00 p.m., on October 16, 2017, at the South Point Hotel, Casino, and Spa, NAPA Rooms A&B, 9777 Las Vegas Blvd S., Las Vegas, Nevada.

The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

**TOPIC**

**NAC REGULATION**

- A. The development of a Law Enforcement Dispatcher Basic Certificate voluntary program as outlined in Assembly Bill 151 which went into effect July 1, 2017 to include:
1. Establish minimum standards of a voluntary program for the training of law enforcement dispatchers.
  2. Certify qualified instructors for approved courses of training for law enforcement dispatchers and issue certificates to instructors who become certified.
  3. Issue appropriate certificates to law enforcement dispatchers who have satisfactorily completed the voluntary program.

**New section in NAC  
Chapter 289**

A copy of all materials for the meeting may be obtained by contacting Kathy Floyd, Administration, at (775) 687-3320, 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, law enforcement training academies, 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 Kathy Floyd at (775) 687-7678, Ext. 3320, no later than 2 working days prior to the 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

BRIAN SANDOVAL  
*Governor*

MICHAEL D. SHERLOCK  
*Executive Director*

**AMENDED NOTICE OF PUBLIC MEETING (NRS 241)**

NOTICE IS HEREBY GIVEN THAT STARTING AT 4:00 P.M. ON MONDAY, OCTOBER 16, 2017, THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A PUBLIC COMMENT HEARING, WORKSHOP AND REGULARLY SCHEDULED MEETING AT THE SOUTH POINT HOTEL, CASINO AND SPA, NAPA ROOMS A&B, 9777 LAS VEGAS BLVD. S., LAS VEGAS, NEVADA.

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. PUBLIC COMMENT HEARING**

1. Call to order.
2. Roll call of Commission Members.
3. Public Comment Hearing on Proposed Regulations LCB File R003-17 and LCB File R012-17.

**THE PURPOSE OF THE HEARING IS TO RECEIVE COMMENTS FROM ALL INTERESTED PERSONS REGARDING THE ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS THAT PERTAIN TO CHAPTER 289 OF THE NEVADA ADMINISTRATIVE CODE (NAC)(THIS PUBLIC COMMENT HEARING HAS BEEN PREVIOUSLY NOTICED AS REQUIRED BY NRS CHAPTER 233B).**

**TOPICS**

**A. LCB File R003-17**

Existing regulations establish the minimum standards of training for peace officers in training category I, II, and III and reserve officers. Sections 1-5 of the proposed regulation amends NAC 289.140-289.170 and NAC 289.200, minimum training standards for Categories I, II, III, and Reserve training standards, to update them with the NRS title associated with each training standard to accurately reflect the corresponding NRS titles. The proposed regulation also integrates Categories I, II, III and reserve basic training standards so a peace officer successfully completing a basic training course for one category will also be certified in each category below category of the basic training course he successfully completed. This will make it possible for a peace officer attending one academy to

Become certified in multiple training categories covering a broader scope of job tasks. For example, a peace officer who successfully completes a Category I basic training course will also be certified in Category II and Category III minimum training standards.

#### **B. LCB File R012-17**

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic or reserve certificate, including completion of in-service training. In addition to in-service training, a peace officer authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm the officer is authorized to use. NAC 289.230 is proposed to be amended to clarify a peace officer must show the required proficiency with each **type** of firearm they are authorized to use. The proposed regulation also clarifies the requirements a peace officer must meet before resuming their normal duties after a certain time away from their peace officer duties. The proposed regulation also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.

## **II. WORKSHOP**

1. Workshop on proposed/future regulation related to voluntary law enforcement dispatcher training and certification pursuant to the authority set out in Assembly Bill 151.

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

### **TOPIC**

### **NAC REGULATION**

- A. The Commission to discuss AB 151 which requires the Commission on Peace Officer Standards to create a voluntary Law Enforcement Dispatcher training and Basic Certificate program and to establish minimum standards for instructors, students, and curriculum. **NAC NEW**
- B. Reciprocity training from other states who maintain and regulate such a program in their jurisdiction.

#### **2. 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.*

## **III. REGULARLY SCHEDULED MEETING AGENDA ITEMS**

1. Call to order
2. Roll call of Commission Members
3. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Approval of minutes from the July 27, 2017 regularly scheduled POST Commission Meeting.

4. **INFORMATION** Executive Director's report.
  - a. Training Division: Online training
  - b. Standards Division: Year-end compliance
  - c. Administration: Facilities Manager Doyle Smith retired, filled the vacancy
5. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to decide whether to continue the rule making process regarding AB151 requirements to set standards and certification requirements for law enforcement dispatchers to become certified through a voluntary program.
6. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to discuss and take possible action to adopt new regulations as follows:

**A. LCB File No. R003-17.**

Existing regulations establish the minimum standards of training for peace officers in training category I, II, and III and reserve officers. Sections 1-5 of the proposed regulation amends NAC 289.140-289.170 and NAC 289.200, minimum training standards for Categories I, II, III, and Reserve training standards, to update them with the NRS title associated with each training standard to accurately reflect the corresponding NRS titles. The proposed regulation also integrates Categories I, II, III and reserve basic training standards so a peace officer successfully completing a basic training course for one category will also be certified in each category below category of the basic training course he successfully completed. This will make it possible for a peace officer attending one academy to become certified in multiple training categories covering a broader scope of job tasks. For example, a peace officer who successfully completes a Category I basic training course will also be certified in Category II and Category III minimum training standards.

**B. LCB File No. R012-17.**

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic or reserve certificate, including completion of in-service training. In addition to in-service training, a peace officer authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm the officer is authorized to use. NAC 289.230 is proposed to be amended to clarify a peace officer must show the required proficiency with each **type** of firearm they are authorized to use. The proposed regulation also clarifies the requirements a peace officer must meet before resuming their normal duties after a certain time away from their peace officer duties. The proposed regulation also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.

**The Commission to fully consider all written and oral comment received on these proposed regulations before taking any action.**
7. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Hearing pursuant to NAC 289.290(1) (e) on the revocation of Rick L. Keema, formerly with the Elko County Sheriff's Office, certification based on a conviction for Conspiracy to Commit Theft by Misrepresentation, a Gross Misdemeanor as defined in NRS 199.480 and NRS 205.0832. The Commission will decide whether to Revoke Mr. Keema's Category I Basic Certificate.
8. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Robert Reasoner, formerly of the Nevada Transportation Authority, certification based on a conviction for Attempted Possession Of

A Controlled Substance, a Category E Felony or Gross Misdemeanor as defined in NRS 453.336 and NRS 193.330. The Commission previously suspended Mr. Reasoner's Category II Basic Certificate based upon a Criminal Complaint for Conspiracy to Violate the Uniform Controlled Substance Act, in violation of NRS 453.401, a Category C Felony. The Commission will decide whether to Revoke Mr. Reasoner's Category II Basic Certificate.

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

Request from the Carson City Sheriff's Office for their employee Captain Brian Humphrey for an Executive Certificate.

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

A request from the Lyon County Juvenile Probation Department for their employee, Officer Christopher Gentine, for a 6 month extension past the one year requirement, to July 3, 2018, in order to meet the requirements for certification.

11. **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.*

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

Schedule upcoming Commission Meeting

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

Adjournment

**POSTED AT THE FOLLOWING LOCATIONS:**

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, Carson City  
White Pine County Sheriff's Office, Ely Nevada

<http://post.nv.gov>

<http://notice.nv.gov>

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 Administration, at (775) 687-3320, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

*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 Kathy Floyd at (775) 687-7678, Ext. 3320, no later than 2 working days prior to the meeting.*

**I. PUBLIC COMMENT HEARING**

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





## **I. PUBLIC COMMENT HEARING**

### **3. Public Comment Hearing on proposed regulations LCB File R003-17 and LCB File R012-17**

**PROPOSED REGULATION OF  
THE PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION**

**LCB File No. R003-17**

June 21, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1, 2, 4 and 5, NRS 289.510 and 289.600; §3, NRS 289.510.

A REGULATION relating to peace officers; revising provisions relating to the minimum standard of training required for peace officers and reserve officers; revising requirements for the training course certain peace officers are required to complete before being awarded a basic certificate; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510) Existing law also requires the Commission to require each peace officer, as a condition of certification, to be trained in dealing with the crimes of stalking and aggravated stalking. (NRS 289.600)

Existing regulations establish the minimum standard of training for peace officers in training categories I, II and III and reserve officers. (NAC 289.140-289.170) **Sections 1-4** of this regulation make various changes concerning the minimum standard of training required for peace officers in training categories I, II and III and reserve officers, respectively.

Existing regulations establish the requirements for the awarding of a basic certificate to a peace officer and authorize the Executive Director of the Commission to award a basic certificate to a peace officer who is certified in another state or has successfully completed certain training approved by the Commission in certain circumstances. (NAC 289.200) **Section 5** of this regulation revises the requirements for the training course such a peace officer is required to complete before being awarded a basic certificate.

**Section 1.** NAC 289.140 is hereby amended to read as follows:

289.140 The minimum standard of training for officers in training category I is successful completion of a basic course that includes 480 hours of training in:

1. Law and legal procedures, specifically:
  - (a) Civil liability;
  - (b) Constitutional law;
  - (c) Crimes against persons;
  - (d) Crimes against property;
  - (e) Juvenile law;
  - (f) Laws governing coroners;
  - (g) Laws relating to arrest;
  - (h) *Laws relating to correctional institutions;*
  - (i) Laws relating to drugs, including, without limitation, current trends in drugs;
  - ~~{(j)}~~ (j) Miscellaneous crimes;
  - ~~{(k)}~~ (k) Probable cause;
  - ~~{(l)}~~ (l) Rights of victims;
  - ~~{(m)}~~ (m) Search and seizure;
  - ~~{(n)}~~ (n) *Searches of offender institutions;*
  - (o) Traffic laws; and
  - ~~{(p)}~~ (p) Use of force.
2. Patrol operations and investigations, specifically:
  - (a) Abuse of ~~{elderly}~~ *older* persons;

- (b) ~~{(b)}~~ ~~Accident investigations;~~
  - ~~{(c)}~~ Basic patrol procedures;
  - ~~{(d)}~~ (c) Child abuse and sexual abuse of a child;
  - ~~{(e)}~~ (d) *Crash investigations;*
  - (e) Domestic violence , ~~{and}~~ stalking ~~{,}~~ *and aggravated stalking;*
  - (f) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (g) Principles of investigation;
  - (h) Techniques of interviewing and interrogation;
  - (i) The DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration; and
  - (j) Unknown-risk and high-risk vehicle stops.
3. Performance skills, specifically:
- (a) ~~{Health, fitness and wellness;}~~ *Fire safety and use of equipment;*
  - (b) Interpersonal communications;
  - (c) *Lifetime fitness;*
  - (d) Operation of emergency vehicles;
  - ~~{(d)}~~ (e) Provision of emergency first aid and cardiopulmonary resuscitation;
  - ~~{(e)}~~ (f) *Public and media relations;*
  - (g) Searching of buildings;
  - ~~{(f)}~~ (h) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - ~~{(g)}~~ (i) Training concerning active assailants;

~~{{h}}~~ (j) Training in the use of firearms; and

~~{{i}}~~ (k) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Care of persons in custody;

(b) *Classification and receiving of offenders;*

(c) Community policing;

~~{{e}}~~ (d) Counter-terrorism and weapons of mass destruction;

~~{{d}}~~ (e) Courtroom demeanor, including, without limitation, the giving of testimony;

~~{{e}}~~ (f) Crisis intervention;

~~{{f}}~~ (g) *Cultural awareness;*

(h) Ethics in law enforcement;

~~{{g}}~~ (i) *Games offenders play;*

(j) *Gangs and cults;*

(k) Handling of persons with mental illness;

~~{{h}}~~ (l) History and principles of law enforcement;

~~{{i}}~~ Management of stress;

(m) *Modern correctional philosophy;*

~~{{j}}~~ (n) National Crime Information Center procedures;

~~{{k}}~~ (o) *Records of offenders in institutions;*

(p) *Supervision of offenders;*

(q) Survival of peace officers;

~~{{l}}~~ (r) Systems of criminal justice; and

~~{(m)}~~ (s) The realities of law enforcement.

5. Course administration and examinations.

**Sec. 2.** NAC 289.150 is hereby amended to read as follows:

289.150 The minimum standard of training for officers in training category II is successful completion of a basic course that includes 200 hours of training in:

1. Law and legal procedures, specifically:

(a) Civil liability;

(b) Constitutional law;

(c) Crimes against persons;

(d) Crimes against property;

(e) Juvenile law;

(f) Laws relating to arrest;

(g) *Laws relating to correctional institutions;*

(h) Laws relating to drugs, including, without limitation, current trends in drugs;

~~{(h)}~~ (i) Miscellaneous crimes;

~~{(i)}~~ (j) Probable cause;

~~{(j)}~~ (k) Rights of victims;

~~{(k)}~~ (l) Search and seizure; ~~and~~

~~—{(l)}~~ (m) *Searches of offender institutions; and*

(n) Use of force.

2. Operations and investigations, specifically:

(a) Abuse of ~~{elderly}~~ *older* persons;

- (b) Child abuse and sexual abuse of a child;
  - (c) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking;*
  - (d) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (e) Principles of investigation; and
  - (f) Techniques of interviewing and interrogation.
3. Performance skills, specifically:
- (a) ~~{Health, fitness and wellness;}~~ *Fire safety and use of equipment;*
  - (b) Interpersonal communications;
  - (c) *Lifetime fitness;*
  - (d) Provision of emergency first aid and cardiopulmonary resuscitation;
  - ~~{(d)}~~ (e) *Public and media relations;*
  - (f) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - ~~{(e)}~~ (g) Training concerning active assailants;
  - ~~{(f)}~~ (h) Training in the use of firearms; and
  - ~~{(g)}~~ (i) Writing of reports.
4. The functions of a peace officer, specifically:
- (a) Care of persons in custody;
  - (b) *Classification and receiving of offenders;*
  - (c) Counter-terrorism and weapons of mass destruction;
  - ~~{(e)}~~ (d) Courtroom demeanor, including, without limitation, the giving of testimony;
  - ~~{(d)}~~ (e) Crisis intervention;



~~{(e)}~~ *(f) Cultural awareness;*

*(g) Ethics in law enforcement;*

~~{(f)}~~ *(h) Games offenders play;*

*(i) Gangs and cults;*

*(j) Handling of persons with mental illness;*

~~{(g)}~~ *(k) History and principles of law enforcement;*

~~{(h)}~~ *Management of stress;*

~~—{(i)}~~ *(l) Modern correctional philosophy;*

*(m) National Crime Information Center procedures;*

~~{(j)}~~ *(n) Records of offenders in institutions;*

*(o) Supervision of offenders;*

*(p) Survival of peace officers;*

~~{(k)}~~ *(q) Systems of criminal justice; and*

~~{(l)}~~ *(r) The realities of law enforcement.*

5. Course administration and examinations.

**Sec. 3.** NAC 289.160 is hereby amended to read as follows:

289.160 The minimum standard of training for officers in training category III is successful completion of a basic course that includes 160 hours of training in:

1. Legal subjects, specifically:

(a) Civil ~~{rights of offenders;}~~ *liability;*

(b) ~~{Searches of offender}~~ *Laws relating to correctional* institutions;

(c) ~~{Laws relating to correctional}~~ *Searches of offender* institutions; *and*

- (d) ~~{Laws relating to stalking and aggravated stalking; and~~
- ~~—(e)} Use of force.~~
- 2. Procedures in the field, specifically:
  - (a) *Care of persons in custody;*
  - (b) *Classification and receiving of offenders;*
  - (c) *Crisis intervention;*
  - (d) *Games offenders play;*
  - (e) Gangs and cults;
  - ~~{(b)}~~ (f) *Records of offenders in institutions; and*
  - (g) Supervision of offenders . ~~{~~
  - ~~—(c) Classification and receiving of offenders;~~
  - ~~—(d) Transportation of offenders;~~
  - ~~—(e) Crisis intervention;~~
  - ~~—(f) Records of offenders in institutions; and~~
  - ~~—(g) Games offenders play.}~~
- 3. Skills of officers, specifically:
  - (a) ~~{Writing of reports for correctional institutions;~~
  - ~~—(b)}~~ Fire safety and use of emergency equipment;
  - ~~{(c) Fingerprinting;~~
  - ~~—(d) Defensive tactics;~~
  - ~~—(e) Introduction of restraints;~~
  - ~~—(f) Physical conditioning; and~~

~~—(g)~~ (b) *Lifetime fitness;*

(c) *Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;*

(d) Training concerning active assailants ~~†~~;

(e) *Training in the use of firearms; and*

(f) *Writing of reports.*

4. Investigation, specifically:

(a) ~~{Crime scene and}~~ *Domestic violence, stalking and aggravated stalking;*

(b) *Handling of persons with mental illness;*

(c) *Investigation of crime scenes, collection and preservation of evidence* ~~†~~;

~~—(b) Investigation of narcotics and abuse of controlled substances;~~

~~—(c) Investigation of allegations of stalking and aggravated stalking;}~~ *and fingerprinting; and*

(d) ~~{Personality disorders and prevention of suicide.}~~ *Laws relating to drugs, including, without limitation, current trends in drugs.*

5. Community relations, specifically:

(a) ~~{Ethics for correctional officers;~~

~~—(b)}~~ Cultural awareness;

(b) *Ethics in law enforcement;*

(c) Interpersonal communications; and

(d) Public and media relations.

6. Miscellaneous subjects, specifically:

(a) *Counter-terrorism and weapons of mass destruction;*

(b) Modern correctional philosophy;

~~{(b) First}~~

(c) *Provision of emergency first aid* ~~;~~

~~—(e) ~~Cardiopulmonary~~ and cardiopulmonary resuscitation; and~~

(d) ~~{Criminal}~~ *Systems of criminal justice* . ~~{system; and~~

~~—(e) Counter terrorism and weapons of mass destruction.}~~

7. Course administration and examination.

**Sec. 4.** NAC 289.170 is hereby amended to read as follows:

289.170 The minimum standard of training for reserve officers is successful completion of a basic course that includes 120 hours of training in:

1. Law and legal procedures, specifically:

(a) Civil liability;

(b) Constitutional law;

(c) Crimes against persons;

(d) Crimes against property;

(e) Juvenile law;

(f) Laws relating to arrest;

(g) Laws relating to drugs, including, without limitation, current trends in drugs;

(h) Miscellaneous crimes;

(i) Probable cause;

(j) Search and seizure;

(k) Traffic laws; and

- (l) Use of force.
- 2. Patrol operations and investigations, specifically:
  - (a) Abuse of ~~{elderly}~~ *older* persons;
  - (b) Basic patrol procedures;
  - (c) Child abuse and sexual abuse of a child;
  - (d) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking*;
  - (e) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (f) Principles of investigation; and
  - (g) Unknown-risk and high-risk vehicle stops.
- 3. Performance skills, specifically:
  - (a) ~~{Health,}~~ *Lifetime* fitness ; ~~{and wellness;}~~
  - (b) Provision of emergency first aid and cardiopulmonary resuscitation;
  - (c) Searching of buildings;
  - (d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - (e) Training concerning active assailants;
  - (f) Training in the use of firearms; and
  - (g) Writing of reports.
- 4. The functions of a peace officer, specifically:
  - (a) Community policing;
  - (b) Counter-terrorism and weapons of mass destruction;
  - (c) Courtroom demeanor, including, without limitation, the giving of testimony;

- (d) Crisis intervention;
- (e) Ethics in law enforcement;
- (f) Handling of persons with mental illness;
- (g) History and principles of law enforcement; and
- (h) Survival of peace officers.

5. Course administration and examinations.

**Sec. 5.** NAC 289.200 is hereby amended to read as follows:

289.200 1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination for the appropriate category of peace officer

as described in NAC 289.205.

2. The Executive Director may award a basic certificate to any peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

- (a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;
- (b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;

FIRST  
PARALLEL  
SECTION

(c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

(1) Abuse of ~~{elderly}~~ *older* persons;

(2) ~~{Active assailants}~~;

~~—(3)}~~ Child abuse and sexual abuse of a child;

~~{(4)}~~ (3) Civil liability;

~~{(5)}~~ (4) *Classification and receiving of offenders*;

(5) Constitutional law;

(6) Counter-terrorism and weapons of mass destruction;

(7) Crimes against persons;

(8) Crimes against property;

(9) Cultural awareness;

(10) Domestic violence, ~~{and}~~ stalking ~~{}~~ *and aggravated stalking*;

(11) Ethics in law enforcement ; ~~{or for correctional officers}~~;

(12) *Fire safety and use of equipment*;

(13) *Games offenders play*;

(14) *Gangs and cults*;

(15) Juvenile law;

~~{(13)}~~ (16) Laws relating to arrest;

~~{(14)}~~ *(17) Laws relating to correctional institutions;*

*(18) Laws relating to drugs, including, without limitation, current trends in drugs;*

~~{(15)}~~ *(19) Miscellaneous crimes;*

~~{(16)}~~ *(20) Modern correctional philosophy;*

*(21) Probable cause;*

~~{(17)}~~ *(22) Public and media relations;*

*(23) Records of offenders in institutions;*

*(24) Rights of victims;*

~~{(18)}~~ *(25) Search and seizure;*

~~{(19)}~~ ~~Sexual harassment;~~

*(26) Searches of offender institutions;*

*(27) Supervision of offenders;*

*(28) Training concerning active assailants; and*

~~{(20)}~~ *(29) Use of force;*

(e) The peace officer passes the state certification examination with a score of at least 70 percent; and

(f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

3. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

(a) Satisfactorily completed the basic training course for a reserve certificate;

(b) Passed the state certification examination with a score of at least 70 percent; and



(c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.

4. Except as otherwise provided in subsection 5 or 6, an officer must pass the state physical fitness examination:

(a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or

(b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.

5. If a student enrolled in a basic training course certified or approved pursuant to NAC 289.300 sustains a bona fide physical injury that renders him or her incapable of completing the requirements of the state physical fitness examination, an agency may submit a request for an extension of time for the student to complete the examination. The agency shall submit such a request to the Executive Director. The request must include, without limitation, written verification by a physician that the student is incapable of completing the requirements of the state physical fitness examination. If the Executive Director determines that an extension of time is warranted, the Executive Director shall authorize an extension of time for a period not to exceed 12 months after the date on which the student was hired or, if the student is a reserve officer, the date of activation of his or her reserve status.

6. If an officer passes the state physical fitness examination:

(a) While not enrolled in a basic training course certified or approved pursuant to NAC 289.300; and

(b) More than 16 weeks, but less than 12 months, after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status, ⇒ the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection 4. The request must include, without limitation, the reason the officer was unable to pass the state physical fitness examination within the periods described in subsection 4. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

7. Upon satisfactory completion of the requirements listed in subsection 1, 2 or 3, the employing agency shall submit a request for certification to the Executive Director. The request must include:

(a) The name, social security number and date of hire of the officer or, if the officer is a reserve officer, the date of activation of his or her reserve status;

(b) Documentary evidence that the officer has successfully completed an approved basic training course;

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by this chapter; and

(d) The statement concerning child support prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

8. The basic certificate of an officer whose employment is terminated for any reason will be placed on inactive status. If such a person is again employed as a full-time peace officer, the employing agency shall request that the person's basic certificate be returned to active status. If the certification of such a person is on inactive status for more than 5 consecutive years, the

person must renew his or her basic certificate by successfully completing the requirements set forth in subsection 1.

9. If a person who successfully completes a basic training course for the purpose of obtaining a basic certificate is not employed by an agency within 24 months after completing the course, the person must repeat all of the requirements for basic certification set forth in subsection 1.

10. Except as otherwise provided in this subsection, to satisfactorily complete a basic training course for the purposes of this section, the person must successfully complete all of the requirements in one course. If a person is discharged from a basic training course for any reason that is not disciplinary, the person may complete any remaining requirements in a later course provided by the same entity if the person has not previously been discharged from a course and if:

(a) The administrator of the basic training course recommends that the person complete the requirements in a later course, the administrator of the employing agency of the person requests that the person be allowed to complete the requirements in a later course and the Executive Director gives approval;

(b) The subsequent course is provided in a manner which ensures that the person completes all of the requirements for a basic training course for which the course is certified; and

(c) The subsequent course begins not later than 120 days after the discharge.

**PROPOSED REGULATION OF  
THE PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION**

**LCB File No. R012-17**

June 30, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 289.510.

A REGULATION relating to peace officers; requiring a peace officer who is authorized to use a firearm to demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use; requiring certain peace officers to satisfy certain requirements before commencing or resuming their duties as a peace officer; making various changes regarding the certification of courses for training above the level of basic training; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510)

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic certificate or reserve certificate, including the completion of in-service training. In addition to such in-service training, a peace officer who is authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use. (NAC 289.230) **Section 1** of this regulation instead requires a peace officer to demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. Existing regulations require a peace officer who does not serve as a peace officer for a certain period, depending on the reason therefor, to satisfy certain requirements before resuming his or her duties as a peace officer. (NAC 289.230) **Section 1** also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.

Existing regulations establish provisions relating to the certification of courses for training above the level of basic training. (NAC 289.310) **Section 2** of this regulation makes various changes regarding the certification of such courses.

**Section 1.** NAC 289.230 is hereby amended to read as follows:

289.230 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 complete 12 hours of additional agency in-service training prescribed 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 *type of* firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any *type of* firearm he or she is authorized to use may not carry or use ~~the~~ *that type of* 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; ~~for~~

(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 ~~for~~ ; or

*(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year,*

↪ 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 *type of* firearm he or she is authorized to use before *commencing or* 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.

**Sec. 2.** NAC 289.310 is hereby amended to read as follows:

289.310 1. ~~{An agency or other}~~ A provider of training *whose principal place of business is located:*

(a) *Within this State may, except as otherwise provided in subsection 2,* apply for certification above the level of basic training for a course by submitting to the Executive Director, by any means approved by the Executive Director : ~~{, a request to certify the course on a form approved by the Executive Director and:~~

~~—(a)}~~ (1) A ~~{concise synopsis of the}~~ course ~~{,}~~ *description*, including, without limitation, the title of the course, the intended goals of the course and specific objectives for ~~{the students in}~~ the course;

~~{(b) A detailed}~~

(2) *An outline of the* lesson plan, including, without limitation, a chronological list of the major subject headings;

~~{(c) A list of the intended instructors, including, without limitation, a brief résumé of experience in the subject area and experience in instructing for each instructor;~~

~~—(d)} (3) The total {amount} *number* of hours {of instruction;~~

~~—(e) A description} *required to complete the course; and*~~

*(4) If applicable, a copy of the written examinations or a description of the practical examinations on the material covered by the course which is to be graded on a pass or fail basis and which measures accomplishment of the objectives . {by the students, including, without limitation, an examination at the beginning and end of the course; and*

~~—(f) A bibliography of all resource materials used to prepare the course.}~~

*(b) Outside of this State may apply for certification above the level of basic training for a course in accordance with subsection 2.*

*2. Any provider of training who provides a course that is currently accredited under the Program, regardless of whether the principal place of business of the provider of training is located within or outside of this State, may apply for certification above the level of basic training for the course by submitting to the Executive Director documentation of such accreditation. The Executive Director shall award to the provider of training certification above the level of {a} basic training for the course {to an agency or other provider of training which did not comply with the provisions of subsection 1 for a} if the course {which has been certified by another state or other comparable agency if the submitting agency or other provider of training presents the supporting documents concerning the subject matter and instructors.} meets all minimum requirements for a course that is above the level of basic training and the provider of training complies with all requirements established by the Program.*

3. A ~~{request to certify a course must be approved by the administrator of the agency or other}~~ provider of training ~~{for the administrator's designee. If the course offers training in legal issues and subjects relating to legal liability, the legal adviser of the agency or other provider of training must approve the course.}~~ *may apply for an exemption from the requirements set forth in subsection 2 by submitting a request to the Executive Director, on the business letterhead of the provider of training, explaining the specific reasons for requesting the exemption. The Executive Director may grant an exemption upon a showing of good cause by the provider of training.*

4. The Executive Director shall review courses certified pursuant to this section periodically for compliance with the provisions of this section. The Executive Director shall notify ~~{an agency or other}~~ a provider of training that provides such a course of any noncompliance.

5. The Executive Director shall ~~{revoke the certification of}~~ *decertify* a course if ~~{the agency or other}~~ :

(a) *The provider of training that provides the course:*

~~{(a)}~~ (1) Requests ~~{revocation of}~~ the ~~{certification}~~ *decertification* of the course; or

(2) *Does not comply with the provisions of this section; or*

(b) ~~{Has not provided}~~ *There is no record of a peace officer completing* the course during any period of 24 consecutive months. ~~{or}~~

~~{(c) Does not comply with the provisions of this section.}~~

6. ~~{An agency or other}~~ A provider of training whose course has been certified shall maintain on file, and make available for inspection upon the request of the Commission or its designee:

- (a) A roster of the peace officers who attended the course;
- (b) Each officer's results on the examination; and
- (c) An evaluation of the course by each peace officer who attended the course.

7. ~~{An agency or other provider of training whose course is currently accredited by an organization, such as the National Accreditation Committee or the American Correctional Association, which:~~

- ~~—(a) Is nationally recognized; and~~
- ~~—(b) Gives accreditation to courses for peace officers,~~

~~→ is not required to apply to the Executive Director for accreditation of the course. Such an agency or other provider of training shall maintain on file, and make available for inspection upon the request of the Commission or its designee, a roster of the peace officers who attended the course, each officer's results on the examination and an evaluation of the course by each peace officer who attended the course.~~

~~—8. An agency or other}~~ A provider of training whose course has been certified shall issue a certificate of completion to all peace officers who successfully complete the course of training.

The certificate must contain:

- (a) The certification number assigned to the course ; ~~{by the Commission;}~~
- (b) The name of the course;
- (c) The hours of training earned for the course; and
- (d) The date on which the course was presented.

~~{9.}~~ 8. The employing agency of a peace officer ~~{who attends a course certified pursuant to this section}~~ shall, upon receipt of ~~{the}~~ a certificate of completion issued to the peace officer

pursuant to subsection ~~{8,}~~ 7, report the ~~{peace officer's successful}~~ completion of the course *of training* to the Executive Director by any means approved by the Executive Director ~~{}~~ *on or before December 31 of the year in which the peace officer completes the course of training.*

9. *As used in this section, "Program" means the National Certification Program of the International Association of Directors of Law Enforcement Standards and Training.*

## **II. WORKSHOP**

1. Workshop on proposed/future regulation related to voluntary law enforcement dispatcher training and certification pursuant to the authority set out in Assembly Bill 151.

ASSEMBLY BILL NO. 151—ASSEMBLYWOMAN CARLTON  
(BY REQUEST)

PREFILED FEBRUARY 13, 2017

Referred to Committee on Government Affairs

SUMMARY—Provides for the voluntary training of law enforcement dispatchers. (BDR 23-767)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to law enforcement; requiring the Peace Officers' Standards and Training Commission to provide by regulation for the voluntary training of law enforcement dispatchers; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires the Peace Officers' Standards and Training Commission  
2 to adopt regulations governing the certification and decertification, recruitment,  
3 selection and training of peace officers. (NRS 289.510) This bill requires the  
4 Commission to establish by regulation the minimum standards for a voluntary  
5 program of training for law enforcement dispatchers, certify instructors for  
6 approved courses of such training and issue certificates to dispatchers who  
7 complete such training.

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

1 **Section 1.** Chapter 289 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 ***1. The Commission shall:***

4 ***(a) Establish by regulation the minimum standards of a***  
5 ***voluntary program for the training of law enforcement***  
6 ***dispatchers.***



1     ***(b) Certify qualified instructors for approved courses of***  
2     ***training for law enforcement dispatchers and issue appropriate***  
3     ***certificates to instructors who become certified.***

4     ***(c) Issue appropriate certificates to law enforcement***  
5     ***dispatchers who have satisfactorily completed the voluntary***  
6     ***program.***

7     ***2. As used in this section, "law enforcement dispatcher"***  
8     ***means a person who is employed by a law enforcement agency or***  
9     ***regional telecommunication center and who promotes public***  
10    ***safety by:***

11    ***(a) Receiving calls for service related to crimes, traffic***  
12    ***incidents, public safety and any other related calls for assistance;***  
13    ***and***

14    ***(b) Providing immediate and critical communication between***  
15    ***the public and law enforcement agencies.***

16    **Sec. 2.** NRS 289.450 is hereby amended to read as follows:

17    289.450 As used in NRS 289.450 to 289.600, inclusive, ***and***  
18    ***section 1 of this act,*** unless the context otherwise requires, the  
19    words and terms defined in NRS 289.460 to 289.490, inclusive,  
20    have the meanings ascribed to them in those sections.

21    **Sec. 3.** (Deleted by amendment.)

22    **Sec. 4.** (Deleted by amendment.)

23    **Sec. 5.** This act becomes effective on July 1, 2017.





## **GENERAL PROVISIONS**

**New NAC:** *Law Enforcement Dispatcher means a person who is employed by a law enforcement agency or regional telecommunication center and who promotes public safety by:*  
*(a) Receiving calls for service related to crimes, traffic incidents, public safety and any other related calls for assistance;*  
*(b) Providing immediate and critical communication between the public and law enforcement agencies.*

## **STANDARDS AND TRAINING**

**NAC 289.120 Basic course of training: Completion; attendance by reserve officer. (NRS 289.510); and law enforcement dispatchers**

1. Each peace officer who is required by NRS 289.550 to be certified must satisfactorily complete a basic course of training approved by the Executive Director.
2. A reserve officer must be in full-duty status and fully covered by industrial insurance through the employing agency while attending the training.
3. *A law enforcement dispatcher, as defined in NAC may attend a voluntary program for the training of law enforcement dispatchers.*

**NEW NAC Minimum standard of training: Law enforcement dispatchers. The minimum standard of training for law enforcement dispatchers is successful completion of a basic course, established by the Commission that includes 120 hours of training in:**

1. *Course Orientation*
2. *Role of the Public Safety Dispatcher and overview of public safety organizations*
3. *State and National computer files*
4. *Effective Communication*
5. *Public Safety Call Taking and Interrogation*
6. *Homeland Security*
7. *Crime Classification, Definitions and Nevada Criminal Code*
8. *Law Enforcement Dispatching*
9. *Legal Aspects of Public Safety Dispatching*
10. *Communications Technology*
11. *Excited Delirium and Agitated Chaotic Event*
12. *Health, Wellness and Stress Management*
13. *Course Administration and Testing;*

## CERTIFICATES

**NAC 289.200 Basic and reserve basic certificate: Requirements; extension of time to complete or waiver of certain requirements; request for certification; placement of basic certificate on inactive status. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 289.510, 289.550, 289.600)**

1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

2. The Executive Director may award a basic certificate to any peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

- (a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;
- (b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;
- (c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

- (1) Abuse of elderly persons;
  - (2) Active assailants;
  - (3) Child abuse and sexual abuse of a child;
  - (4) Civil liability;
  - (5) Constitutional law;
  - (6) Counter-terrorism and weapons of mass destruction;
  - (7) Crimes against persons;
  - (8) Crimes against property;
  - (9) Cultural awareness;
  - (10) Domestic violence and stalking;
  - (11) Ethics in law enforcement or for correctional officers;
  - (12) Juvenile law;
  - (13) Laws relating to arrest;
  - (14) Laws relating to drugs, including, without limitation, current trends in drugs;
  - (15) Miscellaneous crimes;
  - (16) Probable cause;
  - (17) Rights of victims;
  - (18) Search and seizure;
  - (19) Sexual harassment; and
  - (20) Use of force;
- (e) The peace officer passes the state certification examination with a score of at least 70 percent; and

- (f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.
3. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:
- (a) Satisfactorily completed the basic training course for a reserve certificate;
  - (b) Passed the state certification examination with a score of at least 70 percent; and
  - (c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.
4. Except as otherwise provided in subsection 5 or 6, an officer must pass the state physical fitness examination:
- (a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or
  - (b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.
- 5. *The Executive Director may award a dispatcher basic certificate to a law enforcement dispatcher who meets the following requirements:***
- (a) *At least 18 years of age at the time of appointment;***
  - (b) *Has successfully completed the 12<sup>th</sup> grade or has been certified by an appropriate authority as having an equivalent education;***
  - (c) *A US citizen or permanent resident alien with work privileges;***
  - (d) *Has undergone a detailed and documented background investigation to include;***
    - i. An investigation into of the current and past employment history of the person;***
    - ii. An inquiry into the criminal history of the person in the State of Nevada and in any other state where the person is known to have resided, which must include, without limitation, any warrants issued for the person and the submission of the person's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;***
  - (e) *Has never been convicted of a felony in this State or of any offense which would be a felony if committed in this State;***
  - (f) *Successfully completed a certification course established by the Commission.***
- 6. *To maintain a law enforcement dispatcher basic certificate the law enforcement dispatcher must annually complete 16 hours of additional agency in-service training prescribed by the administrator of the employing agency of the law enforcement dispatcher.***

***Notation: The requirements outlined in 5 (a-c) apply to those hired after July 1, 2017***

**NAC 289.235 Voluntary surrender and application for reinstatement of basic certificate. (NRS 289.510)**

1. A peace officer ***or law enforcement dispatcher*** may, permanently or for a stated term, voluntarily surrender a basic certificate to the Commission:
  - (a) As part of a termination agreement between the peace officer ***or law enforcement dispatcher*** and his or her employing agency;
  - (b) As part of a plea bargain in a criminal proceeding against the peace officer;
  - (c) As part of a settlement agreement between the Commission and the peace officer or ***law enforcement dispatcher***; or
  - (d) For any other reason.
2. A peace officer or ***law enforcement dispatcher*** who wishes to voluntarily surrender his or her basic certificate must submit to the Executive Director a request for the voluntary surrender. The request must:

- (a) Be in writing;
  - (b) State the date on which the voluntary surrender will become effective;
  - (c) State whether the voluntary surrender is permanent or for a stated term;
  - (d) If the voluntary surrender is for a stated term, include the date on which the voluntary surrender will end;
  - (e) Include a summary of the reason for the voluntary surrender;
  - (f) If the voluntary surrender is being requested as part of a termination agreement, plea bargain or settlement agreement described in paragraph (a), (b) or (c) of subsection 1, include an acknowledgment by the peace officer **or law enforcement dispatcher** that the voluntary surrender shall be deemed to include the voluntary surrender of all other basic certificates held by the peace officer;
  - (g) Include a statement by the peace officer **or law enforcement dispatcher** that he or she understands and has knowledge of the consequences of the voluntary surrender; and
  - (h) Be signed by the peace officer **or law enforcement dispatcher** and be notarized.
3. The Executive Director shall accept or reject each request for the voluntary surrender of a basic certificate submitted pursuant to subsection 2 and shall notify the peace officer **or law enforcement dispatcher** of the acceptance or rejection. If the Executive Director accepts the voluntary surrender of a basic certificate requested as part of a termination agreement, plea bargain or settlement agreement described in paragraph (a), (b) or (c) of subsection 1, the peace officer shall be deemed to have voluntarily surrendered all other basic certificates held by the peace officer **or law enforcement dispatcher**, regardless of the training categories in which the basic certificates were awarded.
4. A peace officer **or law enforcement dispatcher** who voluntarily surrenders a basic certificate may apply to reinstate the basic certificate:
- (a) If the voluntary surrender was for a stated term, after the date specified for the end of the term of voluntary surrender or 60 months after the effective date of the voluntary surrender, whichever occurs earlier; or
  - (b) If the voluntary surrender was permanent, 60 months after the effective date of the voluntary surrender.
5. A peace officer **or law enforcement dispatcher** who wishes to have a basic certificate reinstated must submit a written request to the Commission for authorization to apply for reinstatement of the basic certificate. The Commission will schedule a hearing to consider the request. The Commission will notify the agency that employed the peace officer **or law enforcement dispatcher** at the time that the voluntary surrender became effective or the agency that employed the peace officer immediately preceding his or her voluntary surrender, whichever is applicable, of the date and time of the hearing. After the hearing, the Commission will determine whether to authorize the peace officer **or law enforcement dispatcher** to apply for reinstatement of the basic certificate.
6. If a peace officer **or law enforcement dispatcher** is authorized by the Commission to apply for reinstatement of a basic certificate after a voluntary surrender, the peace officer **or law enforcement dispatcher** must meet the minimum standards for appointment established by this chapter which are applicable at the time that the peace officer **or law enforcement dispatcher** applies for reinstatement of the basic certificate. If the basic certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in the revocation of the basic certificate.
7. The Executive Director shall submit to the Commission at each meeting of the Commission a report concerning:
- (a) Each voluntary surrender of a basic certificate that was accepted by the Executive Director since the last meeting of the Commission; and
  - (b) Each application for reinstatement of a basic certificate that was granted or denied since the last meeting of the Commission.

**NAC 289.290 Denial, revocation, suspension and reinstatement of certificate.  
(NRS 289.510)**

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

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's **or law enforcement dispatcher'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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher**.

4. The Commission will notify the officer **or law enforcement dispatcher** by certified mail at the officer's **or law enforcement dispatcher'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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher**; 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 **or law enforcement dispatcher** 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 *or law enforcement dispatcher* 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 *or law enforcement dispatcher* 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 *or law enforcement dispatcher* 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 *or law enforcement dispatcher'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 *or law enforcement dispatcher* would result in revocation.

**(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014)**

#### **NAC 289.350 Reports. (NRS 289.510)**

1. Upon employment or termination of a peace officer, *law enforcement dispatcher* or upon the activation or termination of the reserve status of a reserve officer, an agency shall notify the Executive Director on a personnel action report form provided by the Commission or its designee. The personnel action report form must be submitted to the Executive Director within 15 days after the date of employment or termination of a peace officer or the activation or termination of the reserve status of a reserve officer.:

***(a) An agency shall comply with the requirements set forth in subsection 1 when a law enforcement dispatcher who meet the definition has met the requirements to be issued the dispatcher basic certificate.***

2. An agency shall submit, upon the request of the Commission or its designee, such documentation or information as the Commission or its designee deems necessary to determine whether the standards and provisions of this chapter have been complied with.



## **II. WORKSHOP**

### **2. PUBLIC COMMENT**

*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.*





### III. REGULARLY SCHEDULED MEETING AGENDA ITEMS

1. Call to order
2. Roll call of the Commissioners



### **III. REGULARLY SCHEDULED MEETING**

3. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.** Approval of minutes from July 27, 2017 regularly scheduled POST Commission Meeting

**In the Matter of:**

Meeting

---

*July 27, 2017*

---



3200 COBB GALLERIA PARKWAY  
SUITE 200  
ATLANTA, GA 30339

1 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
2 REGULARLY SCHEDULED MEETING

3  
4 Prospector Hotel and Casino  
5 Ghost Train Room  
6 1501 E. Aultman  
7 Ely, Nevada

8  
9 Thursday, July 27, 2017  
10 1:01 p.m.

11  
12

13 COMMISSIONERS:

14 RON PIERINI, SHERIFF, Chairman, Douglas County  
15 TROY TANNER, CHIEF, Mesquite Police  
16 DAN WATTS, SHERIFF, White Pine County  
17 KEVIN MCKINNEY, UNDERSHERIFF, Elko County  
18 MIKE JENSEN, Senior Deputy Attorney General  
19 MIKE SHERLOCK, Executive Director, POST  
20 SCOTT JOHNSTON, Division Chief, POST  
21 GARY SCHOFIELD, DEPUTY CHIEF, Las Vegas Metropolitan  
22 Police (Telephonic)  
23 JAMES R. KETSAA, CHIEF, Clark County School Police  
24 (Telephonic)  
25

1	I N D E X	
2	ITEM	PAGE
3	Call to Order	4
4	Roll Call of Commission	5
5	Approval of Minutes from May 4, 2017 regularly	
6	scheduled POST Commission Meeting	9
7	Executive Director's Report	9
8	Request from the Lander County Sheriff's Office	
9	for their employee Spencer Roberts	12
10	Request from the Mineral County Sheriff's Office	
11	for their employee Michael Cannella - removed	17
12	Request from the Washoe County Sheriff's Office	
13	for their employee Chief Deputy Thomas Green	17
14	Request from the Las Vegas Metropolitan	
15	Police Department for their employee	
16	Assistant Sheriff Thomas A. Roberts	18
17	Request from the Las Vegas Metropolitan	
18	Police Department for their employee	
19	Captain Jack R. Owen	20
20	Hearing pursuant to NAC 289.290(1)(g) on the	
21	suspension of Robert Reasoner	
22	Public Comments - none	28
23	Schedule upcoming Commission Meeting	29
24	Adjournment	30
25		

1	E X H I B I T S			
2	NUMBER	DESCRIPTION	MARKED FOR ID	RECEIVED
3	A	Notice of Intent to Suspend	22	27
4	B	Certificate of Service	23	27
5	C	Personnel Action Report	24	27
6	D	Post Certification	24	27
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				



## 1 P R O C E E D I N G S

2 (1:01 p.m.)

3 SHERIFF PIERINI: Okay. Today is July 27th,  
4 2017, at 1 p.m. And we're here in the Prospector  
5 Hotel and Casino in Ely, Nevada.

6 And, Scott, why don't you go ahead and start  
7 off, if you would, please? And let's go ahead and  
8 talk about the posting of the public meeting agendas.

9 CHIEF JOHNSTON: Thank you. Scott Johnston  
10 for the record. The notice for this meeting was  
11 posted at the POST Administrative Offices in Carson  
12 City; Nevada State Capitol, Carson City; Blasdel State  
13 Building, Carson City; Nevada State Library and  
14 Archives in Carson City; Grant Sawyer Building in Las  
15 Vegas; Carson City Sheriff's Office; and White Pine  
16 County Sheriff's Office; and at post.nv.gov on our  
17 website and the state legislative site of  
18 notice.nv.gov. And it was emailed electronically to  
19 all the agency point of contacts that we maintain in  
20 our database.

21 SHERIFF PIERINI: Thank you, Scott.  
22 Appreciate that. Just for record, we want to make  
23 sure to all our Commissioners that please turn your  
24 phones off if you could, please. And if you're going  
25 to make an agenda item that you want to talk about, or

1     whatever it may be, be sure and name your name and  
2     what agency you're from. And don't ever forget, if  
3     you're talking to the one to your right, it could be  
4     recording.

5             All right. Why don't we start off with the  
6     call to order, and also -- excuse me, with the roll  
7     call? We could start over there. How about --

8             CHIEF TANNER: Me.

9             SHERIFF PIERINI: You want to start with  
10    you?

11            CHIEF TANNER: Oh. I thought you said --  
12    the way you were looking at me. Yeah.

13            SHERIFF PIERINI: Go ahead. Go ahead.

14            CHIEF TANNER: Troy Tanner, Mesquite.

15            SHERIFF WATTS: Dan Watts, White Pine  
16    County.

17            SHERIFF PIERINI: Ron Pierini, Douglas  
18    County.

19            UNDERSHERIFF McKINNEY: Kevin McKinney, Elko  
20    County.

21            MR. JENSEN: Mike Jensen, Attorney General's  
22    Office.

23            MR. SHERLOCK: Mike Sherlock from POST.

24            CHIEF JOHNSTON: Scott Johnston from POST.

25            SHERIFF PIERINI: Okay, thank you. And

1 James, are you on the phone? Testing. Are you there?

2 CHIEF TANNER: James, are you there?

3 MR. SHERLOCK: Is that one on?

4 CHIEF TANNER: Hey, James, are you there?

5 Hello, are you there?

6 MR. SHERLOCK: Hey, Chief.

7 CHIEF TANNER: It's all static.

8 MR. SHERLOCK: All right. Well, we can  
9 switch to Chief Schofield that's on the line now.

10 CHIEF TANNER: The line, one on?

11 SHERIFF PIERINI: He is on the line?

12 MR. SHERLOCK: Yeah.

13 SHERIFF PIERINI: Is Gary there?

14 MR. SHERLOCK: Yeah.

15 SHERIFF PIERINI: Okay, good.

16 CHIEF TANNER: I hung up too, so.

17 MR. SHERLOCK: Okay. Chief, I just put you  
18 on speakerphone. We lost Chief Ketsaa, so let me get  
19 you over here to a speaker.

20 DEPUTY CHIEF SCHOFIELD: All right.

21 MR. SHERLOCK: Okay. We'll give that a try.  
22 Can you hear us?

23 DEPUTY CHIEF SCHOFIELD: I can hear you.

24 MR. SHERLOCK: Okay.

25 SHERIFF PIERINI: Thank you, Gary. This is

1 Ron Pierini. I'm glad you are on the phone with us.  
2 Thank you so much. So we want to also note that  
3 Russell Pedersen, he's from Washoe County, is not  
4 here. Michele Freeman is not here.

5 Gary, again, thank you for being here for  
6 us. And then Jim Wright is not here also. Having a  
7 little bit of a problem with James Ketsaa. We don't  
8 know if he'll come back on the phone or not, but at  
9 least we --

10 CHIEF JOHNSTON: Are you still there?

11 SHERIFF PIERINI: -- have our five, correct?

12 MR. SHERLOCK: We do.

13 SHERIFF PIERINI: All right. Good.

14 CHIEF JOHNSTON: Okay. Do you want to give  
15 it another try? We got you here.

16 SHERIFF PIERINI: Just for a sec here.

17 CHIEF JOHNSTON: Okay. You want to give it  
18 another try since I got you on the line? Okay. Okay,  
19 we have Commissioner Ketsaa on the line.

20 SHERIFF PIERINI: Okay. Good.

21 CHIEF JOHNSTON: We're just taking order.

22 SHERIFF PIERINI: All right, James, are you  
23 there? James?

24 CHIEF JOHNSTON: James? Are you there?

25 CHIEF KETSAA: Hello?

1 SHERIFF PIERINI: Hi, James. This is Ron  
2 Pierini. Are you there?

3 CHIEF JOHNSTON: Are you there, James?

4 CHIEF KETSAA: Yes.

5 CHIEF JOHNSTON: Okay. Speak loud in your  
6 microphone.

7 SHERIFF PIERINI: Can you hear me okay now?

8 MR. SHERLOCK: Do you want to put it over  
9 here?

10 CHIEF TANNER: Yeah, let's just put it right  
11 by him. Otherwise you aren't going to hear him good  
12 anyway.

13 SHERIFF PIERINI: All right. Here we are.  
14 James, are you there?

15 CHIEF JOHNSTON: Might as well grab the  
16 other one, too.

17 SHERIFF PIERINI: James, are you there?

18 CHIEF KETSAA: Yeah. Yes, I'm here.

19 SHERIFF PIERINI: Okay, great. Thank you.  
20 We'll count you on there, and that means we have six,  
21 and we're -- certainly got the numbers correct now.

22 MR. SHERLOCK: Microphone to work.

23 SHERIFF PIERINI: All right. We're going to  
24 start with now the discussion and public comment and  
25 possible action, approval for the minutes of the May



1 4th, 2017 regularly scheduled POST Commission meeting.  
2 Has everybody here on the commission that are here  
3 today, have you had time to read that, and is there  
4 any changes or things that you'd like to talk about  
5 with that particular record?

6 Okay. I think everything probably is okay,  
7 so I need somebody to make an agenda item. Go  
8 forward.

9 UNDERSHERIFF MCKINNEY: I make a motion we  
10 approve the minutes.

11 CHIEF TANNER: Troy Tanner. I'll make a  
12 motion to approve.

13 SHERIFF PIERINI: Okay. Thank you, Chief,  
14 and --

15 UNDERSHERIFF MCKINNEY: I'll second.

16 SHERIFF PIERINI: Thank you there. Okay.  
17 Anybody have any more discussion? All in favor?

18 (Ayes.)

19 SHERIFF PIERINI: Any opposed? So carried.  
20 Thank you so much. Thank you.

21 All right. Now's the time for our Executive  
22 Director, right?

23 MR. SHERLOCK: I'll try to be real short.  
24 Real quick, just what's going on at POST in terms of  
25 training, we did complete the -- we received, in our

1 last budget cycle, a shoot house. It's not a live-  
2 fire shoot house, but it's a Simunition shoot house.  
3 We did complete that. We're pretty happy with it. It  
4 has movable walls; we can expand it.

5 It allows us to really bump up some of our  
6 performance-based training. And we will make that  
7 available to agencies that want to come over and use a  
8 shoot house. It has windows and walls, and you can  
9 move it around. It really came out good. We're  
10 pretty happy with it.

11 We start an academy on Monday, on the  
12 training side. We did lose four, which is always  
13 frustrating, due to the PT, but it's typical.

14 In Standards, I know we talked a little bit  
15 about the dispatcher bill that passed. It did require  
16 POST to take dispatchers under their umbrella,  
17 effective July 1st. Clearly, it's going to take us  
18 time to develop the regulation on that, and we'll  
19 probably be doing a workshop in October to develop the  
20 regulation for that new NRS.

21 And, again, I think it's a good thing. It's  
22 a voluntary program, but it does move dispatchers  
23 under the umbrella of POST, which I think is a good  
24 thing.

25 On the administrative side, we've filled one

1 vacancy. Our long-time facility manager Doyle Smith  
2 retired last week, so we have an open there. And we  
3 do have another admin position that's open at this  
4 time. And we'll continue to recruit for that.

5 It is a concern and has been my concern for  
6 a while. About 70 percent of our staff have both age  
7 and years and could retire tomorrow. So from a  
8 recruitment standpoint, we're trying to keep that in  
9 mind, and we're doing that. So that's all we have at  
10 POST right now.

11 SHERIFF PIERINI: Okay. Thank you. Do  
12 anybody have -- Commissioners have any questions?

13 SHERIFF WATTS: I have one comment. I would  
14 like to commend him. I had somebody in the academy  
15 last time, he actually came into my office because he  
16 said he heard before how, basically how easy POST was  
17 and there wasn't much to it.

18 And when he came back, he said he was very  
19 impressed with the academy, and he's -- of course, he  
20 was in the military, and said it was very well  
21 structured and felt that he learned quite a bit while  
22 he was there. And he was very impressed with it, and  
23 I wanted to pass that on. Thank you.

24 MR. SHERLOCK: Thank you. Thanks, Sheriff.  
25 Appreciate that. We do.



1           SHERIFF PIERINI: All right. Good. Thanks.  
2   Anyone else like to make a comment? Questions? How  
3   about in the audience; would anybody like to say  
4   anything?

5           Okay. In talking about that, and which I  
6   should have mentioned before, if you're going to make  
7   a comment, or if you want to say something later in  
8   the public part of it, please make your name on that  
9   list over there before you leave, or right now would  
10   be nice. And Ron, have you done that yet?

11          SHERIFF UNGER: I'm sorry.

12          SHERIFF PIERINI: Okay. Would you please?  
13   Whenever you get time. Whenever you get time. It's  
14   okay. We know you.

15          SHERIFF UNGER: I will do that.

16          SHERIFF PIERINI: All right. So it's all  
17   right.

18          Okay. We're going to go to number 5 if we  
19   can now. And that's discussion, public comment, and  
20   for possible action, a request from Lander County  
21   Sheriff's Office for their employee Spencer Roberts,  
22   for a six-month extension past the one-year  
23   requirement, to April 3rd, 2018, in order to meet the  
24   requirements for certification.

25          And, Scott, would you want to talk about

1 that?

2 CHIEF JOHNSTON: If Sheriff Unger's here to  
3 present, I would defer to him.

4 SHERIFF PIERINI: Okay. Thank you.

5 Ron, please? If you'd mind sitting in front  
6 of the mic, that would be -- or move it. Whatever you  
7 like.

8 SHERIFF UNGER: Okay?

9 SHERIFF PIERINI: Yes. All we need to know  
10 is why.

11 SHERIFF UNGER: Okay. Well, Sheriff Ron  
12 Unger, Lander County Sheriff's Department. And I'm  
13 here today to ask for an extension for Spencer Robert.  
14 He's a detention deputy of mine. He was hired on 10/3  
15 of '16, so we had him scheduled for 7/24/17 academy.  
16 But due to staff shortage, I was unable to -- I  
17 couldn't run my detention staff without him. I was  
18 down to three people at that point in time.

19 So I did pull him out of the academy when I  
20 knew I was going to be short-staffed, but I'm  
21 requesting a six-month extension. And I believe we  
22 tried to enroll him already in the next academy, which  
23 will be April 3rd. Am I correct? So we will do that.

24 SHERIFF PIERINI: May I ask a question, Ron?  
25 How many weeks or days that he was in the academy then

1 you had to pull him out?

2 SHERIFF UNGER: No. He was not.

3 SHERIFF PIERINI: He was not?

4 SHERIFF UNGER: He was scheduled to go to  
5 this academy starting 7/24.

6 SHERIFF PIERINI: Okay. All right.

7 SHERIFF UNGER: So he was a -- he was  
8 scheduled to go there. He was signed up and  
9 everything, but I had to pull him out prior to him  
10 going.

11 SHERIFF PIERINI: All right. Do we have any  
12 more questions here from any of our Commissioners?

13 Scott?

14 SHERIFF WATTS: And you foresee you've got a  
15 full staff, like, next six months?

16 SHERIFF UNGER: Yes, sir. What I had, I did  
17 have one gentleman that was in the military, so he was  
18 gone for a year. He returned last week. I also had  
19 another employee that was on a two- or three-week  
20 vacation at that point in time that -- and then I had  
21 one of them that left on me, so went and transferred  
22 to Highway Patrol or went to Highway Patrol, so it  
23 kept me short.

24 SHERIFF WATTS: Okay.

25 SHERIFF UNGER: But now I'm back up to where

1 it's looking good, so --

2 CHIEF JOHNSTON: Scott Johnston for the  
3 record. I'd just like to build on what the sheriff  
4 had talked about a little bit. An extension would, if  
5 the Commission so wishes to do that, would extend that  
6 time frame out to April 3rd of 2018.

7 And the fact is, around the end of January,  
8 first part of February is when we would be starting an  
9 academy. So he would still maintain his peace officer  
10 authority up until the time that he enters into the  
11 academy. And then when he graduates, it's a moot  
12 point at that point.

13 SHERIFF PIERINI: Right. Okay, good.

14 CHIEF JOHNSTON: So staff would have no  
15 objections to the approval.

16 SHERIFF PIERINI: Okay. Thank you. Anybody  
17 else from the public like to make a comment on that  
18 other than the sheriff? Okay. Seeing none, any other  
19 questions or comments from our Commissioners? How  
20 about looking for a motion?

21 UNDERSHERIFF MCKINNEY: Kevin McKinney.  
22 I'll move we approve the six-month extension.

23 SHERIFF PIERINI: Okay, Kevin. Thank you.  
24 Do I have a second?

25 SHERIFF WATTS: Dan Watts. Second.

1               SHERIFF PIERINI: Dan Watts, second. Any  
2 other discussion? All in favor?

3               (Ayes.)

4               SHERIFF PIERINI: Anybody opposed? Good.  
5 Thank you very much.

6               SHERIFF UNGER: Thank you very much. I  
7 appreciate it.

8               SHERIFF PIERINI: Hey, listen. Just on a  
9 side note of that, all of us are suffering, big times,  
10 with open spots. And it's just, it's very difficult  
11 to keep your organization going. So there's not --  
12 you're not by yourself, is what I'm saying.

13              SHERIFF UNGER: No. And just to add to  
14 that, we did -- I had -- we tested, day before  
15 yesterday, four of them that we had, which was the  
16 only four we had apply, and all four of them did not  
17 make it through the physical agility. And the ones  
18 that did make the run was unable to make the sit-up,  
19 push-ups. So it is getting tough out there.

20              SHERIFF PIERINI: It is. Yes.

21              SHERIFF UNGER: It is for us in the rurals,  
22 but we'll deal with it.

23              SHERIFF PIERINI: Absolutely, Ron.

24              SHERIFF UNGER: Okay.

25              SHERIFF PIERINI: Thank you, sir.



1                   SHERIFF UNGER: And thank you very much,  
2 gentlemen.

3                   MR. SHERLOCK: Thank you.

4                   SHERIFF PIERINI: We're going to talk about  
5 number 6, though we're going to remove it as a request  
6 of Mineral County Sheriff's Office, so we don't have  
7 to deal with that. Number 6 is now taken away. We're  
8 going to go to number 7.

9                   Discussion, public comment and for possible  
10 action, request from the Washoe County Sheriff's  
11 Office for their employee Chief Deputy Thomas Green  
12 for his Executive Certificate. And I would think that  
13 is you, Mike. Or is it Scott?

14                  CHIEF JOHNSTON: I'll take it.

15                  SHERIFF PIERINI: Okay, Scott. Thank you.

16                  CHIEF JOHNSTON: Scott Johnston for the  
17 record. Thomas Green with the Washoe County Sheriff's  
18 Office has met the time requirements for the Executive  
19 Certificate. He's worked a minimum of six years or  
20 more in an executive level position, supervising two  
21 or more managerial personnel. And he's met all the  
22 education and the training requirements to fulfill  
23 this -- to qualify for this certificate, and staff  
24 would recommend approval.

25                  SHERIFF PIERINI: Thank you, Scott.

1 Appreciate that. Anybody in the -- any of the  
2 Commissioners would like to make any comments or  
3 questions on this? How about public comment? Seeing  
4 none, looking for a motion.

5 SHERIFF WATTS: Dan Watts. I'd make the  
6 motion that we approve Chief Deputy Thomas Green for  
7 his Executive Certificate.

8 SHERIFF PIERINI: Thank you, Dan.

9 CHIEF TANNER: Troy Tanner, second.

10 SHERIFF PIERINI: Tanner, second it. Any  
11 other questions or comments? All in favor?

12 (Ayes.)

13 SHERIFF PIERINI: Okay. Anybody opposed?  
14 All right. So carried.

15 Going to number 8. This is a discussion,  
16 public comment, and for possible action, request from  
17 the Las Vegas Metro Police Department for their  
18 employee Assistant Sheriff Thomas A. Roberts for an  
19 Executive Certificate.

20 Scott?

21 CHIEF JOHNSTON: Thank you. Scott Johnston  
22 for the record.

23 Assistant Sheriff Roberts's application for  
24 the Executive Certificate, he's met all of the prior  
25 certificate requirements. He's met the certification

1 requirements, the training requirements. And in his  
2 agency, he's actually the rank of -- assistant sheriff  
3 is actually the equivalent of an undersheriff or  
4 chief. They have several different names that they  
5 use for that level. And we would have no objections  
6 to approving this.

7 SHERIFF PIERINI: Okay, Scott. Thank you  
8 very much. Do the Commissioners have any questions?

9 Okay. I'm looking out to the public  
10 comment. Is there anyone out here who would like to  
11 make a comment on this particular item?

12 Looking for a motion.

13 SHERIFF WATTS: Dan Watts. I make a motion  
14 that we approve the Executive Certificate for Tom  
15 Roberts.

16 SHERIFF PIERINI: Thank you, Dan.

17 UNDERSHERIFF MCKINNEY: Kevin McKinney,  
18 second.

19 SHERIFF PIERINI: Okay, Kevin. Thank you  
20 for a second.

21 Any other discussion? All in favor?

22 (Ayes.)

23 SHERIFF PIERINI: Anybody opposed? So  
24 carried. Thank you.

25 Okay. We're going to a request for a Las



1 Vegas Metro Police Department for their employee of  
2 Captain Jack R. Owen for an Executive Certificate.

3 Scott?

4 CHIEF JOHNSTON: Thank you. Scott Johnston  
5 for the record.

6 Captain Owens has all of the prerequisite  
7 certificates issued to him for this certificate. He's  
8 got the years of service and meets the requirements of  
9 his role in managing two or more managers. And the  
10 organizational chart, he's about number 3 in the  
11 higher echelon coming through Metro. And we would  
12 have no objections to approving this.

13 SHERIFF PIERINI: Thank you, Scott.

14 Commissioners, any questions?

15 DEPUTY CHIEF SCHOFIELD: No.

16 SHERIFF PIERINI: Comments? Everybody okay  
17 on that?

18 Okay. Looking to public comment?

19 Seeing none, looking for a motion.

20 CHIEF TANNER: Troy Tanner. Make a motion  
21 to approve.

22 SHERIFF PIERINI: Thank you, Chief.

23 Do I have a second?

24 SHERIFF WATTS: Dan Watts, second.

25 SHERIFF PIERINI: Dan Watts, thank you.

1 Any other questions, comments? All in  
2 favor?

3 (Ayes.)

4 SHERIFF PIERINI: Okay. Anybody opposed?  
5 So carried. Thank you. Moving to number 10.

6 Discussion, public comment, and for possible  
7 action, this is a hearing pursuant to NAC  
8 289.290(1)(g) to suspend Robert Reasoner, formerly of  
9 the Nevada Transportation Authority, certification  
10 based on a criminal complaint to a Category C felony.  
11 The Commission will decide whether or not to suspend  
12 Mr. Reasoner's Category II Basic Certificate.

13 So, Mike, I guess, Jensen, that's your deal  
14 now. Right?

15 MR. JENSEN: All right.

16 SHERIFF PIERINI: All right, sir.

17 MR. JENSEN: There's only one on the agenda.  
18 That's the good news.

19 SHERIFF PIERINI: Yeah. Usually you have  
20 about six, so we're good. All right. Go ahead.

21 MR. JENSEN: This is the time and place  
22 that's been set for the hearing to consider the  
23 possible suspension of Mr. Reasoner's POST  
24 certification.

25 Just real quickly, for the record, the

1 authority that this hearing's being held under today  
2 is NRS Chapter 289.510, which provides for the  
3 Commission to be able to adopt regulations that  
4 establish the minimum standards for certification and  
5 decertification of officers, and pursuant to that  
6 authority, NAC 289.290, that establishes the causes  
7 for the Commission to revoke, refuse, or suspend the  
8 certificate of a peace officer.

9 This afternoon, we're working under Section  
10 (1)(g), that provides a certificate may be suspended  
11 upon indictment or filing of a criminal complaint for  
12 a felony. So this is a little bit different than a  
13 lot of them that we do because there is no conviction  
14 yet in this case. This is just being -- would just be  
15 action based on the filing of a criminal complaint.

16 The exhibits that are being presented -- and  
17 this morning, I'd ask that they be admitted and made  
18 part of the record to support any action that the  
19 Commission may take this morning. And to just real  
20 quickly go through those exhibits for the Commission,  
21 the first is the notice of intent to suspend, which is  
22 Exhibit A.

23 (Exhibit A marked for identification.)

24 MR. JENSEN: That exhibit, you'll see,  
25 notifies Mr. Reasoner of the Commission's intent to

1 suspend his certificate. It tells him the charge that  
2 that would be based on. It tells him the time, place,  
3 and the location and time of this particular hearing,  
4 and gives him an opportunity to notify the Commission  
5 within 15 days of this hearing if he intends to  
6 contest it.

7 It's my understanding that Mr. Reasoner has  
8 not sent a letter requesting to appear this morning on  
9 behalf of this particular item.

10 MR. SHERLOCK: Mike Sherlock for the record.  
11 That's correct. We have not heard from him.

12 MR. JENSEN: The scope of the hearing this  
13 morning is just whether or not his POST certificate  
14 should be suspended for a felony charge. Exhibit B  
15 shows that the notice was served on Mr. Reasoner on  
16 June the 7th, that he was personally served with this  
17 particular notice.

18 (Exhibit B marked for identification.)]

19 MR. JENSEN: And that shows that the  
20 Commission has complied with both the requirements of  
21 your regulations as well as the Open Meeting Law  
22 requirements to take action like this, this morning.

23 Exhibit C is the personnel action report  
24 showing that Mr. Reasoner's employment as a peace  
25 officer was terminated effective February 23rd of '17



1 and that the agency informed the Commission that there  
2 was a reason for that termination that could also lead  
3 to the revocation of his certification. And that's  
4 indicated on that form.

5 (Exhibit C marked for identification.)

6 MR. JENSEN: Exhibit D is the POST  
7 certification for Mr. Reasoner.

8 (Exhibit D marked for identification.)

9 MR. JENSEN: It's a Category -- I think he's  
10 a Category 2, if I'm correct.

11 CHIEF JOHNSTON: That's correct.

12 MR. JENSEN: He holds a Category II Basic  
13 Certificate. The only court document to consider this  
14 morning, because the type of action that's being taken  
15 is the criminal complaint, which is a certified copy  
16 of the criminal complaint, which alleges that  
17 Mr. Reasoner violated the -- conspiracy to violate the  
18 Uniform Controlled Substance Act, which is a Category  
19 C felony.

20 The facts alleged are that he conspired with  
21 Rebecca Reasoner to purchase heroin, a Schedule 1  
22 controlled substance, in Carson City. And certainly  
23 that falls under your regulations in terms of a charge  
24 for a felony. And Mr. Reasoner would qualify to have  
25 his certificate suspended.

1 I believe he's still working his way through  
2 the criminal justice system at this point, the last I  
3 heard, so we may not have a conviction yet. So this  
4 morning, like I say, it would just be a suspension  
5 pending the outcome of his criminal case. So if there  
6 were a motion made, that would be the proper way to  
7 refer to that, as a suspension pending the outcome of  
8 his criminal case.

9 The evidence in this particular case shows  
10 that Mr. Reasoner has been charged with a serious drug  
11 offense. It certainly is the type of conduct that's  
12 serious enough that would justify and disqualify  
13 Mr. Reasoner from being a peace officer, pending the  
14 outcome of his criminal case, and the recommendation  
15 would be that the Commission suspend his POST  
16 certification.

17 SHERIFF PIERINI: Thank you, sir.

18 All right. I'd like to, first of all,  
19 before -- is just ask anybody in the audience there,  
20 if Robert Reasoner, is there anybody representing that  
21 person here?

22 Okay. Seeing none, then I'd have questions  
23 from the Commissioners. Would you like to make any  
24 comments or --

25 UNDERSHERIFF MCKINNEY: Kevin McKinney. I

1 have a question for Mr. Jensen.

2 This suspension, if -- well, it's actually a  
3 two-part question. If he's acquitted of these  
4 charges, is it upon him to file for the suspension to  
5 be released? Or is it -- or will it automatically be  
6 if he's acquitted?

7 And then the second part of my question is  
8 if he is convicted, do we have to do a second hearing  
9 regarding the revocation?

10 MR. JENSEN: Okay. Mike Jensen for the  
11 record.

12 Yeah. In terms of the first question, we've  
13 actually had this happen once before where an  
14 individual had his POST certification -- I think he  
15 was in Carson City -- had it suspended. And there was  
16 an action required by him to come back to the  
17 Commission and at least make a request.

18 He didn't have to come back before the  
19 Commission because the action was just pending the  
20 outcome of his criminal case. And once he was  
21 acquitted, there was no basis to continue to suspend  
22 him.

23 So I think it was an administrative action  
24 took place at that point, which once they were  
25 notified and confirmed -- once they, being POST staff,

1 were notified and confirmed that there had been an  
2 acquittal.

3 If there is a conviction, the due process  
4 would require that he be brought back before the  
5 Commission. And at that point, it would be a  
6 revocation action as opposed to a suspension action.  
7 We would notice it, similar to the way we did today,  
8 and have another hearing.

9 UNDERSHERIFF MCKINNEY: Okay. Thank you.

10 SHERIFF PIERINI: It hasn't happened too  
11 often, but once in a while we have --

12 MR. JENSEN: Very, very rarely has happened.

13 SHERIFF PIERINI: Mr. Jensen, I also want to  
14 make sure that exhibits is approved and admitted on my  
15 behalf.

16 (Exhibits A through D received in evidence.)

17 SHERIFF PIERINI: So okay. What are we  
18 looking for? Anybody else from the Commissioners  
19 would like to make any more comments?

20 Okay. How about making a motion, if we  
21 could?

22 UNDERSHERIFF MCKINNEY: Kevin McKinney. I  
23 make a motion that we approve the suspension, pending  
24 criminal adjudication on this.

25 SHERIFF PIERINI: Good. Okay. Do I have a



1 second?

2 SHERIFF WATTS: Dan Watts, second.

3 SHERIFF PIERINI: Thank you, Dan.

4 Anybody else like to make a comment? All in  
5 favor?

6 (Ayes.)

7 SHERIFF PIERINI: All right. Anybody  
8 opposed?

9 CHIEF KETSAA: Aye.

10 SHERIFF PIERINI: Okay. So carried. Thank  
11 you.

12 Okay. Under public comments, anybody out in  
13 the audience have any comments they'd like to make  
14 that we have, different, as far as the agendas that we  
15 have already talked about and dealt with? Is there  
16 anybody that'd like to make any comments? We only  
17 have one guy.

18 Would you like to make a comment?

19 UNIDENTIFIED SPEAKER: Sorry about the flip flop.  
20 How embarrassing.

21 UNIDENTIFIED SPEAKER: (Indiscernible).

22 SHERIFF PIERINI: Thank you very much.

23 Okay. Seeing none, we'll move on to this. We're  
24 going to find out about the next meeting.

25 Mr. Sherlock?

1 MR. SHERLOCK: Mike Sherlock for the record.  
2 We continue to work with Bob Rosheck (ph.) on that.  
3 It will be either October 16th or October 17th during  
4 the Nevada Sheriffs' and Chiefs' yearly convention  
5 there at South Point in Las Vegas. Bob just hasn't  
6 been able to secure the room.

7 And so we'll work on that, and we'll get  
8 that out to the Commissioners as soon as I have a hard  
9 date on that, but it'll be either the 16th or the  
10 17th, likely at 4:30 in the afternoon. And we'll get  
11 that out as soon as we can.

12 SHERIFF PIERINI: Can you tell me, Mike, is  
13 that a Monday or a Tuesday?

14 MR. SHERLOCK: The 16th is a Monday.

15 SHERIFF PIERINI: Okay.

16 MR. SHERLOCK: And the 17th, Tuesday. So  
17 it's Monday/Tuesday.

18 SHERIFF PIERINI: Thank you. Well, there's  
19 not any possible action on this one since we don't  
20 have the dates 100 percent.

21 UNIDENTIFIED SPEAKER: What was the date on  
22 that?

23 SHERIFF PIERINI: So we'll go on to number  
24 13, and that is, does anybody want to have an  
25 adjournment? Anybody? I know it was the fastest

1 ever, but I can tell you, we need a motion here.

2 CHIEF TANNER: Troy Tanner. I'll make a  
3 motion to adjourn.

4 SHERIFF PIERINI: Thank you, Chief. Do I  
5 have a second?

6 SHERIFF WATTS: Dan Watts, second.

7 SHERIFF PIERINI: Okay. I'm going to wait  
8 just for a minute, because I have a comment, if I  
9 could, and I should have done this just a second ago.

10 James Ketsaa, are you still on the phone?

11 CHIEF KETSAA: Yes.

12 SHERIFF PIERINI: Good. Thank you. And how  
13 about you, Gary? Are you on there in Hawaii?

14 DEPUTY CHIEF SCHOFIELD: Yes, I am.

15 SHERIFF PIERINI: I just wanted to make sure  
16 on the record they have gone through the whole  
17 process. They've listened to it. Thank you very much  
18 for doing that for us to make sure that we had the  
19 numbers. Okay.

20 All right. All in favor?

21 (Ayes.)

22 SHERIFF PIERINI: Anybody opposed? Okay.  
23 Thank you so much, guys.

24 MR. SHERLOCK: Somebody roll Chief  
25 Schofield over.

1 UNIDENTIFIED SPEAKER: See you, Gary.

2 MR. SHERLOCK: I don't want him to  
3 get sunburned out there.

4 DEPUTY CHIEF SCHOFIELD: I got to go back  
5 out to the beach.

6 SHERIFF PIERINI: I'm sure you do. All  
7 right, Gary. Thank you so much. Have fun.

8 (Whereupon, 1:28 p.m., the meeting in the  
9 above-entitled matter was concluded.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

## 1 CERTIFICATION

2 This is to certify that the attached  
3 proceedings were held according to the record, and  
4 that this is the complete, true, and accurate  
5 transcript which has been compared to the audio  
6 recording and transcribed to the best of my skill and  
7 ability.

8  
9  
10  
11   
12

13 Pamela Jacobson

14 Transcriber  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

<p>(</p> <p>(1)(g) 22:10</p> <p>1</p> <p>1 4:4 24:21</p> <p>10 21:5</p> <p>10/3 13:14</p> <p>15 23:5</p> <p>16 13:15</p> <p>17 23:25</p> <p>1:01 4:2</p> <p>1st 10:17</p>	<p>5</p> <p>5 12:18</p> <p>6</p> <p>6 17:5,7</p> <p>7</p> <p>7 17:8</p> <p>7/24 14:5</p> <p>7/24/17 13:15</p> <p>70 11:6</p> <p>7th 23:16</p>	<p>afternoon 22:9</p> <p>age 11:6</p> <p>agencies 10:7</p> <p>agency 4:19 5:2 19:2 24:1</p> <p>agenda 4:25 9:7 21:17</p> <p>agendas 4:8</p> <p>agility 16:17</p> <p>ahead 4:6,7 5:13 21:20</p> <p>alleged 24:20</p> <p>alleges 24:16</p> <p>application 18:23</p> <p>apply 16:16</p> <p>approval 8:25 15:15 17:24</p> <p>approve 9:10,12 15:22 18:6 19:14 20:21</p> <p>approving 19:6 20:12</p> <p>April 12:23 13:23 15:6</p> <p>Archives 4:14</p> <p>assistant 18:18,23 19:2</p> <p>Attorney 5:21</p> <p>audience 12:3 25:19</p> <p>authority 15:10 21:9 22:1,6</p> <p>Ayes 9:18 16:3 18:12 19:22 21:3</p>	<p>B</p> <p>back 7:8 11:18 14:25</p> <p>based 21:10 22:15 23:2</p> <p>Basic 21:12 24:12</p> <p>basically 11:16</p> <p>behalf 23:9</p> <p>big 16:9</p> <p>bill 10:15</p> <p>bit 7:7 10:14 11:21 15:4 22:12</p> <p>Blasdel 4:12</p> <p>budget 10:1</p> <p>build 15:3</p> <p>Building 4:13,14</p> <p>bump 10:5</p> <p>C</p> <p>call 5:6,7</p> <p>Capitol 4:12</p> <p>Captain 20:2,6</p> <p>carried 9:19 18:14 19:24 21:5</p> <p>Carson 4:11,12,13, 14,15 24:22</p> <p>case 22:14 25:5,8,9, 14</p> <p>Casino 4:5</p> <p>Category 21:10,12 24:9,10,12,18</p>
<p>2</p> <p>2 24:10</p> <p>2017 4:4 9:1</p> <p>2018 12:23 15:6</p> <p>23rd 23:25</p> <p>27th 4:3</p> <p>289.290 22:6</p> <p>289.290(1)(g) 21:8</p> <p>289.510 22:2</p>	<p>8</p> <p>8 18:15</p> <p>A</p> <p>Absolutely 16:23</p> <p>academy 10:11 11:14,19 13:15,19, 22,25 14:5 15:9,11</p> <p>Act 24:18</p> <p>action 8:25 12:20 17:10 18:16 21:7 22:15,18 23:22,23 24:14</p> <p>add 16:13</p> <p>admin 11:3</p> <p>administrative 4:11 10:25</p> <p>admitted 22:17</p> <p>adopt 22:3</p>		
<p>3</p> <p>3 20:10</p> <p>3rd 12:23 13:23 15:6</p>			
<p>4</p> <p>4th 9:1</p>			



<b>certificate</b> 17:12,19, 23 18:7,19,24,25 19:14 20:2,7 21:12 22:8,10 23:1,13 24:13,25  <b>certificates</b> 20:7  <b>certification</b> 12:24 18:25 21:9,24 22:4 24:3,7 25:16  <b>certified</b> 24:15  <b>Chapter</b> 22:2  <b>charge</b> 23:1,14 24:23  <b>charged</b> 25:10  <b>chart</b> 20:10  <b>chief</b> 4:9 5:8,11,14, 24 6:2,4,6,7,9,10, 16,17,18,20,23 7:10,14,17,21,24, 25 8:3,4,5,10,15, 18 9:11,13 13:2 15:2,14 17:11,14, 16 18:6,9,21 19:4 20:4,15,20,22 24:11  <b>City</b> 4:12,13,14,15 24:22  <b>commend</b> 11:14  <b>comment</b> 8:24 11:13 12:2,7,19 15:17 17:9 18:3,16 19:10,11 20:18 21:6  <b>comments</b> 15:19 18:2,11 20:16 21:1 25:24  <b>commission</b> 9:1,2	15:5 21:11 22:3,7, 19,20 23:4,20 24:1 25:15  <b>Commission's</b> 22:25  <b>Commissioner</b> 7:19  <b>Commissioners</b> 4:23 11:12 14:12 15:19 18:2 19:8 20:14 25:23  <b>complaint</b> 21:10 22:11,15 24:15,16  <b>complete</b> 9:25 10:3  <b>complied</b> 23:20  <b>concern</b> 11:5  <b>conduct</b> 25:11  <b>conspiracy</b> 24:17  <b>conspired</b> 24:20  <b>contacts</b> 4:19  <b>contest</b> 23:6  <b>continue</b> 11:4  <b>controlled</b> 24:18,22  <b>conviction</b> 22:13 25:3  <b>copy</b> 24:15  <b>correct</b> 7:11 8:21 13:23 23:11 24:10, 11  <b>count</b> 8:20  <b>County</b> 4:16 5:16, 18,20 7:3 12:20 13:12 17:6,10,17  <b>court</b> 24:13  <b>criminal</b> 21:10 22:11,15 24:15,16	25:2,5,8,14  <b>cycle</b> 10:1  <hr/> <b>D</b> <hr/> <b>Dan</b> 5:15 15:25 16:1 18:5,8 19:13,16 20:24,25  <b>database</b> 4:20  <b>day</b> 16:14  <b>days</b> 13:25 23:5  <b>deal</b> 16:22 17:7 21:13  <b>decertification</b> 22:5  <b>decide</b> 21:11  <b>defer</b> 13:3  <b>Department</b> 13:12 18:17 20:1  <b>deputy</b> 6:20,23 13:14 17:11 18:6 20:15  <b>detention</b> 13:14,17  <b>develop</b> 10:18,19  <b>difficult</b> 16:10  <b>Director</b> 9:22  <b>discussion</b> 8:24 9:17 12:19 16:2 17:9 18:15 19:21 21:6  <b>dispatcher</b> 10:15  <b>dispatchers</b> 10:16,22  <b>disqualify</b> 25:12  <b>document</b> 24:13  <b>Douglas</b> 5:17  <b>Doyle</b> 11:1	<b>drug</b> 25:10  <b>due</b> 10:13 13:16  <hr/> <b>E</b> <hr/> <b>easy</b> 11:16  <b>echelon</b> 20:11  <b>education</b> 17:22  <b>effective</b> 10:17 23:25  <b>electronically</b> 4:18  <b>Elko</b> 5:19  <b>Ely</b> 4:5  <b>emailed</b> 4:18  <b>employee</b> 12:21 14:19 17:11 18:18 20:1  <b>employment</b> 23:24  <b>end</b> 15:7  <b>enroll</b> 13:22  <b>enters</b> 15:10  <b>equivalent</b> 19:3  <b>establish</b> 22:4  <b>establishes</b> 22:6  <b>evidence</b> 25:9  <b>excuse</b> 5:6  <b>executive</b> 9:21 17:12,18,20 18:7, 19,24 19:14 20:2  <b>exhibit</b> 22:22,23,24 23:14,18,23 24:5, 6,8  <b>exhibits</b> 22:16,20
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

expand 10:4	General's 5:21	Hotel 4:5	June 23:16
extend 15:5	gentleman 14:17	house 10:1,2,8	justice 25:2
extension 12:22 13:13,21 15:4,22	gentlemen 17:2	hung 6:16	justify 25:12
<b>F</b>	give 6:21 7:14,17	<b>I</b>	<b>K</b>
facility 11:1	glad 7:1	identification 22:23 23:18 24:5,8	Ketsaa 6:18 7:7,19, 25 8:4,18
fact 15:7	good 6:15 7:13,20 8:11 10:9,21,23 12:1 15:1,13 16:4 21:18,20	II 21:12 24:12	Kevin 5:19 15:21,23 19:17,19 25:25
facts 24:20	grab 8:15	impressed 11:19,22	knew 13:20
falls 24:23	graduates 15:11	indictment 22:11	<b>L</b>
favor 9:17 16:2 18:11 19:21 21:2	Grant 4:14	informed 24:1	Lander 12:20 13:12
February 15:8 23:25	great 8:19	intends 23:5	Las 4:14 18:17 19:25
felony 21:10 22:12 23:14 24:19,24	Green 17:11,17 18:6	intent 22:21,25	Law 23:21
felt 11:21	guess 21:13	issued 20:7	lead 24:2
filing 22:11,15	<b>H</b>	item 4:25 9:7 19:11 23:9	learned 11:21
filled 10:25	happy 10:3,10	<b>J</b>	leave 12:9
fire 10:2	he'll 7:8	Jack 20:2	left 14:21
foresee 14:14	hear 6:22,23 8:7,11	James 6:1,2,4 7:7, 22,23,24 8:1,3,14, 17	legislative 4:17
forget 5:2	heard 11:16 23:11 25:3	January 15:7	letter 23:8
form 24:4	hearing 21:7,22 23:3,5,12	Jensen 5:21 21:13, 15,17,21 22:24 23:12,19 24:6,9,12	level 17:20 19:5
forward 9:8	hearing's 22:1	Jim 7:6	Library 4:13
frame 15:6	held 22:1	Johnston 4:9 5:24 7:10,14,17,21,24 8:3,5,15 13:2 15:2, 14 17:14,16 18:21 20:4 24:11	list 12:9
Freeman 7:4	heroin 24:21	July 4:3 10:17	listen 16:8
front 13:5	Hey 6:4,6 16:8		live- 10:1
frustrating 10:13	higher 20:11		location 23:3
fulfill 17:22	Highway 14:22		long-time 11:1
full 14:15	hired 13:14		lose 10:12
<b>G</b>	holds 24:12		lost 6:18
Gary 6:13,25 7:5			



lot 22:13	Mike 5:21,23 17:13 21:13 23:10	notifies 22:25	
loud 8:5	military 11:20 14:17	notify 23:4	<b>P</b>
<b>M</b>	mind 11:9 13:5	Now's 9:21	p.m. 4:2,4
made 22:17 25:6	mine 13:14	NRS 10:20 22:2	part 12:8 15:8 22:18
maintain 4:19 15:9	Mineral 17:6	number 12:18 17:5, 7,8 18:15 20:10 21:5	pass 11:23
make 4:22,25 9:7,9, 11 10:6 12:2,6,8 15:17 16:17,18 18:2,5 19:11,13 20:20 25:23	minimum 17:19 22:4	numbers 8:21	passed 10:15
manager 11:1	minutes 8:25 9:10	<b>O</b>	past 12:22
managerial 17:21	Monday 10:11	objections 15:15 19:5 20:12	Patrol 14:22
managers 20:9	months 14:15	October 10:19	peace 15:9 22:8 23:24 25:13
managing 20:9	moot 15:11	offense 25:11	Pedersen 7:3
marked 22:23 23:18 24:5,8	morning 22:17,19 23:8,13,22 24:14 25:4	office 4:15,16 5:22 11:15 12:21 17:6, 11,18	pending 25:5,7,13
Mckinney 5:19 9:9, 15 15:21 19:17 25:25	motion 9:9,12 15:20 18:4,6 19:12,13 20:19,20 25:6	officer 15:9 22:8 23:25 25:13	people 13:18
means 8:20	movable 10:4	officers 22:5	percent 11:6
meet 12:23	move 10:9,22 13:6 15:22	Offices 4:11	performance-based 10:6
meeting 4:8,10 9:1 23:21	Moving 21:5	one-year 12:22	person 25:21
meets 20:8	<b>N</b>	open 11:2,3 16:10 23:21	personally 23:16
mentioned 12:6	NAC 21:7 22:6	opportunity 23:4	personnel 17:21 23:23
Mesquite 5:14	names 19:4	opposed 9:19 16:4 18:13 19:23 21:4	phone 6:1 7:1,8
met 17:18 18:25	Nevada 4:5,12,13 21:9	order 5:6 7:21 12:23	phones 4:24
met all 17:21 18:24	news 21:18	organization 16:11	physical 16:17
Metro 18:17 20:1,11	nice 12:10	organizational 20:10	Pierini 4:3,21 5:9, 13,17,25 6:11,13, 15,25 7:1,11,13, 16,20,22 8:1,2,7, 13,17,19,23 9:13, 16,19 11:11 12:1, 12,16 13:4,9,24 14:3,6,11 15:13, 16,23 16:1,4,8,20, 23,25 17:4,15,25 18:8,10,13 19:7,
mic 13:6	note 7:2 16:9	outcome 25:5,7,14	
Michele 7:4	notice 4:10 22:21 23:15,17	Owen 20:2	
microphone 8:6,22	notice.nv.gov. 4:18	Owens 20:6	

16,19,23 20:13,16, 22,25 21:4,16,19 25:17	<b>push-ups</b> 16:19 <b>put</b> 6:17 8:8,10	<b>recruit</b> 11:4 <b>recruitment</b> 11:8 <b>refer</b> 25:7 <b>refuse</b> 22:7 <b>regularly</b> 9:1 <b>regulation</b> 10:18,20 <b>regulations</b> 22:3 23:21 24:23 <b>remove</b> 17:5 <b>report</b> 23:23 <b>representing</b> 25:20 <b>request</b> 12:20 17:5, 10 18:16 19:25 <b>requesting</b> 13:21 23:8 <b>require</b> 10:15 <b>requirement</b> 12:23 <b>requirements</b> 12:24 17:18,22 18:25 19:1 20:8 23:20,22 <b>retire</b> 11:7 <b>retired</b> 11:2 <b>returned</b> 14:18 <b>revocation</b> 24:3 <b>revoke</b> 22:7 <b>Robert</b> 13:13 21:8 25:20 <b>Roberts</b> 12:21 18:18 19:15 <b>Roberts's</b> 18:23 <b>role</b> 20:9 <b>roll</b> 5:6	<b>Ron</b> 5:17 7:1 8:1 12:10 13:5,11,24 16:23 <b>run</b> 13:17 16:18 <b>rurals</b> 16:21 <b>Russell</b> 7:3
<b>Pine</b> 4:15 5:15 <b>place</b> 21:21 23:2 <b>point</b> 4:19 13:18 14:20 15:12 25:2 <b>Police</b> 18:17 20:1 <b>position</b> 11:3 17:20 <b>POST</b> 4:11 5:23,24 9:1,24 10:16,23 11:10,16 21:23 23:13 24:6 25:15 <b>post.nv.gov</b> 4:16 <b>posted</b> 4:11 <b>posting</b> 4:8 <b>prerequisite</b> 20:6 <b>present</b> 13:3 <b>presented</b> 22:16 <b>pretty</b> 10:3,10 <b>prior</b> 14:9 18:24 <b>problem</b> 7:7 <b>program</b> 10:22 <b>proper</b> 25:6 <b>Prospector</b> 4:4 <b>PT</b> 10:13 <b>public</b> 4:8 8:24 12:8, 19 15:17 17:9 18:3,16 19:9 20:18 21:6 <b>pull</b> 13:19 14:1,9 <b>purchase</b> 24:21 <b>pursuant</b> 21:7 22:5	<b>Q</b> <b>qualify</b> 17:23 24:24 <b>question</b> 13:24 <b>questions</b> 11:12 12:2 14:12 15:19 18:3,11 19:8 20:14 21:1 25:22 <b>quick</b> 9:24 <b>quickly</b> 21:25 22:20	<b>R</b> <b>rank</b> 19:2 <b>read</b> 9:3 <b>real</b> 9:23,24 21:25 22:19 <b>reason</b> 24:2 <b>Reasoner</b> 21:8 22:25 23:7,15 24:7,17, 21,24 25:10,13,20 <b>Reasoner's</b> 21:12,23 23:24 <b>Rebecca</b> 24:21 <b>received</b> 9:25 <b>recommend</b> 17:24 <b>recommendation</b> 25:14 <b>record</b> 4:10,22 9:5 15:3 17:17 18:22 20:5 21:25 22:18 23:10 <b>recording</b> 5:4	<b>S</b> <b>Sawyer</b> 4:14 <b>Schedule</b> 24:21 <b>scheduled</b> 9:1 13:15 14:4,8 <b>Schofield</b> 6:9,20,23 20:15 <b>scope</b> 23:12 <b>Scott</b> 4:6,9,21 5:24 12:25 14:13 15:2 17:13,15,16,25 18:20,21 19:7 20:3,4,13 <b>sec</b> 7:16 <b>Section</b> 22:9 <b>served</b> 23:15,16 <b>service</b> 20:8 <b>set</b> 21:22 <b>sheriff</b> 4:3,21 5:9, 13,15,17,25 6:11, 13,15,25 7:11,13, 16,20,22 8:1,7,13, 17,19,23 9:13,16, 19 11:11,13,24 12:1,11,12,15,16 13:2,4,8,9,11,24 14:2,3,4,6,7,11,14, 16,24,25 15:3,13, 16,18,23,25 16:1,

4,6,8,13,20,21,23, 24,25 17:1,4,15,25 18:5,8,10,13,18,23 19:2,7,13,16,19,23 20:13,16,22,24,25 21:4,16,19 25:17	Spencer 12:21 13:13 spots 16:10 staff 11:6 13:16,17 14:15 15:14 17:23 standards 10:14 22:4 standpoint 11:8 start 4:6 5:5,7,9 8:24 10:11 starting 14:5 15:8 state 4:12,13,17 static 6:7 structured 11:21 substance 24:18,22 suffering 16:9 supervising 17:20 support 22:18 suspend 21:8,11 22:7,21 23:1 25:15 suspended 22:10 23:14 24:25 suspension 21:23 25:4,7 switch 6:9 system 25:2	Tanner 5:8,11,14 6:2,4,7,10,16 8:10 9:11 18:9,10 20:20 tells 23:1,2 terminated 23:25 termination 24:2 terms 9:24 24:23 tested 16:14 Testing 6:1 thing 10:21,24 things 9:4 Thomas 17:11,17 18:6,18 thought 5:11 three-week 14:19 time 9:3,21 10:18 11:4,15 12:13 13:18 14:20 15:6, 10 17:18 21:21 23:2,3 times 16:9 today 4:3 9:3 13:13 22:1 Tom 19:14 tomorrow 11:7 tough 16:19 training 9:25 10:6,12 17:22 19:1 transferred 14:21 Transportation 21:9 Troy 5:14 9:11 18:9 20:20 turn 4:23	two- 14:19 type 24:14 25:11 typical 10:13 <hr/> U umbrella 10:16,23 unable 13:16 16:18 undersheriff 5:19 9:9,15 15:21 19:3, 17 25:25 understanding 23:7 Unger 12:11,15 13:8,11,12 14:2,4, 7,16,25 16:6,13, 21,24 17:1 Unger's 13:2 Uniform 24:18 <hr/> V vacancy 11:1 vacation 14:20 Vegas 4:15 18:17 20:1 violate 24:17 violated 24:17 voluntary 10:22 <hr/> W walls 10:4,8 wanted 11:23 Washoe 7:3 17:10, 17 Watts 5:15 11:13
-------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

14:14,24 15:25  
16:1 18:5 19:13  
20:24,25

website 4:17

week 11:2 14:18

weeks 13:25

White 4:15 5:15

windows 10:8

wishes 15:5

work 8:22

worked 17:19

working 22:9 25:1

workshop 10:19

Wright 7:6

---

Y

---

year 14:18

years 11:7 17:19  
20:8

yesterday 16:15



### **III. REGULARLY SCHEDULED MEETING**

4. **INFORMATION** Executive Director's report
  - a. Training Division: Online Training
  - b. Standards Division: Year end Compliance
  - c. Administration: Facilities Manager Doyle Smith Retired, filled the vacancy.



### **III. REGULARLY SCHEDULED MEETING**

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

The Commission to decide whether to continue the rule making process regarding AB151 requirements to set standards and certification requirements for law enforcement dispatchers to become certified through a voluntary program.



ASSEMBLY BILL NO. 151—ASSEMBLYWOMAN CARLTON  
(BY REQUEST)

PREFILED FEBRUARY 13, 2017

Referred to Committee on Government Affairs

SUMMARY—Provides for the voluntary training of law enforcement dispatchers. (BDR 23-767)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to law enforcement; requiring the Peace Officers' Standards and Training Commission to provide by regulation for the voluntary training of law enforcement dispatchers; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires the Peace Officers' Standards and Training Commission  
2 to adopt regulations governing the certification and decertification, recruitment,  
3 selection and training of peace officers. (NRS 289.510) This bill requires the  
4 Commission to establish by regulation the minimum standards for a voluntary  
5 program of training for law enforcement dispatchers, certify instructors for  
6 approved courses of such training and issue certificates to dispatchers who  
7 complete such training.

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

1 **Section 1.** Chapter 289 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 ***1. The Commission shall:***

4 ***(a) Establish by regulation the minimum standards of a***  
5 ***voluntary program for the training of law enforcement***  
6 ***dispatchers.***



1     ***(b) Certify qualified instructors for approved courses of***  
2     ***training for law enforcement dispatchers and issue appropriate***  
3     ***certificates to instructors who become certified.***

4     ***(c) Issue appropriate certificates to law enforcement***  
5     ***dispatchers who have satisfactorily completed the voluntary***  
6     ***program.***

7     ***2. As used in this section, "law enforcement dispatcher"***  
8     ***means a person who is employed by a law enforcement agency or***  
9     ***regional telecommunication center and who promotes public***  
10    ***safety by:***

11    ***(a) Receiving calls for service related to crimes, traffic***  
12    ***incidents, public safety and any other related calls for assistance;***  
13    ***and***

14    ***(b) Providing immediate and critical communication between***  
15    ***the public and law enforcement agencies.***

16    **Sec. 2.** NRS 289.450 is hereby amended to read as follows:

17    289.450 As used in NRS 289.450 to 289.600, inclusive, ***and***  
18    ***section 1 of this act,*** unless the context otherwise requires, the  
19    words and terms defined in NRS 289.460 to 289.490, inclusive,  
20    have the meanings ascribed to them in those sections.

21    **Sec. 3.** (Deleted by amendment.)

22    **Sec. 4.** (Deleted by amendment.)

23    **Sec. 5.** This act becomes effective on July 1, 2017.



## **GENERAL PROVISIONS**

**New NAC:** *Law Enforcement Dispatcher means a person who is employed by a law enforcement agency or regional telecommunication center and who promotes public safety by:*  
*(a) Receiving calls for service related to crimes, traffic incidents, public safety and any other related calls for assistance;*  
*(b) Providing immediate and critical communication between the public and law enforcement agencies.*

## **STANDARDS AND TRAINING**

**NAC 289.120 Basic course of training: Completion; attendance by reserve officer. (NRS 289.510); and law enforcement dispatchers**

1. Each peace officer who is required by NRS 289.550 to be certified must satisfactorily complete a basic course of training approved by the Executive Director.

2. A reserve officer must be in full-duty status and fully covered by industrial insurance through the employing agency while attending the training.

3. *A law enforcement dispatcher, as defined in NAC may attend a voluntary program for the training of law enforcement dispatchers.*

**NEW NAC Minimum standard of training: Law enforcement dispatchers. The minimum standard of training for law enforcement dispatchers is successful completion of a basic course, established by the Commission that includes 120 hours of training in:**

1. *Course Orientation*
2. *Role of the Public Safety Dispatcher and overview of public safety organizations*
3. *State and National computer files*
4. *Effective Communication*
5. *Public Safety Call Taking and Interrogation*
6. *Homeland Security*
7. *Crime Classification, Definitions and Nevada Criminal Code*
8. *Law Enforcement Dispatching*
9. *Legal Aspects of Public Safety Dispatching*
10. *Communications Technology*
11. *Excited Delirium and Agitated Chaotic Event*
12. *Health, Wellness and Stress Management*
13. *Course Administration and Testing;*

## CERTIFICATES

**NAC 289.200 Basic and reserve basic certificate: Requirements; extension of time to complete or waiver of certain requirements; request for certification; placement of basic certificate on inactive status. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 289.510, 289.550, 289.600)**

1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

2. The Executive Director may award a basic certificate to any peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

(a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;

(b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;

(c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

- (1) Abuse of elderly persons;
- (2) Active assailants;
- (3) Child abuse and sexual abuse of a child;
- (4) Civil liability;
- (5) Constitutional law;
- (6) Counter-terrorism and weapons of mass destruction;
- (7) Crimes against persons;
- (8) Crimes against property;
- (9) Cultural awareness;
- (10) Domestic violence and stalking;
- (11) Ethics in law enforcement or for correctional officers;
- (12) Juvenile law;
- (13) Laws relating to arrest;
- (14) Laws relating to drugs, including, without limitation, current trends in drugs;
- (15) Miscellaneous crimes;
- (16) Probable cause;
- (17) Rights of victims;
- (18) Search and seizure;
- (19) Sexual harassment; and
- (20) Use of force;

(e) The peace officer passes the state certification examination with a score of at least 70 percent; and

(f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

3. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for a reserve certificate;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.

4. Except as otherwise provided in subsection 5 or 6, an officer must pass the state physical fitness examination:

(a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or

(b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.

**5. *The Executive Director may award a dispatcher basic certificate to a law enforcement dispatcher who meets the following requirements:***

- (a) *At least 18 years of age at the time of appointment;***
- (b) *Has successfully completed the 12<sup>th</sup> grade or has been certified by an appropriate authority as having an equivalent education;***
- (c) *A US citizen or permanent resident alien with work privileges;***
- (d) *Has undergone a detailed and documented background investigation to include;***
  - i. An investigation into of the current and past employment history of the person;***
  - ii. An inquiry into the criminal history of the person in the State of Nevada and in any other state where the person is known to have resided, which must include, without limitation, any warrants issued for the person and the submission of the person's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;***
- (e) *Has never been convicted of a felony in this State or of any offense which would be a felony if committed in this State;***
- (f) *Successfully completed a certification course established by the Commission.***

**6. *To maintain a law enforcement dispatcher basic certificate the law enforcement dispatcher must annually complete 16 hours of additional agency in-service training prescribed by the administrator of the employing agency of the law enforcement dispatcher.***

***Notation: The requirements outlined in 5 (a-c) apply to those hired after July 1, 2017***

**NAC 289.235 Voluntary surrender and application for reinstatement of basic certificate. (NRS 289.510)**

1. A peace officer ***or law enforcement dispatcher*** may, permanently or for a stated term, voluntarily surrender a basic certificate to the Commission:

- (a) As part of a termination agreement between the peace officer ***or law enforcement dispatcher*** and his or her employing agency;
- (b) As part of a plea bargain in a criminal proceeding against the peace officer;
- (c) As part of a settlement agreement between the Commission and the peace officer or ***law enforcement dispatcher***; or
- (d) For any other reason.

2. A peace officer or ***law enforcement dispatcher*** who wishes to voluntarily surrender his or her basic certificate must submit to the Executive Director a request for the voluntary surrender.

The request must:

- (a) Be in writing;

- (b) State the date on which the voluntary surrender will become effective;
  - (c) State whether the voluntary surrender is permanent or for a stated term;
  - (d) If the voluntary surrender is for a stated term, include the date on which the voluntary surrender will end;
  - (e) Include a summary of the reason for the voluntary surrender;
  - (f) If the voluntary surrender is being requested as part of a termination agreement, plea bargain or settlement agreement described in paragraph (a), (b) or (c) of subsection 1, include an acknowledgment by the peace officer *or law enforcement dispatcher* that the voluntary surrender shall be deemed to include the voluntary surrender of all other basic certificates held by the peace officer;
  - (g) Include a statement by the peace officer *or law enforcement dispatcher* that he or she understands and has knowledge of the consequences of the voluntary surrender; and
  - (h) Be signed by the peace officer *or law enforcement dispatcher* and be notarized.
3. The Executive Director shall accept or reject each request for the voluntary surrender of a basic certificate submitted pursuant to subsection 2 and shall notify the peace officer *or law enforcement dispatcher* of the acceptance or rejection. If the Executive Director accepts the voluntary surrender of a basic certificate requested as part of a termination agreement, plea bargain or settlement agreement described in paragraph (a), (b) or (c) of subsection 1, the peace officer shall be deemed to have voluntarily surrendered all other basic certificates held by the peace officer *or law enforcement dispatcher*, regardless of the training categories in which the basic certificates were awarded.
4. A peace officer *or law enforcement dispatcher* who voluntarily surrenders a basic certificate may apply to reinstate the basic certificate:
- (a) If the voluntary surrender was for a stated term, after the date specified for the end of the term of voluntary surrender or 60 months after the effective date of the voluntary surrender, whichever occurs earlier; or
  - (b) If the voluntary surrender was permanent, 60 months after the effective date of the voluntary surrender.
5. A peace officer *or law enforcement dispatcher* who wishes to have a basic certificate reinstated must submit a written request to the Commission for authorization to apply for reinstatement of the basic certificate. The Commission will schedule a hearing to consider the request. The Commission will notify the agency that employed the peace officer *or law enforcement dispatcher* at the time that the voluntary surrender became effective or the agency that employed the peace officer immediately preceding his or her voluntary surrender, whichever is applicable, of the date and time of the hearing. After the hearing, the Commission will determine whether to authorize the peace officer *or law enforcement dispatcher* to apply for reinstatement of the basic certificate.
6. If a peace officer *or law enforcement dispatcher* is authorized by the Commission to apply for reinstatement of a basic certificate after a voluntary surrender, the peace officer *or law enforcement dispatcher* must meet the minimum standards for appointment established by this chapter which are applicable at the time that the peace officer *or law enforcement dispatcher* applies for reinstatement of the basic certificate. If the basic certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in the revocation of the basic certificate.
7. The Executive Director shall submit to the Commission at each meeting of the Commission a report concerning:
- (a) Each voluntary surrender of a basic certificate that was accepted by the Executive Director since the last meeting of the Commission; and
  - (b) Each application for reinstatement of a basic certificate that was granted or denied since the last meeting of the Commission.

**NAC 289.290 Denial, revocation, suspension and reinstatement of certificate.  
(NRS 289.510)**

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

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's **or law enforcement dispatcher'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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher**.

4. The Commission will notify the officer **or law enforcement dispatcher** by certified mail at the officer's **or law enforcement dispatcher'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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher** 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 **or law enforcement dispatcher**; 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 **or law enforcement dispatcher** 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 *or law enforcement dispatcher* 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 *or law enforcement dispatcher* 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 *or law enforcement dispatcher* 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 *or law enforcement dispatcher'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 *or law enforcement dispatcher* would result in revocation.

**(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014)**

#### **NAC 289.350 Reports. (NRS 289.510)**

1. Upon employment or termination of a peace officer, *law enforcement dispatcher* or upon the activation or termination of the reserve status of a reserve officer, an agency shall notify the Executive Director on a personnel action report form provided by the Commission or its designee. The personnel action report form must be submitted to the Executive Director within 15 days after the date of employment or termination of a peace officer or the activation or termination of the reserve status of a reserve officer.:

**(a) An agency shall comply with the requirements set forth in subsection 1 when a law enforcement dispatcher who meet the definition has met the requirements to be issued the dispatcher basic certificate.**

2. An agency shall submit, upon the request of the Commission or its designee, such documentation or information as the Commission or its designee deems necessary to determine whether the standards and provisions of this chapter have been complied with.



### III. REGULARLY SCHEDULED MEETING

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

The Commission to discuss and take possible action to adopt new regulations as follows:

##### **A. LCB File No. R003-17.**

Existing regulations establish the minimum standards of training for peace officers in training category I, II, and III and reserve officers. Sections 1-5 of the proposed regulation amends NAC 289.140-289.170 and NAC 289.200, minimum training standards for Categories I, II, III, and Reserve training standards, to update them with the NRS title associated with each training standard to accurately reflect the corresponding NRS titles. The proposed regulation also integrates Categories I, II, III and reserve basic training standards so a peace officer successfully completing a basic training course for one category will also be certified in each category below category of the basic training course he successfully completed. This will make it possible for a peace officer attending one academy to become certified in multiple training categories covering a broader scope of job tasks. For example, a peace officer who successfully completes a Category I basic training course will also be certified in Category II and Category III minimum training standards.

##### **B. LCB File No. R012-17.**

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic or reserve certificate, including completion of in-service training. In addition to in-service training, a peace officer authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm the officer is authorized to use. NAC 289.230 is proposed to be amended to clarify a peace officer must show the required proficiency with each **type** of firearm they are authorized to use. The proposed regulation also clarifies the requirements a peace officer must meet before resuming their normal duties after a certain time away from their peace officer duties. The proposed regulation also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.

**PROPOSED REGULATION OF  
THE PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION**

**LCB File No. R003-17**

June 21, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1, 2, 4 and 5, NRS 289.510 and 289.600; §3, NRS 289.510.

A REGULATION relating to peace officers; revising provisions relating to the minimum standard of training required for peace officers and reserve officers; revising requirements for the training course certain peace officers are required to complete before being awarded a basic certificate; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510) Existing law also requires the Commission to require each peace officer, as a condition of certification, to be trained in dealing with the crimes of stalking and aggravated stalking. (NRS 289.600)

Existing regulations establish the minimum standard of training for peace officers in training categories I, II and III and reserve officers. (NAC 289.140-289.170) **Sections 1-4** of this regulation make various changes concerning the minimum standard of training required for peace officers in training categories I, II and III and reserve officers, respectively.

Existing regulations establish the requirements for the awarding of a basic certificate to a peace officer and authorize the Executive Director of the Commission to award a basic certificate to a peace officer who is certified in another state or has successfully completed certain training approved by the Commission in certain circumstances. (NAC 289.200) **Section 5** of this regulation revises the requirements for the training course such a peace officer is required to complete before being awarded a basic certificate.

**Section 1.** NAC 289.140 is hereby amended to read as follows:

289.140 The minimum standard of training for officers in training category I is successful completion of a basic course that includes 480 hours of training in:

1. Law and legal procedures, specifically:
  - (a) Civil liability;
  - (b) Constitutional law;
  - (c) Crimes against persons;
  - (d) Crimes against property;
  - (e) Juvenile law;
  - (f) Laws governing coroners;
  - (g) Laws relating to arrest;
  - (h) *Laws relating to correctional institutions;*
  - (i) Laws relating to drugs, including, without limitation, current trends in drugs;
  - ~~{(j)}~~ (j) Miscellaneous crimes;
  - ~~{(k)}~~ (k) Probable cause;
  - ~~{(l)}~~ (l) Rights of victims;
  - ~~{(m)}~~ (m) Search and seizure;
  - ~~{(n)}~~ (n) *Searches of offender institutions;*
  - (o) Traffic laws; and
  - ~~{(p)}~~ (p) Use of force.
2. Patrol operations and investigations, specifically:
  - (a) Abuse of ~~{elderly}~~ *older* persons;

- (b) ~~{(b)}~~ ~~Accident investigations;~~
  - ~~{(c)}~~ Basic patrol procedures;
  - ~~{(d)}~~ (c) Child abuse and sexual abuse of a child;
  - ~~{(e)}~~ (d) *Crash investigations;*
  - (e) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking;*
  - (f) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (g) Principles of investigation;
  - (h) Techniques of interviewing and interrogation;
  - (i) The DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration; and
  - (j) Unknown-risk and high-risk vehicle stops.
3. Performance skills, specifically:
- (a) ~~{Health, fitness and wellness;}~~ *Fire safety and use of equipment;*
  - (b) Interpersonal communications;
  - (c) *Lifetime fitness;*
  - (d) Operation of emergency vehicles;
  - ~~{(d)}~~ (e) Provision of emergency first aid and cardiopulmonary resuscitation;
  - ~~{(e)}~~ (f) *Public and media relations;*
  - (g) Searching of buildings;
  - ~~{(f)}~~ (h) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - ~~{(g)}~~ (i) Training concerning active assailants;

~~{{h}}~~ (j) Training in the use of firearms; and

~~{{i}}~~ (k) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Care of persons in custody;

(b) *Classification and receiving of offenders;*

(c) Community policing;

~~{{e}}~~ (d) Counter-terrorism and weapons of mass destruction;

~~{{d}}~~ (e) Courtroom demeanor, including, without limitation, the giving of testimony;

~~{{e}}~~ (f) Crisis intervention;

~~{{f}}~~ (g) *Cultural awareness;*

(h) Ethics in law enforcement;

~~{{g}}~~ (i) *Games offenders play;*

(j) *Gangs and cults;*

(k) Handling of persons with mental illness;

~~{{h}}~~ (l) History and principles of law enforcement;

~~{{i}}~~ Management of stress;

(m) *Modern correctional philosophy;*

~~{{j}}~~ (n) National Crime Information Center procedures;

~~{{k}}~~ (o) *Records of offenders in institutions;*

(p) *Supervision of offenders;*

(q) Survival of peace officers;

~~{{l}}~~ (r) Systems of criminal justice; and



~~{(m)}~~ (s) The realities of law enforcement.

5. Course administration and examinations.

**Sec. 2.** NAC 289.150 is hereby amended to read as follows:

289.150 The minimum standard of training for officers in training category II is successful completion of a basic course that includes 200 hours of training in:

1. Law and legal procedures, specifically:

(a) Civil liability;

(b) Constitutional law;

(c) Crimes against persons;

(d) Crimes against property;

(e) Juvenile law;

(f) Laws relating to arrest;

(g) *Laws relating to correctional institutions;*

(h) Laws relating to drugs, including, without limitation, current trends in drugs;

~~{(h)}~~ (i) Miscellaneous crimes;

~~{(i)}~~ (j) Probable cause;

~~{(j)}~~ (k) Rights of victims;

~~{(k)}~~ (l) Search and seizure; ~~and~~

~~—{(l)}~~ (m) *Searches of offender institutions; and*

(n) Use of force.

2. Operations and investigations, specifically:

(a) Abuse of ~~{elderly}~~ *older* persons;

- (b) Child abuse and sexual abuse of a child;
  - (c) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking;*
  - (d) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (e) Principles of investigation; and
  - (f) Techniques of interviewing and interrogation.
3. Performance skills, specifically:
- (a) ~~{Health, fitness and wellness;}~~ *Fire safety and use of equipment;*
  - (b) Interpersonal communications;
  - (c) *Lifetime fitness;*
  - (d) Provision of emergency first aid and cardiopulmonary resuscitation;
  - ~~{(d)}~~ (e) *Public and media relations;*
  - (f) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - ~~{(e)}~~ (g) Training concerning active assailants;
  - ~~{(f)}~~ (h) Training in the use of firearms; and
  - ~~{(g)}~~ (i) Writing of reports.
4. The functions of a peace officer, specifically:
- (a) Care of persons in custody;
  - (b) *Classification and receiving of offenders;*
  - (c) Counter-terrorism and weapons of mass destruction;
  - ~~{(e)}~~ (d) Courtroom demeanor, including, without limitation, the giving of testimony;
  - ~~{(d)}~~ (e) Crisis intervention;

~~{(e)}~~ *(f) Cultural awareness;*

*(g) Ethics in law enforcement;*

~~{(f)}~~ *(h) Games offenders play;*

*(i) Gangs and cults;*

*(j) Handling of persons with mental illness;*

~~{(g)}~~ *(k) History and principles of law enforcement;*

~~{(h)}~~ *Management of stress;*

~~—{(i)}~~ *(l) Modern correctional philosophy;*

*(m) National Crime Information Center procedures;*

~~{(j)}~~ *(n) Records of offenders in institutions;*

*(o) Supervision of offenders;*

*(p) Survival of peace officers;*

~~{(k)}~~ *(q) Systems of criminal justice; and*

~~{(l)}~~ *(r) The realities of law enforcement.*

5. Course administration and examinations.

**Sec. 3.** NAC 289.160 is hereby amended to read as follows:

289.160 The minimum standard of training for officers in training category III is successful completion of a basic course that includes 160 hours of training in:

1. Legal subjects, specifically:

(a) Civil ~~{rights of offenders;}~~ *liability;*

(b) ~~{Searches of offender}~~ *Laws relating to correctional* institutions;

(c) ~~{Laws relating to correctional}~~ *Searches of offender* institutions; *and*

- (d) ~~{Laws relating to stalking and aggravated stalking; and~~
- ~~—(e)} Use of force.~~
- 2. Procedures in the field, specifically:
  - (a) *Care of persons in custody;*
  - (b) *Classification and receiving of offenders;*
  - (c) *Crisis intervention;*
  - (d) *Games offenders play;*
  - (e) Gangs and cults;
  - ~~{(b)}~~ (f) *Records of offenders in institutions; and*
  - (g) Supervision of offenders . ~~{~~
  - ~~—(c) Classification and receiving of offenders;~~
  - ~~—(d) Transportation of offenders;~~
  - ~~—(e) Crisis intervention;~~
  - ~~—(f) Records of offenders in institutions; and~~
  - ~~—(g) Games offenders play.}~~
- 3. Skills of officers, specifically:
  - (a) ~~{Writing of reports for correctional institutions;~~
  - ~~—(b)}~~ Fire safety and use of emergency equipment;
  - ~~{(c) Fingerprinting;~~
  - ~~—(d) Defensive tactics;~~
  - ~~—(e) Introduction of restraints;~~
  - ~~—(f) Physical conditioning; and~~

~~—(g)—~~ (b) *Lifetime fitness;*

(c) *Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;*

(d) Training concerning active assailants ~~†~~;

(e) *Training in the use of firearms; and*

(f) *Writing of reports.*

4. Investigation, specifically:

(a) ~~{Crime scene and}~~ *Domestic violence, stalking and aggravated stalking;*

(b) *Handling of persons with mental illness;*

(c) *Investigation of crime scenes, collection and preservation of evidence* ~~†~~;

~~—(b)—~~ Investigation of narcotics and abuse of controlled substances;

~~—(c)—~~ Investigation of allegations of stalking and aggravated stalking; ~~}~~ *and fingerprinting;* and

(d) ~~{Personality disorders and prevention of suicide.}~~ *Laws relating to drugs, including, without limitation, current trends in drugs.*

5. Community relations, specifically:

(a) ~~{Ethics for correctional officers;~~

~~—(b)—~~ Cultural awareness;

(b) *Ethics in law enforcement;*

(c) Interpersonal communications; and

(d) Public and media relations.

6. Miscellaneous subjects, specifically:

(a) *Counter-terrorism and weapons of mass destruction;*

(b) Modern correctional philosophy;

~~{(b) First}~~

(c) *Provision of emergency first aid* ~~};~~

~~—(e) ~~Cardiopulmonary~~ and cardiopulmonary resuscitation; and~~

(d) ~~{Criminal}~~ *Systems of criminal justice* . ~~{system; and~~

~~—(e) Counter terrorism and weapons of mass destruction.}~~

7. Course administration and examination.

**Sec. 4.** NAC 289.170 is hereby amended to read as follows:

289.170 The minimum standard of training for reserve officers is successful completion of a basic course that includes 120 hours of training in:

1. Law and legal procedures, specifically:

(a) Civil liability;

(b) Constitutional law;

(c) Crimes against persons;

(d) Crimes against property;

(e) Juvenile law;

(f) Laws relating to arrest;

(g) Laws relating to drugs, including, without limitation, current trends in drugs;

(h) Miscellaneous crimes;

(i) Probable cause;

(j) Search and seizure;

(k) Traffic laws; and

- (l) Use of force.
- 2. Patrol operations and investigations, specifically:
  - (a) Abuse of ~~{elderly}~~ *older* persons;
  - (b) Basic patrol procedures;
  - (c) Child abuse and sexual abuse of a child;
  - (d) Domestic violence , ~~{and}~~ stalking ~~{;}~~ *and aggravated stalking*;
  - (e) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
  - (f) Principles of investigation; and
  - (g) Unknown-risk and high-risk vehicle stops.
- 3. Performance skills, specifically:
  - (a) ~~{Health,}~~ *Lifetime* fitness ; ~~{and wellness;}~~
  - (b) Provision of emergency first aid and cardiopulmonary resuscitation;
  - (c) Searching of buildings;
  - (d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;
  - (e) Training concerning active assailants;
  - (f) Training in the use of firearms; and
  - (g) Writing of reports.
- 4. The functions of a peace officer, specifically:
  - (a) Community policing;
  - (b) Counter-terrorism and weapons of mass destruction;
  - (c) Courtroom demeanor, including, without limitation, the giving of testimony;

- (d) Crisis intervention;
- (e) Ethics in law enforcement;
- (f) Handling of persons with mental illness;
- (g) History and principles of law enforcement; and
- (h) Survival of peace officers.

5. Course administration and examinations.

**Sec. 5.** NAC 289.200 is hereby amended to read as follows:

289.200 1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score of at least 70 percent; and
- (c) Passed the state physical fitness examination for the appropriate category of peace officer

as described in NAC 289.205.

2. The Executive Director may award a basic certificate to any peace officer who has been certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Centers of the United States Department of Homeland Security training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

(a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;

(b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;

FIRST  
PARALLEL  
SECTION



(c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

(1) Abuse of ~~{elderly}~~ *older* persons;

(2) ~~{Active assailants}~~;

—~~{3}~~ Child abuse and sexual abuse of a child;

~~{4}~~ (3) Civil liability;

~~{5}~~ (4) *Classification and receiving of offenders*;

(5) Constitutional law;

(6) Counter-terrorism and weapons of mass destruction;

(7) Crimes against persons;

(8) Crimes against property;

(9) Cultural awareness;

(10) Domestic violence, ~~{and}~~ stalking ~~{}~~ *and aggravated stalking*;

(11) Ethics in law enforcement ; ~~{or for correctional officers}~~;

(12) *Fire safety and use of equipment*;

(13) *Games offenders play*;

(14) *Gangs and cults*;

(15) Juvenile law;

~~{13}~~ (16) Laws relating to arrest;

~~{(14)}~~ *(17) Laws relating to correctional institutions;*

*(18) Laws relating to drugs, including, without limitation, current trends in drugs;*

~~{(15)}~~ *(19) Miscellaneous crimes;*

~~{(16)}~~ *(20) Modern correctional philosophy;*

*(21) Probable cause;*

~~{(17)}~~ *(22) Public and media relations;*

*(23) Records of offenders in institutions;*

*(24) Rights of victims;*

~~{(18)}~~ *(25) Search and seizure;*

~~{(19)}~~ ~~Sexual harassment;~~

*(26) Searches of offender institutions;*

*(27) Supervision of offenders;*

*(28) Training concerning active assailants; and*

~~{(20)}~~ *(29) Use of force;*

(e) The peace officer passes the state certification examination with a score of at least 70 percent; and

(f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

3. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

(a) Satisfactorily completed the basic training course for a reserve certificate;

(b) Passed the state certification examination with a score of at least 70 percent; and

(c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.

4. Except as otherwise provided in subsection 5 or 6, an officer must pass the state physical fitness examination:

(a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or

(b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.

5. If a student enrolled in a basic training course certified or approved pursuant to NAC 289.300 sustains a bona fide physical injury that renders him or her incapable of completing the requirements of the state physical fitness examination, an agency may submit a request for an extension of time for the student to complete the examination. The agency shall submit such a request to the Executive Director. The request must include, without limitation, written verification by a physician that the student is incapable of completing the requirements of the state physical fitness examination. If the Executive Director determines that an extension of time is warranted, the Executive Director shall authorize an extension of time for a period not to exceed 12 months after the date on which the student was hired or, if the student is a reserve officer, the date of activation of his or her reserve status.

6. If an officer passes the state physical fitness examination:

(a) While not enrolled in a basic training course certified or approved pursuant to NAC 289.300; and

(b) More than 16 weeks, but less than 12 months, after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status, ⇒ the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection 4. The request must include, without limitation, the reason the officer was unable to pass the state physical fitness examination within the periods described in subsection 4. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

7. Upon satisfactory completion of the requirements listed in subsection 1, 2 or 3, the employing agency shall submit a request for certification to the Executive Director. The request must include:

(a) The name, social security number and date of hire of the officer or, if the officer is a reserve officer, the date of activation of his or her reserve status;

(b) Documentary evidence that the officer has successfully completed an approved basic training course;

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by this chapter; and

(d) The statement concerning child support prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

8. The basic certificate of an officer whose employment is terminated for any reason will be placed on inactive status. If such a person is again employed as a full-time peace officer, the employing agency shall request that the person's basic certificate be returned to active status. If the certification of such a person is on inactive status for more than 5 consecutive years, the

person must renew his or her basic certificate by successfully completing the requirements set forth in subsection 1.

9. If a person who successfully completes a basic training course for the purpose of obtaining a basic certificate is not employed by an agency within 24 months after completing the course, the person must repeat all of the requirements for basic certification set forth in subsection 1.

10. Except as otherwise provided in this subsection, to satisfactorily complete a basic training course for the purposes of this section, the person must successfully complete all of the requirements in one course. If a person is discharged from a basic training course for any reason that is not disciplinary, the person may complete any remaining requirements in a later course provided by the same entity if the person has not previously been discharged from a course and if:

(a) The administrator of the basic training course recommends that the person complete the requirements in a later course, the administrator of the employing agency of the person requests that the person be allowed to complete the requirements in a later course and the Executive Director gives approval;

(b) The subsequent course is provided in a manner which ensures that the person completes all of the requirements for a basic training course for which the course is certified; and

(c) The subsequent course begins not later than 120 days after the discharge.

**PROPOSED REGULATION OF  
THE PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION**

**LCB File No. R012-17**

June 30, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 289.510.

A REGULATION relating to peace officers; requiring a peace officer who is authorized to use a firearm to demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use; requiring certain peace officers to satisfy certain requirements before commencing or resuming their duties as a peace officer; making various changes regarding the certification of courses for training above the level of basic training; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510)

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic certificate or reserve certificate, including the completion of in-service training. In addition to such in-service training, a peace officer who is authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use. (NAC 289.230) **Section 1** of this regulation instead requires a peace officer to demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. Existing regulations require a peace officer who does not serve as a peace officer for a certain period, depending on the reason therefor, to satisfy certain requirements before resuming his or her duties as a peace officer. (NAC 289.230) **Section 1** also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.



Existing regulations establish provisions relating to the certification of courses for training above the level of basic training. (NAC 289.310) **Section 2** of this regulation makes various changes regarding the certification of such courses.

**Section 1.** NAC 289.230 is hereby amended to read as follows:

289.230 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 complete 12 hours of additional agency in-service training prescribed 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 *type of* firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any *type of* firearm he or she is authorized to use may not carry or use ~~the~~ *that type of* 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; ~~for~~

(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 ~~for~~ ; or

*(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year,*

↪ 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 *type of* firearm he or she is authorized to use before *commencing or* 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.

**Sec. 2.** NAC 289.310 is hereby amended to read as follows:

289.310 1. ~~{An agency or other}~~ A provider of training *whose principal place of business is located:*

(a) *Within this State may, except as otherwise provided in subsection 2,* apply for certification above the level of basic training for a course by submitting to the Executive Director, by any means approved by the Executive Director : ~~{, a request to certify the course on a form approved by the Executive Director and:~~

~~—(a)}~~ (1) A ~~{concise synopsis of the}~~ course ~~{,}~~ *description*, including, without limitation, the title of the course, the intended goals of the course and specific objectives for ~~{the students in}~~ the course;

~~{(b) A detailed}~~

(2) *An outline of the* lesson plan, including, without limitation, a chronological list of the major subject headings;

~~{(c) A list of the intended instructors, including, without limitation, a brief résumé of experience in the subject area and experience in instructing for each instructor;~~

~~—(d)} (3) The total {amount} *number* of hours {of instruction;~~

~~—(e) A description} *required to complete the course; and*~~

*(4) If applicable, a copy of the written examinations or a description of the practical examinations on the material covered by the course which is to be graded on a pass or fail basis and which measures accomplishment of the objectives . {by the students, including, without limitation, an examination at the beginning and end of the course; and*

~~—(f) A bibliography of all resource materials used to prepare the course.}~~

*(b) Outside of this State may apply for certification above the level of basic training for a course in accordance with subsection 2.*

*2. Any provider of training who provides a course that is currently accredited under the Program, regardless of whether the principal place of business of the provider of training is located within or outside of this State, may apply for certification above the level of basic training for the course by submitting to the Executive Director documentation of such accreditation. The Executive Director shall award to the provider of training certification above the level of {a} basic training for the course {to an agency or other provider of training which did not comply with the provisions of subsection 1 for a} if the course {which has been certified by another state or other comparable agency if the submitting agency or other provider of training presents the supporting documents concerning the subject matter and instructors.} meets all minimum requirements for a course that is above the level of basic training and the provider of training complies with all requirements established by the Program.*

3. A ~~{request to certify a course must be approved by the administrator of the agency or other}~~ provider of training ~~{for the administrator's designee. If the course offers training in legal issues and subjects relating to legal liability, the legal adviser of the agency or other provider of training must approve the course.}~~ *may apply for an exemption from the requirements set forth in subsection 2 by submitting a request to the Executive Director, on the business letterhead of the provider of training, explaining the specific reasons for requesting the exemption. The Executive Director may grant an exemption upon a showing of good cause by the provider of training.*

4. The Executive Director shall review courses certified pursuant to this section periodically for compliance with the provisions of this section. The Executive Director shall notify ~~{an agency or other}~~ a provider of training that provides such a course of any noncompliance.

5. The Executive Director shall ~~{revoke the certification of}~~ *decertify* a course if ~~{the agency or other}~~ :

(a) *The provider of training that provides the course:*

~~{(a)}~~ (1) Requests ~~{revocation of}~~ the ~~{certification}~~ *decertification* of the course; or

(2) *Does not comply with the provisions of this section; or*

(b) ~~{Has not provided}~~ *There is no record of a peace officer completing* the course during any period of 24 consecutive months. ~~{or}~~

~~{(c) Does not comply with the provisions of this section.}~~

6. ~~{An agency or other}~~ A provider of training whose course has been certified shall maintain on file, and make available for inspection upon the request of the Commission or its designee:



- (a) A roster of the peace officers who attended the course;
- (b) Each officer's results on the examination; and
- (c) An evaluation of the course by each peace officer who attended the course.

7. ~~{An agency or other provider of training whose course is currently accredited by an organization, such as the National Accreditation Committee or the American Correctional Association, which:~~

- ~~—(a) Is nationally recognized; and~~
- ~~—(b) Gives accreditation to courses for peace officers,~~

~~→ is not required to apply to the Executive Director for accreditation of the course. Such an agency or other provider of training shall maintain on file, and make available for inspection upon the request of the Commission or its designee, a roster of the peace officers who attended the course, each officer's results on the examination and an evaluation of the course by each peace officer who attended the course.~~

~~—8. An agency or other}~~ A provider of training whose course has been certified shall issue a certificate of completion to all peace officers who successfully complete the course of training.

The certificate must contain:

- (a) The certification number assigned to the course ; ~~{by the Commission;}~~
- (b) The name of the course;
- (c) The hours of training earned for the course; and
- (d) The date on which the course was presented.

~~{9.}~~ 8. The employing agency of a peace officer ~~{who attends a course certified pursuant to this section}~~ shall, upon receipt of ~~{the}~~ a certificate of completion issued to the peace officer

pursuant to subsection ~~{8,}~~ 7, report the ~~{peace officer's successful}~~ completion of the course *of training* to the Executive Director by any means approved by the Executive Director ~~{}~~ *on or before December 31 of the year in which the peace officer completes the course of training.*

9. *As used in this section, "Program" means the National Certification Program of the International Association of Directors of Law Enforcement Standards and Training.*



### **III. REGULARLY SCHEDULED MEETING**

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

Hearing pursuant to NAC 289.290(1)(e) on the revocation of Rick L. Keema, formerly with the Elko County Sheriff's Office, certification based on a conviction for Conspiracy To Commit Theft By Misrepresentation, a Gross Misdemeanor as defined in NRS 199.480 and NRS 205.0832. The Commission will decide whether to Revoke Mr. Keema's Category I Basic Certificate.



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

BRIAN SANDOVAL  
*Governor*

MICHAEL D. SHERLOCK  
*Executive Director*

AMENDED  
NOTICE OF INTENT TO REVOKE

August 21, 2017

## EXHIBIT A

Rick L. Keema  
[REDACTED]

Dear Mr. Keema:  
POST PIN #: 15169

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)(e) based on a conviction for a gross misdemeanor. The conviction(s) which have led to this action are as follows:

**Count I – CONSPIRACY TO COMMIT THEFT BY MISAPPROPRIATION**, as defined in NRS 199.480 and NRS 205.0832, a Gross Misdemeanor

Case No.: **CR-FO-15-0577**

Dept No. **I**

Jurisdiction: **Fourth Judicial District Court of Elko County, 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: October 16, 2017

Time: 4:00 pm

Location: South Point Hotel, Casino and Spa, 9777 Las Vegas Blvd S., Las Vegas, NV 89183

If you fail to respond, the Commission will proceed in accordance with Nevada Administrative Code Chapter 289.

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)(e), Revocation of a certificate based upon a conviction for a gross misdemeanor.

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,



Michael D. Sherlock, Executive Director  
Peace Officers Standards and Training

MS/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen  
File  
Ron Pierini – Commission Chairman

**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.





# EXHIBIT B

## PROOF OF SERVICE

<b>Court Date:</b> 10/16/17	<b>File No.</b> 0011332
<b>Court:</b> FOURTH JUDICIAL DISTRICT COURT	<b>Case No.</b> CRFO150577
<b>Initiator:</b> STATE OF NEVADA COMMISSION ON PEACE OFFICER	<b>Company:</b>
<b>Address:</b> _____, 0	<b>Address:</b>
<b>Plaintiff:</b> STATE OF NEVADA COMMISSION ON PEACE OFFICER	<b>Defendant:</b> KEEMA, RICK
<b>Address:</b> _____, 0	<b>Address:</b> [REDACTED]

1. Documents Served:  
AMENDED NOTICE OF INTENT TO REVOKE

2. Service Attempts:	Date	Time	Address:	Served
	<u>8/31/17</u>	<u>11:20</u>	<u>Address: [REDACTED]</u>	<input checked="" type="checkbox"/>
			<u>Notes: _____</u>	
			<u>Address: _____</u>	<input type="checkbox"/>
			<u>Notes: _____</u>	
			<u>Address: _____</u>	<input type="checkbox"/>
			<u>Notes: _____</u>	

3. Party Served: RICK KEEMA Title: \_\_\_\_\_

4. I served the party named in Item 3: PERSONALLY

5. Remarks: \_\_\_\_\_

6. At the time of service I was at least 18 years of age and not a party to this action.

7. I am an authorized individual with the Carson City Sheriff's Office and certify that the foregoing is true and correct.

  
\_\_\_\_\_  
BOB MOTAMENPOUR  
Carson City Sheriff's Office  
911 East Musser Street  
Carson City, NV 89701  
Phone: 775-887-2500

8/31/17  
Date

# EXHIBIT C



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
Records and Certification Section  
5587 Wa Pai Shone Avenue  
Carson City, Nevada 89701  
(775) 687-7678\*Fax (775) 687-4911

**RECEIVED**  
AUG 13 2012  
NV P.O.S.T.

## PERSONNEL ACTION REPORT

Pursuant to NAC 289.350 and 289.360

### SECTION "A" CLASSIFICATION

#### APPLICANT IS

☐ NEW EMPLOYEE

Complete Sections A, B, D, E

☐ A NAME CHANGE EMPLOYEE

Complete Sections A, B, E

☒ TERMINATED EMPLOYEE  
Complete Sections A, B, C, E

☐ RECORDS UPDATE  
Complete Sections A, B, D, E

The applicant is **CURRENTLY** a Nevada POST CERTIFIED Peace Officer.

The applicant is **CURRENTLY** a US citizen.

The applicant is **CURRENTLY** 21 years of age or older.

The applicant meets all requirements of NAC 289.110 (Standards of Appointment).

Pursuant to NAC 289.110 (1)(a) thorough Background Investigation Completed. (New Employees Only)

Name of Background Investigator (please print) Jm PITTs

Agency Completing Background Investigation ELKO S.O.

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

Phone 775 777-2501

☐ Reserve ☐ Line ☐ Supervision ☒ Management ☐ Executive

☒ CATEGORY I ☐ CATEGORY II ☐ CATEGORY III ☐ RESERVE LIMITED

### SECTION "B" EMPLOYEE INFORMATION

Social Security Number [REDACTED] DOB [REDACTED] POST ID# 15169

Current Name  
Last KEEMA ☒ Male ☐ Female Ethnic Origin caucasian  
First RICK Middle L.

Previous Name  
Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_

Residence Address  
Street [REDACTED] City [REDACTED] State NV Zip [REDACTED]

#### Current Agency Information

Agency Name ELKO COUNTY SHERIFF Hire Date (As A Peace Officer) \_\_\_\_\_  
Street Address 775 W. SILVER ST. City ELKO State NV Zip 89801

Agency Type ☒ Police ☐ Corrections / Detention ☐ Parole / Probation  
☐ Tribal ☐ Other - Please Specify: \_\_\_\_\_

### SECTION "C" TERMINATED EMPLOYEES

Terminated Employees includes those who transfer into non-sworn positions within the agency.

Type of Action ☒ Resigned ☐ Discharged ☐ Retired ☐ Deceased ☐ Other \_\_\_\_\_  
Effective Date of Termination 070112

If DISCHARGED, was criminal activity involved which would be cause for suspension or revocation of the Certification pursuant to NAC 289.290? ☐ Yes ☐ No

Recommendations: As a result of this termination, you as the agency administrator, make the following recommendation

☒ No Action ☐ Suspension ☐ Revocation

If "Suspension" or "Revocation" is recommended, supporting documentation MUST accompany this Personnel Action Report substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

Please type or print current name	Last	Keema	First	Rick	MI	L.
-----------------------------------	------	-------	-------	------	----	----

### SECTION "D" PEACE OFFICER WORK EXPERIENCE

List ALL Criminal Justice work experience (including Reserve Peace Officer). **DO NOT INCLUDE CURRENT NEVADA AGENCY**

Type of Agency ☐ Police ☐ Corrections / Detention ☐ Parole / Probation ☐ Tribal ☐ Other: \_\_\_\_\_

Agency Name \_\_\_\_\_

Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid ☐ Yes ☐ No Reserve ☐ Yes ☐ No

Type of Agency ☐ Police ☐ Corrections / Detention ☐ Parole / Probation ☐ Tribal ☐ Other: \_\_\_\_\_

Agency Name \_\_\_\_\_

Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid ☐ Yes ☐ No Reserve ☐ Yes ☐ No

Type of Agency ☐ Police ☐ Corrections / Detention ☐ Parole / Probation ☐ Tribal ☐ Other: \_\_\_\_\_

Agency Name \_\_\_\_\_

Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid ☐ Yes ☐ No Reserve ☐ Yes ☐ No

Type of Agency ☐ Police ☐ Corrections / Detention ☐ Parole / Probation ☐ Tribal ☐ Other: \_\_\_\_\_

Agency Name \_\_\_\_\_

Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid ☐ Yes ☐ No Reserve ☐ Yes ☐ No

### SECTION "E" AUTHORIZATION

*I hereby affirm as the employee that I have reviewed the contents of this document and the information that is being submitted to the Commission on Peace Officers' Standards and Training is true and accurate and I understand that any misrepresented information is grounds to revoke my Basic Certificate pursuant to NAC 289.290.*

**NOTE:** Employee signature only required for newly hired employees.

Employee	Name (Required)	Signature (Required)	Title	Date
Single Point of Contact	KEVIN MCKINNEY	[Signature]	LT.	080212
Agency Administrator or Designee	JIM PITTS	[Signature]	SHERIFF	080212

Phone Number 775 777-2501 Fax Number 775 753-9845

SPOC E-Mail kmckinney@elkocountynv.net Agency Administrator E-Mail jpitts@elkocountynv.net

POST USE ONLY - DO NOT WRITE IN THIS SPACE

Reviewed [Signature] (Initial and date each area that is applicable) Data Entry P 8-14-12

# EXHIBIT D

## STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

**Basic Certificate**

To

**RICK L. KEEMA**

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

TRAINING CATEGORY I POST ACADEMY 2/88, 327 HRS

  
Governor

  
Director, Department of  
Motor Vehicles and Public Safety

Presented this 1 day of July, 1989



# EXHIBIT E

CASE NO.: CR-FO-15-0577

DEPT. 1

2016 MAR 24 AM 10:39

ELKO CO DISTRICT COURT

CLERK DEPUTY *B*

## IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

THE STATE OF NEVADA,

Plaintiff,

**FIRST**

VS.

**CRIMINAL INFORMATION**

RICK L. KEEMA,

Defendant.

COMES NOW THE STATE OF NEVADA, the Plaintiff in the above-entitled cause, by and through its Counsel of Record, the Elko County District Attorney's Office, and informs the above-entitled Court that Defendant(s) above-named, between approximately the 1<sup>st</sup> of May, 2011, and the 31<sup>st</sup> day of July, 2011, at or near the location of:

The Administrative Offices of the County of Elko, Nevada, situated on Court Street in or near the City of Elko, and/or

The Administrative Offices of the Elko County Sheriff's Department situated on West Silver Street in or near the City of Elko; and/or in any event, within the County of Elko, the place where the Credit Card at issue in this Criminal Complaint and which the Defendant is alleged to have misappropriated, was issued and where the alleged illegal charges thereupon were paid (see NRS 171.020) by the County of Elko, Nevada; and/or

**ORIGINAL**

Affirmation Pursuant to NRS 239B.030

SSN Does Appear

SSN Does Not Appear

*PS*

Page 1 of 19

1 The locations of the businesses at which the unauthorized use of the  
2 County-Issued credit card described hereafter was used, as it was Elko  
3 County where the Credit Card at issue (see infra was issued to the  
4 Defendant) and hence Elko County has jurisdiction and venue over the  
5 offenses alleged herein pursuant to the provisions of NRS 171.010  
6 and/or NRS 171.020, and/or 171.030;

7 all of which is at least in part within the County of Elko, and the State of Nevada,  
8 committed the following described criminal offense(s):

9 COUNT I

10 **THEFT, PURSUANT TO A CONTINUING COURSE OF CONDUCT**  
11 **WITHIN THE MEANING OF NRS 205.0834, BY THE CONVERSION**  
12 **AND/OR MISAPPROPRIATION OF PERSONAL PROPERTY IN THE**  
13 **TOTAL AGGREGATE AMOUNT OF TWO-THOUSAND FIVE-HUNDRED**  
14 **DOLLARS (\$2,500.00) OR MORE, A CATEGORY B FELONY AS**  
15 **DEFINED BY NRS 205.0832, AND NRS 205.0835<sup>1</sup>**

16 The Defendant, prior to the 1<sup>st</sup> of May, 2011, at a time when he was  
17 serving as the Undersheriff of Elko County, Nevada, was entrusted with  
18 certain personal property belonging to Elko County, Nevada, specifically a  
19 Wells Fargo Commercial Credit Card (hereinafter simply the "Card")  
20 issued upon the account of Elko County, Nevada, for a specified limited  
21 purpose - to use said Card in connection with his duties as the  
22 Undersheriff of the Elko County Sheriff's Department in which capacity the  
23 Defendant was serving at the time of the events alleged herein.

24 That the Defendant, during the period of time alleged above, knowingly  
25 and without lawful authority, and pursuant to a course of conduct within  
26 the meaning of NRS 205.0834<sup>2</sup>, used said Card for purposes other than  
27

28 <sup>1</sup> It is the State's position that the offense alleged in Count I of this Complaint is  
governed, relative to the threshold values which define the Category B felony offense of Theft  
as defined by NRS 205.0835, by the \$2,500.00 threshold for the Category B felony of Theft  
Of Property Of A Value of \$2,500.00, Or More as defined by NRS 205.0832, and NRS  
205.0835 as those provisions existed prior to the 2011 amendments thereof, as opposed to  
the \$3,500.00 threshold specified in the 2011 amendments to NRS 205.0835 which did not  
become effective until the 1<sup>st</sup> day of October, 2011. (See 2011 Statutes Of Nevada, Page  
162 (Section 10, Assembly Bill 142, 2011 Nevada State Legislature)

<sup>2</sup> NRS 205.0834 provides that:

that for which said Card had been entrusted to him by which conduct the Defendant converted and/or misappropriated the line of credit which said Card represented in an amount of two-thousand, five hundred dollars (\$2,500.00) or more.

Specifically, the Defendant used said Card to pay personal bills and/or obligations, and/or to purchase personal property for his and/or his family's use unconnected to any of his duties as the Undersheriff of Elko County, Nevada. Specifically, the Defendant incurred the following charges upon said Card which charges were not connected to his duties as the Undersheriff of Elko County, Nevada, and which were ultimately paid by Elko County, Nevada, to wit:

<u>Date of Transaction</u>	<u>Nature Of Transaction</u>	<u>Amount</u>
1. On Or About May 9 <sup>th</sup> , 2011 <sup>3</sup>	The payment of a telephone bill due and owing to AT&T Mobile maintained by the Defendant under the name Match Force and/or under his own name	\$695.80 or some similar amount.
2. On Or About May 16 <sup>th</sup> , 2011	The purchase of a baseball bat from a commercial organization known as Mattingly Sports or some similar name	\$267.94 or some similar amount

The amount involved in a theft shall be deemed to be the highest value, by any reasonable standard, of the property or services which are obtained. Amounts involved in thefts committed pursuant to a scheme or continuing course of conduct, whether from one or more persons, may be aggregated in determining the grade of the offense.

NRS 171.085 provides in pertinent part that:

... [A]n indictment for:

1. Theft ... must be found, or an information or complaint filed, **within 4 years after the commission of the offense** (emphasis added by the State).



3. May 24 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to a commercial organization known as Utility Telephone maintained by the Defendant under the name ACODA and/or in his own name	\$204.07 or some similar amount
4. May 26 <sup>th</sup> , 2011	The purchase of a baseball bat from an organization known as Red Tag Sports or some similar name	\$224.99 or some similar amount
5. June 27 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to AT&T Mobile maintained by the Defendant under the name Match Force and/or under his own name	\$738.20 or some similar amount
6. July 1 <sup>st</sup> , Or 2 <sup>nd</sup> 2011	The purchase of a pair of Oakley Sunglasses (or some other brand of sunglasses) from an organization known as CV Sports or some similar name	\$171.36 or some similar amount
7. July 2 <sup>nd</sup> , 2011	The purchase of a pair of Oakley Sunglasses (or some other brand of sunglasses) from an organization known as Big 5 Sporting Goods or by some similar name	\$161.21 or some similar amount

8. July 15 <sup>th</sup> , 2011	The purchase of a baseball bat from an organization known as Protech Products or by some similar name	\$244.99 or some similar amount
9. July 19 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to AT&T Mobile maintained by the Defendant under his own name	\$370.94 or some similar amount
	<b>Total Amount:</b>	\$3,079.50 Or Some Similar Amount In Excess Of \$2,500.00

In utilizing the Card to make the charges and/or purchases alleged in this Count 1 of the this Complaint, the Defendant knowingly and without lawful authority converted and/or misappropriated the Card to his own use in the amounts and in the manner alleged in this Count I of this Complaint – that is that the Defendant was entrusted with certain property, the aforementioned credit card, for a limited use, that is to utilize it in connection with his duties as the Undersheriff Of Elko County, and thereafter used said credit card, as described in this Count 1 for a purpose or purpose other than that which said credit card was entrusted to him.

#### In The Alternative To Count I

In the event that the Court finds as a matter of law that the allegations of theft contained within this Complaint are governed by the provisions of NRS 205.0835 *as amended by the 2011 Nevada State Legislature* relative to the issue of the definition of what constitutes a felony as opposed to a misdemeanor offense of theft, then the State would allege and aver as follows:

COUNT II

**THEFT, PURSUANT TO A CONTINUING COURSE OF CONDUCT WITHIN THE MEANING OF NRS 205.0834, BY THE CONVERSION AND/OR MISAPPROPRIATION OF PERSONAL PROPERTY IN THE TOTAL AGGREGATE AMOUNT OF SIX-HUNDRED AND FIFTY DOLLARS (\$650.00) OR MORE, A CATEGORY C FELONY AS DEFINED BY NRS 205.0832, AND NRS 205.0835**

The Defendant, prior to the 1<sup>st</sup> of May, 2011, at a time when he was serving as the Undersheriff of Elko County, Nevada, was entrusted with certain personal property belonging to Elko County, Nevada, specifically a Wells Fargo Commercial Credit Card (hereinafter simply the "Card") issued upon the account of Elko County, Nevada, for a specified limited purpose - to use said Card in connection with his duties as the Undersheriff of the Elko County Sheriff's Department, in which capacity the Defendant was serving at the time of the events alleged herein.

That the Defendant, during the period of time alleged above, knowingly and without lawful authority, and pursuant to a course of conduct within the meaning of NRS 205.0834, used said Card for purposes other than that for which said Card had been entrusted to him by which conduct the Defendant converted and/or misappropriated the line of credit which said Card represented in an amount of six-hundred and fifty dollars (\$650.00) or more.

Specifically, the Defendant used said Card to pay personal bills and/or obligations, and/or to purchase personal property for his and/or his family's use unconnected to any of his duties as the Undersheriff of Elko County, Nevada. Specifically, the Defendant incurred the following charges upon said Card which charges were not connected to his duties as the Undersheriff of Elko County, Nevada, and which were ultimately paid by Elko County, Nevada, to wit:

<u>Date of Transaction</u>	<u>Nature Of Transaction</u>	<u>Amount</u>
1. May 9 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to AT&T Mobile maintained by the Defendant under the name Match Force and/or under his own name	\$695.80 or similar some amount

2. May 16 <sup>th</sup> , 2011	The purchase of a baseball bat from a commercial organization known as Mattingly Sports or some similar name	\$267.94 or some similar amount
3. May 24 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to a commercial organization known as Utility Telephone maintained by the Defendant under the name ACODA and/or in his own name	\$204.07 or some similar amount
4. May 26 <sup>th</sup> , 2011	The purchase of a baseball bat from an organization known as Red Tag Sports or some similar name	\$224.99 or some similar amount
5. June 27 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to AT&T Mobile maintained by the Defendant under the name Match Force and/or under his own name	\$738.20 or some similar amount
6. July 1 <sup>st</sup> , 2011	The purchase of a pair of Oakley Sunglasses (or some other brand of sunglasses) from and organization known as CV Sports or some similar name	\$171.36 or some similar amount



7. July 2 <sup>nd</sup> , 2011	The purchase of a pair of Oakley Sunglasses (or some other brand of sunglasses) from an organization known as Big Five Sporting Goods or some similar name	\$161.21 or some similar amount
8. July 15 <sup>th</sup> , 2011	The purchase of a baseball bat from an organization known as Protech Products or some similar name	\$244.99 or some similar amount
9. July 19 <sup>th</sup> , 2011	The payment of a telephone bill due and owing to AT&T Mobile maintained by the Defendant under his own name	\$370.94 or some similar amount
	<b>Total Amount:</b>	\$3,079.50 Or Some Similar Amount In Excess Of \$650.00

In utilizing the Card to make the charges and/or purchases alleged in this Count II of the this Complaint, the Defendant knowingly and without lawful authority converted and/or misappropriated the Card to his own use in the amounts and in the manner alleged in this Count II of this Complaint - that is that the Defendant was entrusted with certain property, the aforementioned credit card, for a limited use, that is to utilize it in connection with his duties as the Undersheriff Of Elko County, and thereafter used said credit card, as described in this Count 2 for a purpose or purpose other than that which said credit card was entrusted to him.

In The Alternative To Counts I And II

1 Again, it is the State's position relative to the allegations of  
2 Alternative Counts III through VI of this Complaint that said allegations are  
3 governed by the provisions of NRS 205.0835 as they existed prior to the  
4 2011 amendments thereto which, prior to said amendments, specified that  
5 the threshold demarcation between felony and misdemeanors for the  
6 offense of Theft as defined by NRS 205.0832 was the sum of \$250.00 or  
7 more, as opposed to the sum of \$650.00 or more which was provided for in  
8 the 2011 amendment to NRS 205.0835 which did not become effective  
9 until the 1<sup>st</sup> day of October, 2011. (See 2011 Statutes Of Nevada, Page  
10 162 [Section 10, Assembly Bill 142, 2011 Nevada State Legislature])

11 Further, in the event that the Court finds as a matter of law that the  
12 aggregation of value provisions of NRS 205.0834 pleaded in Count I and  
13 Alternative Count II of this Complaint do not apply to the Case at bar, then  
14 the State would allege and aver as follows:

### 15 COUNT III

#### 16 **THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF 17 THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF 18 TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A 19 CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS 20 205.0835**

21 The Defendant, prior to the 1<sup>st</sup> day of May, 2011, at a time when he was  
22 serving as the Undersheriff of Elko County, Nevada, was entrusted with  
23 certain personal property belonging to Elko County, Nevada, specifically a  
24 Wells Fargo Commercial Credit Card (hereinafter after simply the "Card")  
25 issued upon the account of Elko County, Nevada, for a specified limited  
26 purpose - to use said Card in connection with his duties as the  
27 Undersheriff of the Elko County, Nevada, Sheriff's Department, in which  
28 capacity the Defendant was serving at the time of the events alleged  
herein.

That the Defendant, on the date alleged hereafter, knowingly and without  
lawful authority used said Card for purposes other than that for which said  
Card had been entrusted to him by which conduct the Defendant  
converted and/or misappropriated the line of credit which said Card  
represented in an amount of two-hundred and fifty dollars (\$250.00) or  
more.

Specifically, on or about the 9<sup>th</sup> day of May, 2011, the Defendant utilized

1 said Card to satisfy a bill due and owing in the amount of \$695.80, or  
2 some similar amount in excess of \$250.00, to AT&T Mobile upon an  
3 account maintained by the Defendant in the name of a business entity  
4 called Match Force and/or in his own name which was not an obligation  
5 incurred in connection with the Defendant's official duties as the  
6 Undersheriff of Elko County, Nevada, and which charge the County of  
7 Elko eventually paid. The Defendant, by utilizing the Card issued to him  
8 as the Undersheriff of Elko County to pay and satisfy this personal and/or  
9 personal business obligation, knowingly and without lawful authority  
10 converted and/or misappropriated said Card to his own use in the amount  
11 of \$695.80 or some similar amount in excess of \$250.00 – that is that the  
12 Defendant was entrusted with certain property, the aforementioned credit  
13 card, for a limited use, that is to utilize it in connection with his duties as  
14 the Undersheriff Of Elko County, and thereafter used said credit card, as  
15 described in this Count III for a purpose or purpose other than that which  
16 said credit card was entrusted to him.

#### 17 COUNT IV

#### 18 **THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF** 19 **THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF** 20 **TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A** 21 **CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS** 22 **205.0835**

23 The Defendant, prior to the 1st day of May, 2011, at a time when he was  
24 serving as the Undersheriff of Elko County, Nevada, was entrusted with  
25 certain personal property belonging to Elko County, Nevada, specifically a  
26 Wells Fargo Commercial Credit Card (hereinafter simply the "Card")  
27 issued upon the account of Elko County, Nevada, for a specified limited  
28 purpose - to use said Card in connection with his duties as the  
Undersheriff of the Elko County, Nevada, Sheriff's Department, in which  
capacity the Defendant was serving at the time of the events alleged  
herein.

That the Defendant, on the date alleged hereafter, knowingly and without  
lawful authority used said Card for purposes other than that for which said  
Card had been entrusted to him by which conduct the Defendant  
converted and/or misappropriated the line of credit which said Card  
represented in an amount of two-hundred and fifty dollars (\$250.00) or  
more.



1 Specifically, on or about the 16<sup>th</sup> day of May, 2011, Defendant utilized said  
2 Card to purchase a baseball bat from a commercial organization known  
3 as Mattingly Sports in the amount of \$267.94, or some similar amount in  
4 excess of \$250.00, which was not an acquisition of personal property  
5 incurred in connection with the Defendant's official duties as the  
6 Undersheriff of Elko County, Nevada, and which charge the County of  
7 Elko eventually paid.

8 The Defendant, by utilizing the Card issued to him as the Undersheriff of  
9 Elko County to make this purchase, knowingly and without lawful authority  
10 converted and/or misappropriated said Card to his own use in the amount  
11 of \$267.94 or some similar amount in excess of \$250.00 - that is that the  
12 Defendant was entrusted with certain property, the aforementioned credit  
13 card, for a limited use, that is to utilize it in connection with his duties as  
14 the Undersheriff Of Elko County, and thereafter used said credit card, as  
15 described in this Count IV for a purpose or purpose other than that which  
16 said credit card was entrusted to him.

#### 17 COUNT V

#### 18 **THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF** 19 **THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF** 20 **TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A** 21 **CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS** 22 **205.0835**

23 The Defendant, prior to the 1<sup>st</sup> day of May, 2011, at a time when he was  
24 serving as the Undersheriff of Elko County, Nevada, was entrusted with  
25 certain personal property belonging to Elko County, Nevada, specifically a  
26 Wells Fargo Commercial Credit Card (hereinafter after simply the "Card")  
27 issued upon the account of Elko County, Nevada, for a specified limited  
28 purpose - to use said Card in connection with his duties as the  
Undersheriff of the Elko County, Nevada, Sheriff's Department, in which  
capacity the Defendant was serving at the time of the events alleged  
herein.

That the Defendant, on the date alleged hereafter, knowingly and without  
lawful authority used said Card for purposes other than that for which said  
Card had been entrusted to him by which conduct the Defendant  
converted and/or misappropriated the line of credit which said Card  
represented in an amount of two-hundred and fifty dollars (\$250.00) or  
more.

1 Specifically, on or about the 27<sup>th</sup> day of June, 2011, Defendant utilized  
2 said Card to satisfy a bill due and owing in the amount of \$738.20, or  
3 some similar amount in excess of \$250.00, to AT&T Mobile upon an  
4 account maintained by the Defendant in the name of a business entity  
5 called Match Force and/or in his own name, which was not an obligation  
6 incurred in connection with the Defendant's official duties as the  
Undersheriff of Elko County, Nevada, and which charge the County of  
Elko eventually paid.

7 The Defendant, by utilizing the Card issued to him as the Undersheriff of  
8 Elko County to pay and satisfy this personal and/or personal business  
9 obligation, knowingly and without lawful authority converted and/or  
10 misappropriated said Card to his own use in the amount of \$738.20 or  
11 some similar amount in excess of \$250.00 - that is that the Defendant was  
12 entrusted with certain property, the aforementioned credit card, for a  
13 limited use, that is to utilize it in connection with his duties as the  
Undersheriff Of Elko County, and thereafter used said credit card, as  
described in this Count V for a purpose or purpose other than that which  
said credit card was entrusted to him.

#### 14 COUNT VI

#### 15 **THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF** 16 **THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF** 17 **TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A** 18 **CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS** 19 **205.0835**

20 The Defendant, prior to the 1<sup>st</sup> day of May, 2011, at a time when he was  
21 serving as the Undersheriff of Elko County, Nevada, was entrusted with  
22 certain personal property belonging to Elko County, Nevada, specifically a  
23 Wells Fargo Commercial Credit Card (hereinafter after simply the "Card")  
24 issued upon the account of Elko County, Nevada, for a specified limited  
purpose - to use said Card in connection with his duties as the  
Undersheriff of the Elko County, Nevada, in which capacity the Defendant  
was serving at the time of the events alleged herein.

25 That the Defendant, on the date alleged hereafter, knowingly and without  
26 lawful authority used said Card for purposes other than that for which said  
27 Card had been entrusted to him by which conduct the Defendant  
28 converted and/or misappropriated the line of credit which said Card  
represented in an amount of two-hundred and fifty dollars (\$250.00) or  
more.

Specifically, on or about the 19<sup>th</sup> day of July, 2011, Defendant utilized said Card to satisfy a bill due and owing in the amount of \$370.94, or some similar amount in excess of \$250.00, to AT&T Mobile upon an account maintained by the Defendant in his own name which was not an obligation incurred in connection with the Defendant's official duties as the Undersheriff of Elko County, Nevada, and which charge the County of Elko eventually paid.

The Defendant, by utilizing the Card issued to him as the Undersheriff of Elko County to pay and satisfy this personal and/or personal business obligation, knowingly and without lawful authority converted and/or misappropriated said Card to his own use in the amount of \$370.94 or some similar amount in excess of \$250.00 that is that the Defendant was entrusted with certain property, the aforementioned credit card, for a limited use, that is to utilize it in connection with his duties as the Undersheriff Of Elko County, and thereafter used said credit card, as described in this Count V for a purpose or purpose other than that which said credit card was entrusted to him.

#### In The Alternative To Counts I Through VI

In the event that the Court rules as a matter of law:

1. That the issue of the economic demarcation between the definition of a felony and misdemeanor offenses of theft, are governed by the provisions of NRS 205.0835 as amended by the 2011 Legislature making only thefts which concern the sum of six-hundred and fifty dollars (\$650.00) or more a felony; and
2. That the aggregation of values provisions of NRS 205.0834 do not apply to the Case at bar;

then the State would allege and aver as follows:

/ / /

/ / /

/ / /

/ / /



COUNT VII

**THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF SIX-HUNDRED AND FIFTY DOLLARS (\$650.00) OR MORE, A CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS 205.0835**

The Defendant, prior to the 1<sup>st</sup> day of May, 2011, at a time when he was serving as the Undersheriff of Elko County, Nevada, was entrusted with certain personal property belonging to Elko County, Nevada, specifically a Wells Fargo Commercial Credit Card (hereinafter after simply the "Card") issued upon the account of Elko County, Nevada for a specified limited purpose - to use said Card in connection with his duties as the Undersheriff of the Elko County, Nevada, Sheriff's Department, in which capacity the Defendant was serving at the time of the events alleged herein.

That the Defendant, on the date alleged hereafter, knowingly and without lawful authority used said Card for purposes other than that for which said Card had been entrusted to him by which conduct the Defendant converted and/or misappropriated the line of credit which said Card represented in an amount of six-hundred and fifty dollars (\$650.00) or more.

Specifically, on or about the 9<sup>th</sup> day of May, 2011, Defendant utilized said Card to satisfy a bill due and owing in the amount of \$695.80, or some similar amount in excess of \$650.00, to AT&T Mobile upon an account maintained by the Defendant in the name of a business entity called Match Force and/or in his own name which was not an obligation incurred in connection with the Defendant's official duties as the Undersheriff of Elko County, Nevada, and which charge the County of Elko eventually paid.

The Defendant, by utilizing the Card issued to him as the Undersheriff of Elko County to pay and satisfy this personal and/or personal business obligation, knowingly and without lawful authority converted and/or misappropriated said Card to his own use in the amount of \$695.80, or some similar amount in excess of \$650.00.

/ / /

/ / /

COUNT VIII

**THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF SIX-HUNDRED AND FIFTY DOLLARS (\$650.00) OR MORE, A CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS 205.0835**

The Defendant, prior to the 1<sup>st</sup> day of May, 2011, at a time when he was serving as the Undersheriff of Elko County, Nevada, was entrusted with certain personal property belonging to Elko County, Nevada, specifically a Wells Fargo Commercial Credit Card (hereinafter after simply the "Card") issued upon the account of Elko County, Nevada for a specified limited purpose - to use said Card in connection with his duties as the Undersheriff of the Elko County, Nevada, Sheriff's Department, in which capacity the Defendant was serving at the time of the events alleged herein.

That the Defendant, on the date alleged hereafter, knowingly and without lawful authority used said Card for purposes other than that for which said Card had been entrusted to him by which conduct the Defendant converted and/or misappropriated the line of credit which said Card represented in an amount of six-hundred and fifty dollars (\$650.00) or more.

Specifically, on or about the 27<sup>th</sup> day of June, 2011, Defendant utilized said Card to satisfy a bill due and owing in the amount of \$738.20, or some similar amount in excess of \$650.00, to AT&T Mobile upon an account maintained by the Defendant in the name of a business entity called Match Force and/or in his own name which was not an obligation incurred in connection with the Defendant's official duties as the Undersheriff of Elko County, Nevada, and which charge the County of Elko eventually paid.

The Defendant, by utilizing the Card issued to him as the Undersheriff of Elko County to pay and satisfy this personal and/or personal business Obligation, knowingly and without lawful authority converted and/or misappropriated said Card to his own use in the amount of \$738.20, or some similar amount in excess of \$650.00.

All of which is contrary to the form of the statute in such cases made and

/ / /

1 provided, and against the peace and dignity of the State of Nevada.

2 Dated this 24<sup>th</sup> Day Of March, 2016.

3  
4   
5 **MARK TORVINEN**

6 Elko County District Attorney  
7 State Bar No.: 551

8 **Declaration By State's Counsel Estimating**  
9 **The Number Of Days Needed For Trial**

10 **COMES NOW THE STATE OF NEVADA**, by and through its Counsel of  
11 Record the Elko County District Attorney's Office and, specifically by the Deputy  
12 District Attorney assigned the above-entitled matter, who, by his signature hereunder,  
13 would declare to the above-entitled Court that it is State's Counsel's estimate that five  
14 (5) days, including jury selection, should be set aside for the trial of this matter.  
15

16 Dated this 24<sup>th</sup> Day Of March, 2016

17  
18   
19 **MARK TORVINEN**

20 Elko County District Attorney  
21 State Bar No.: 551

22 Witnesses' names and addresses known to the District Attorney at the time of  
23 filing the above Criminal Information, if known, are as follows.

24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Certificate Of Service

I Kurri Sullivan hereby certify that I am an employee of the Elko County District Attorney's Office, and that on 24<sup>th</sup> day of March, 2016, a true and correct copy (or true and correct copies in the case of multiple addressees) of the foregoing First Criminal Information was/were served upon the addressee(s) identified hereafter in the following manner:

Optional

That a copy was delivered to the Chambers of the above-entitled Court at the following address:

To The Chambers Of:  
The Honorable Nancy Porter  
District Court – Dept. 1  
Elko County Court House  
Elko, Nevada. 89801

Further, pursuant to the provisions of NRS 178.589<sup>4</sup>, a true and correct

<sup>4</sup> NRS 178.589 provides that:



1 copy of this pleading was transmitted by facsimile to the Defendant's Counsel of  
2 Record, Mr. David Lockie, Esq. of the Elko, Nevada Law Firm of Lockie & Macfarlan  
3 at the following facsimile number:  
4

5 (775) 738-1928

6 / / /

7 / / /  
8

9  
10 1. Except when personal service of a person is ordered by the court or required by  
11 specific statute, a person who is represented by an attorney may be lawfully served  
with any motion, notice or other legal document by means of a facsimile machine if:

12 (a) The document is transmitted to the office of the attorney representing the person;  
13 and

14 (b) The facsimile machine is operational and is maintained by the attorney  
15 representing the person or the employer of that attorney.

16 2. In addition to any other document required by the court, a person who uses a  
17 facsimile machine pursuant to subsection 1 to serve any motion, notice or other legal  
18 document that is required to be filed with the court shall attach to or include with the  
original document filed with the court a copy of the confirmation report or other  
comparable evidence of the transmittal of the legal document.

19 3. Service of any motion, notice or other legal document by facsimile machine after 5  
20 p.m. on the day that the document is transmitted shall be deemed delivered on the  
21 next judicial day. The time of transmittal set forth in this subsection is determined  
according to the time at the location of the recipient of the legal document.

22 4. Service of any motion, notice or other legal document by facsimile machine as  
23 authorized by this section is supplemental to and does not affect the validity of any  
24 other manner of service authorized by law.


25 5. As used in this section:

26 (a) "Facsimile machine" means a device that sends or receives a reproduction or  
27 facsimile of a document or photograph which is transmitted electronically or  
telephonically by telecommunications lines.

28 (b) "Person" includes, without limitation, a government, governmental agency or  
political subdivision of a government.

1 proof of the transmission of which is attached to the original of this pleading filed with  
2 the Court.  
3

4 Dated this 24<sup>th</sup> Day Of March, 2016  
5

6   
7 **KURRI SULLIVAN**  
8 Assistant Office Manager  
9 Elko County District Attorney's Office  
10

11 CERTIFIED COPY  
12 DOCUMENT ATTACHED IS A  
13 TRUE AND CORRECT COPY  
14 OF THE ORIGINAL ON FILE

15 19<sup>th</sup> day of JULY 20 17  
16

17   
18

19 CLERK  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT F

FILED

CASE NO.: CR-FO-15-0577

2017 JAN 24 PM 3: 06

DEPT. 1

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY 

IN THE FOURTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

THE STATE OF NEVADA

Plaintiff,

1. STATUTORY NO CONTEST  
PLEA AGREEMENT;

VS.

AND

2. AN OFFER OF PROOF IN  
SUPPORT OF THE DEFENDANT'S  
CONTEMPLATED PLEA OF  
NO CONTEST

RICK L. KEEMA

Defendant

The Statutory No Contest Agreement

COMES NOW THE STATE OF NEVADA, the Plaintiff in the above-entitled cause, by and through its Counsel of Record, the Elko County District Attorney's Office, and the Defendant above-named, *in proper person*, and by and through his Counsel Of Record, the Elko, Nevada Law Firm of Lockie and Macfarlan, who by their respective signatures hereunder, do hereby declare to the above-entitled Court that the Parties have settled upon a negotiated disposition of the Criminal

ORIGINAL

Affirmation Pursuant to NRS 239B.030  
SSN Does Appear  
SSN Does Not Appear 

Page 1 of 24

1 Prosecution pending against the Defendant in the above-entitled cause, which  
2 compromise is comprised of the following terms:  
3

4 **Recitation Of The Parties' Intent**

5 It is the intent of the Parties in executing this Agreement to provide for the  
6 complete resolution of the prosecution pending against the Defendant in the above-  
7 entitled cause wherein the Defendant is charged with:  
8

9 Count I: THEFT, PURSUANT TO A CONTINUING COURSE OF CONDUCT  
10 WITHIN THE MEANING OF NRS 205.0834, BY THE CONVERSION  
11 AND/OR MISAPPROPRIATION OF PERSONAL PROPERTY IN THE  
12 TOTAL AGGREGATE AMOUNT OF TWO-THOUSAND FIVE-HUNDRED  
13 DOLLARS (\$2,500.00) OR MORE, A CATEGORY B FELONY AS  
14 DEFINED BY NRS 205.0832, AND NRS 205.0835;

15 Count II: In The Alternative To Count I:

16 THEFT, PURSUANT TO A CONTINUING COURSE OF CONDUCT  
17 WITHIN THE MEANING OF NRS 205.0834, BY THE CONVERSION  
18 AND/OR MISAPPROPRIATION OF PERSONAL PROPERTY IN THE  
19 TOTAL AGGREGATE AMOUNT OF SIX-HUNDRED AND FIFTY  
20 DOLLARS (\$650.00) OR MORE, A CATEGORY C FELONY AS  
21 DEFINED BY NRS 205.0832, AND NRS 205.0835;

22 Count III: In The Alternative To Counts I And II:

23 THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF  
24 THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF  
25 TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A  
26 CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS  
27 205.0835;

28 Count IV: THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF  
THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF  
TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A  
CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS  
205.0835;

Count V: THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF

1 THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF  
2 TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A  
3 CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS  
4 205.0835;

5 Count VI: THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF  
6 THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF  
7 TWO-HUNDRED AND FIFTY DOLLARS (\$250.00) OR MORE, A  
8 CATEGORY C FELONY AS DEFINED BY NRS 205.0832 AND NRS  
9 205.0835;

10 Count VII: In The Alternative To Counts I Through VI:

11 THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF  
12 THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF SIX-  
13 HUNDRED AND FIFTY DOLLARS (\$650.00) OR MORE, A CATEGORY  
14 C FELONY AS DEFINED BY NRS 205.0832 AND NRS 205.0835; and

15 Count VIII: THEFT BY THE CONVERSION OF AND/OR MISAPPROPRIATION OF  
16 THE PERSONAL PROPERTY OF ANOTHER IN THE AMOUNT OF SIX-  
17 HUNDRED AND FIFTY DOLLARS (\$650.00) OR MORE, A CATEGORY  
18 C FELONY AS DEFINED BY NRS 205.0832 AND NRS 205.0835

19 I Rick L. Keema, first declare, by my signature hereunder that this  
20 Agreement represents the entire agreement between me and the State of Nevada, and  
21 no other promises, other than those set forth and memorialized in this Agreement have  
22 been made to me in connection with the compromise of the charges pending against  
23 me in the above-entitled cause, as described in the Criminal Information filed herein.

24 With the above declaration in mind:

25 **THE DEFENDANT'S SPECIFIC OBLIGATIONS**  
26 **UNDER THIS NO CONTEST PLEA AGREEMENT**

- 27 1. The Defendant will enter a plea of no contest to a Criminal Information filed in  
28 District Court pursuant to the terms of this Plea Agreement charging the  
Defendant with:



1  
2 **Conspiracy To Commit Theft By Misappropriation, A**  
3 **Gross Misdemeanor As Defined by NRS 199.480, and**  
4 **NRS 205.0832;**

5 hereinafter referred to in the remainder of this Agreement simply as  
6 "Conspiracy".

7 The Defendant by his/her signature on this Agreement acknowledges that he  
8 has been advised that a plea of "no contest" will be treated by the sentencing  
9 Court, for the purposes of the resolution of this criminal prosecution, as the  
10 functional equivalent of a plea of guilty – that is the Court, if it concludes to  
11 accept the plea(s) of no contest contemplated by this Agreement the Court will  
12 use that/those plea(s) to:

- 13 a. Convict the Defendant of the offense(s) to which a plea or plea(s) of no  
14 contest are entered; and
- 15 b. To enter a judgment of criminal conviction in the case based upon  
16 that/those plea(s) of no contest.

17 Further, the Parties, by their signatures upon this Agreement do hereby waive  
18 the attachment of a copy of said Criminal Information to this Agreement.

19 3. The Issue Of Restitution:

- 20 a. The State reserves the right to make an application for restitution  
21 in connection with the Disposition of this matter and may do so  
22 at or near the time of sentencing in this matter.

23 **THE STATE'S OBLIGATIONS**  
24 **UNDER THE AGREEMENT**

25 1. The State agrees that:

- 26 a. The proffer by the Defendant of the plea(s) of no contest contemplated by  
27 this Agreement to Conspiracy;
- 28 b. The District Court's acceptance of that/those Plea(s); and
- c. The entry of Judgement convicting the Defendant of Conspiracy;  
shall be deemed a complete resolution of any and all criminal liability

1 which the Defendant may have had arising out of the events which gave  
2 rise to the prosecution now pending against the Defendant in the above-  
3 entitled matter, and shall constitute a bar to prosecution with respect to  
4 any other theory of criminal liability which may have been pleaded against  
5 the Defendant in connection the events resulting in this prosecution.

- 6 a. In that regard, it is agreed by and between the Parties that the bar  
7 to prosecution created by this Agreement shall extend only to the  
8 events which gave rise to the instant prosecution, and it is not  
9 intended to extend to, nor does it encompass any other criminal  
10 liability which the Defendant may have, if any, based on events  
11 unconnected to the specific offenses at issue in this prosecution  
12 and the events and facts upon which it is premised.

### 13 TERMS OF THE AGREEMENT RELATIVE TO SENTENCING

14 It is agreed that the State at the time of Sentencing will:

- 15 1. Will submit to the Court's discretion the issue of whether or not a period of  
16 Probation should be imposed upon the Defendant as part of the sentence  
17 in this matter subject to the following limitations:

18 If the Court concludes to place the Defendant on Probation the State  
19 would recommend to the Court that the Court:

- 20 a. Set the duration of any such probation at one (1) year; and  
21 b. If the Court determines to impose a period of confinement in the  
22 Elko County Jail in connection with the imposition of sentence in  
23 this matter, that the period to incarceration in the Elko County  
24 Jail imposed in connection with the imposition of sentence be  
25 confined to a period of thirty (30) days;  
26 a. That the same be suspended; and  
27 b. That no part of any period of incarceration imposed by the  
28 Court in connection with the imposition of probation be  
imposed executed as a condition of probation.

2. The State reserves the right to recommend a two-thousand dollar  
(\$2,000.00) fine.



1 The Defendant shall be entitled to make any sentencing argument and  
2 recommendation he and his Counsel deem appropriate.

3 **CONSEQUENCES OF THE PLEA**

4 I Rick L. Keema, declare that I understand that at the time I enter my  
5  
6 aforementioned plea(s) of no contest that in order for the above-entitled Court to  
7 accept the plea(s) of no contest contemplated by this Agreement, may require me to  
8 either;

- 9 1. Provide a factual basis for my plea – that is provide a brief description of the  
10 events which gave rise to the prosecution against me and my participation in  
11 them which has given rise to my contemplated plea(s) of no contest; or
- 12 2. To acknowledge the factual accuracy, relative to potential evidence arrayed  
13 against me, of the Offer Of Proof set forth hereafter, and that after reviewing the  
14 same I have concluded that prospective evidence against me would satisfy all of  
15 the elements of the offense I propose to plead no contest to, and that I would be  
16 convicted of the greater offense or offenses I am charged with, and have  
17 entered the my plea of no contest, in the light of the evidence potentially arrayed  
18 against me, as described in the Offer of Proof set forth hereafter, me to avoid  
19 that result; and
- 20 3. Further that to acknowledge that I believe entering the plea of no contest  
21 contemplated by this Agreement is in my best interests, and that standing upon  
22 my right to stand trial with respect to the greater offense or offenses I am, or  
23 could be charged with is not in my best interests.

**The Elements Of The Offense  
I Propose To Plead No Contest To**

The elements of the offense to which I propose to plead no contest,  
Conspiracy<sup>1</sup>, are as follows:

1. That the Defendant entered into an agreement with another person; and
2. The object of that Agreement was the commission of an unlawful act,  
*to wit: theft by misrepresentation. NP, DJ*  
Recitation Of The Maximum Permissible Penalty 3-16-17 *3/16/17*

I understand and have been advised that as a consequence of the plea(s)  
of no contest contemplated by this Agreement I may be incarcerated in the Elko  
County Jail for a period of up three-hundred and sixty-four (364) days, and/or,  
additionally, a fine of up to \$2,000.00 may be imposed upon me. I have been further  
advised that the law requires the imposition of an administrative assessment fee in  
connection with the entry of judgment in a felony or gross misdemeanor case.

I understand that I will be eligible for probation upon conviction of the  
offense(s) I intend to plead no contest to. I understand that except as otherwise  
provided by Statute, the question of whether or not I am placed upon probation will be  
entirely up to the discretion of the above-entitled Court.

/ / /

<sup>1</sup> The provisions of NRS 199.480 defining the general criminal offense of conspiracy  
provides in pertinent part that:

3. Whenever two or more persons conspire:

(g) To accomplish any criminal or unlawful purpose, or to accomplish a purpose, not in  
itself criminal or unlawful, by criminal or unlawful means,

each person is guilty of a gross misdemeanor.

1 **Restitution**

2 I understand that if applicable in the case, and deemed appropriate by the  
3 Court I may be ordered to make restitution to the victim of the offense to which I  
4 propose to plead no contest, and to the victim of any related offenses which is/are  
5 being dismissed or with respect to which prosecution has been declined pursuant to  
6 the terms of this Agreement.  
7  
8

9 **Additional Terms Of The Agreement**

10 I understand that I will also be ordered to reimburse the State of Nevada  
11 for any expenses incurred, if any there be, in connection with my extradition to the  
12 State of Nevada in connection with this prosecution.  
13

14 I have been advised and understand that if more than one sentence of  
15 imprisonment is imposed and I am eligible to serve the sentence concurrently with any  
16 other sentence imposed or which I am already serving, that it will be up to the  
17 Sentencing Judge to determine, in the Court's discretion, whether such sentences are  
18 to be served consecutively, that is one after the other, or concurrently, that is at the  
19 same time.  
20  
21

22 I have not been promised or guaranteed any particular sentence by  
23 anyone. I know that my sentence is to be determined by the Court within the limits  
24 prescribed by the statute(s) under which I propose to plead no contest. I understand  
25 that at the time sentence is imposed that if the State of Nevada or my Lawyer  
26 recommend any specific sentence to the Court, the Court is not obliged to accept  
27  
28

1 that/those recommendation(s).

2 I understand that with respect to the offense(s) I intend to plead no  
3 contest to the Division of Parole And Probation of the Department Public Safety will  
4 prepare a Pre-Sentence Report for the above-entitled Court. This report will include  
5 matters relevant to the issue of sentencing, including my criminal history. I understand  
6 that this Report may contain hearsay information regarding my background and  
7 criminal history. My Lawyer and I will each have the opportunity to comment on the  
8 information contained in the Report at the time sentence is imposed.  
9  
10  
11

12 **THE DEFENDANT'S WAIVER OF HIS CONSTITUTIONAL**  
13 **RIGHTS IN CONNECTION WITH THE PLEA OF NO**  
14 **CONTEST CONTEMPLATED BY THIS AGREEMENT**

15 I Rick L. Keema declare that I have been advised and understand that in  
16 order for the above-entitled Court to accept the plea(s) of no contest I propose to enter  
17 in this matter that I will have to waive my constitutional rights in this matter, and I  
18 declare by my signature on this Agreement that I am willing to give up the following  
19 constitutional rights and privileges in order that the Court could accept my plea(s) of no  
20 contest:  
21

22 1. The constitutional privilege against self-incrimination, including the right to  
23 decline to testify at trial, in which event the State would not be allowed to comment to  
24 the jury about my decision not to testify. I understand that my plea(s) of no contest will  
25 require my waiver of this right to the following extent: the Court, as noted above, in  
26 connection with my plea(s) of no contest may require me, in order to accept my  
27  
28



1 plea(s), to personally verbally enter my plea(s) of no contest, and may require me to  
2 either;

- 3
- 4 a. Provide a factual basis for my plea – that is provide a brief description of  
5 the events which gave rise to the prosecution against me and my  
6 participation in them which has given rise to my contemplated plea(s) of  
7 no contest; or
- 8
- 9 b. To acknowledge the factual accuracy, relative to potential evidence  
10 arrayed against me, of the Offer Of Proof set forth hereafter, and that after  
11 reviewing the same I have concluded that prospective evidence against  
12 me would satisfy all of the elements of the offense I propose to plead no  
13 contest to, and that I would be convicted of the greater offense or offenses  
14 I am charged with, and have entered the my plea of no contest, in the light  
15 of the evidence potentially arrayed against me, as described in the Offer  
16 of Proof set forth hereafter, me to avoid that result; and
- 17
- 18 c.. Further that to acknowledge that I believe entering the plea of no contest  
19 contemplated by this Agreement is in my best interests, and that standing  
20 upon my right to stand trial with respect to the greater offense or offenses  
21 I am, or could be charged with is not in my best interests.

22

23

24

25 I further understand that other than as described above, my right not to  
26 incriminate myself will still obtain in these matters, and that I may not otherwise be  
27 required to speak or provide any other information wherein to do so might further  
28

1 incriminate me.

2 2. The constitutional right to a speedy and public trial by an impartial jury with  
3 respect to the charges originally pending against me, free of excessive pre-trial  
4 publicity prejudicial to my ability to present a defense, at which trial I would be entitled  
5 to the assistance of a Lawyer, hired by me, or appointed for me if I was unable to hire  
6 an Attorney. At trial the State would bear the burden of proving beyond a reasonable  
7 doubt each and every element of all of the offenses I was originally charged with, and  
8 the elements of that/those offense(s) to which I am proposing by the terms of this  
9 Agreement to plead no contest.  
10

11 3. The constitutional right to confront and cross-examine any witnesses who have  
12 testified against me at trial.

13 4. The constitutional right to subpoena witnesses to testify on my behalf.

14 5. The constitutional right to testify in my own defense, or, if it be my decision after  
15 consultation with my Lawyer, to decline to testify at trial.

16 6. The right to appeal any conviction I suffered at trial, with the assistance of a  
17 Lawyer, again either hired by me, or appointed to represent me in the event I was  
18 unable to hire my own Lawyer, unless the appeal is based upon reasonable  
19 constitutional, jurisdictional, or other grounds which challenge the legality of the  
20 proceedings, and except as otherwise provided by NRS 174.035.

21 I Rick L. Keema by my signature on this Agreement, and subject to the  
22 above-entitled Court's acceptance of my contemplated plea(s) of no contest, do  
23  
24  
25  
26  
27  
28

1 hereby waive the above-described constitutional rights.

2  
3 **VOLUNTARINESS OF THE PLEA**

4 I further acknowledge I have discussed the elements of all of the original  
5 charges which were pending against me, and the elements of the offense(s) I  
6 proposed to plead no contest to with my Lawyer, and I understand the nature of the  
7 charge(s) originally pleaded against me, and the charge(s) I propose to plead no  
8 contest to.  
9

10 I understand that the State, should I have exercised my right to have a  
11 trial with respect to the original charge(s) pleaded against me, would have been  
12 required to prove each element of each charge(s) pending against me beyond a  
13 reasonable doubt. Likewise, the State, but for my contemplated plea(s) would have  
14 been required to prove each and every element of the offense(s) I propose to plead no  
15 contest to beyond a reasonable doubt.  
16  
17

18 I have discussed with my Lawyer the possible defenses which might have  
19 been available to me at trial in connection with this matter, and the circumstances  
20 which might reflect in my favor.  
21

22 I did before deciding to sign this Agreement, discuss to my satisfaction  
23 with my Lawyer all of the foregoing elements and the nature of the charges; the  
24 consequences of my proposed plea(s) of no contest; the constitutional rights I would  
25 have been able to exercise if I had had a trial; and the waiver of rights which would be  
26 required in order for the above-entitled Court to accept my contemplated plea(s) of  
27  
28



1 no contest. Additionally, I was afforded an opportunity to ask my Lawyer any questions  
2 I had concerning these matters and my questions, if any I had, were answered to my  
3 satisfaction.  
4

5 I believe after considering the matter, and consulting with my Lawyer with  
6 respect to this matter, that entering into, and carrying out this Agreement by entering  
7 the plea(s) of no contest called for by it is, and remains in my best interests, and that  
8 exercising my right to have a trial would have been, and remains contrary to my best  
9 interests.  
10

11 I am signing this Agreement voluntarily, after consultation with  
12 my Lawyer, and I am not acting under duress or coercion, or by any promise of  
13 leniency other than those which are set forth and described in this written Agreement.  
14

15 I am not now under the influence of intoxicating liquor, a controlled  
16 substance, or any other drug which would in any manner impair my ability to  
17 comprehend or understand this.  
18

19 My Lawyer prior to my execution of this Agreement had answered  
20 all of my questions concerning my contemplated plea(s) of no contest, and has  
21 answered all of my questions, if any I had, regarding this Agreement and its  
22 consequences to my satisfaction and I am satisfied with the services of my Lawyer,  
23

24 / / /  
25

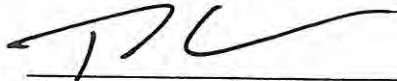
26 / / /  
27

28 / / /

1 and the advice he has rendered to me in connection with this matter.

2 **THE DEFENDANT'S SIGNATURE BLOCK**

3  
4 Dated this 30 day of June, 2016.

5  
6 

7 **RICK L. KEEMA**

8 Defendant

*In Proper Person*

9 **THE STATE'S SIGNATURE BLOCK**

10 Dated this 24 day of January, 201<sup>7</sup>~~6~~.

11  
12  NV Bar #11070

13 **MARK TORVINEN**

14 Elko County District Attorney

15 State Bar Number 551

16 Elko County District

Attorney's Office

17  
18 **CERTIFICATE OF COUNSEL FOR THE DEFENDANT**

19 I, the undersigned, as Counsel Of Record for the Defendant above-  
20 named, and as an Officer of the Court, by my signature hereunder, certify to the  
21 above-entitled Court as follows:  
22

- 23 1. That before the Defendant executed this Agreement, I had fully explained to the  
24 Defendant the elements of the offense(s) with which he/she was originally charged,  
25 and the elements of the offense(s) to which he/she proposes to plead no contest.  
26  
27 2. I advised the Defendant of the potential penalties for each of the offense(s) with  
28 which he/she was originally charged, and the potential penalties for the offense(s) to

1 which he/she proposes to plead no contest. Further I advised the Defendant with  
2 respect to, and concerning the restitution, if any there be, that the Defendant may be  
3 ordered to pay in connection with the imposition of sentence in this matter.  
4

5 3. The plea(s) of no contest which the Defendant proposes to enter in this matter  
6 pursuant to the terms of this Agreement are consistent with all of the facts known to  
7 me concerning this case, and will be entered in accordance my advice to the  
8 Defendant. Further I believe that the compromise reflected in this Agreement, is in the  
9 Defendant's best interests.  
10

11 4. To the best of my knowledge and belief, at the time the Defendant  
12 executed this Agreement he/she:  
13

- 14 a. Was competent, and understood the elements of the offense  
15 to which he/she proposes to plead no contest, and the consequences,  
16 including the potential penalties which could be imposed upon the  
17 Defendant, in connection with said plea(s) of no contest;  
18  
19 b. That he/she executed this Agreement voluntarily; and  
20  
21 c. Was not under the influence of intoxicating liquor, a controlled  
22 substance, or other drug at the time of his/her execution of this  
23

24 / / /

25 / / /

26 / / /

27 / / /

1 Agreement.

2 Dated this 30 day of June 20 16.

3  
4 David B. Lockie

5 **DAVID B. LOCKIE**

6 Counsel For The Defendant

7 State Bar Number: 2384

8 Or

9  
10 Sherburne M. MacFarlan

11 **SHERBURNE M. MACFARLAN**

12 Counsel For The Defendant

13 State Bar Number: 3999

14 **Offer Of Proof In Support Of The No**  
**Contest Plea Contemplated By This Agreement**

15 **COMES NOW THE STATE OF NEVADA** by and through its Counsel  
16 of Record the Elko County District Attorney's Office, and by this pleading would make  
17 the following Offer of Proof, the factual assertions of which, sans Mr. William  
18 Thurston's signature block and that portion acknowledging that the assertions of the  
19 Declaration were made under the penalties of perjury, have been excerpted, are  
20 excerpted, verbatim, from the Unsworn Declaration In Support Of Criminal Complaint  
21 contained within the Complaint filed herein on the 28<sup>th</sup> day of April, 2015, with respect  
22 to the prospective evidence in this matter which the State believes and therefore avers  
23 it would have been in a position to adduce should the Defendant have elected to go to  
24 trial upon the original charges pleaded against him/her in this matter:  
25  
26  
27  
28

1                   **COMES NOW WILL THURSTON** who declares the following to the  
2 above-entitled Court:  
3

- 4 1. That your Declarant, who will present the remainder of this Declaration in the  
5 first person, is presently, and at all relevant times referred to in this Declaration  
6 was serving as an Investigator with the Investigations Division of the Nevada  
7 Department Of Public Safety, from which I have since retired;  
8
- 9 2. In October of 2011, I was assigned to conduct an investigation, which had been  
10 requested by the District Attorney Of Elko County under the provisions of NRS  
11 480.460, into allegations which had been made that one Rick Keema – then  
12 serving as the Undersheriff of Elko County, Nevada – had misused, that is  
13 misappropriated a commercial credit card that had been issued to him by Elko  
14 County Nevada for his use in connection with his duties as the Undersheriff of  
15 Elko County by using it for purposes other than in connection with his duties as  
16 the Undersheriff Of Elko County.  
17
- 18 3. I thereafter conducted such an investigation which included:  
19
- 20 a. The interview of witnesses;
  - 21 b. The acquisition of financial records, including records of the Defendant's  
22 personal bank accounts during the relevant time period which I obtained  
23 pursuant to search warrants sought and obtained for that purpose; and  
24
  - 25 c. The acquisition of copies of transaction records from the commercial  
26 enterprises described hereafter.  
27  
28



1 In summary what I was able to establish during the course of my  
2 investigation was as follows:  
3

- 4 4. Rick Keema was appointed as the Undersheriff Of Elko County Nevada by  
5 Sheriff James Pitts on or about the 24<sup>th</sup> day of February, 2011 – i.e. that is  
6 Sheriff Pitts made an announcement to his Department on the 2<sup>nd</sup> of March,  
7 2011, that he had appointed Mr. Rick Keema as the Undersheriff effective the  
8 24<sup>th</sup> day of February, 2011;  
9  
10 5. Although I was unable to determine the exact date upon which it was issued to  
11 the Defendant, the Defendant was, sometime in April or May of 2011, and in  
12 any event prior to the 1<sup>st</sup> of May, 2011 issued, by the Fiscal Affairs Office of  
13 Elko County, Nevada a WellsOne Commercial VISA Credit Card upon a  
14 commercial credit card account maintained by Elko County Nevada with Wells  
15 Fargo Bank and upon which official credit cards were issued to employees of  
16 the County having a legitimate need for a credit card.  
17  
18 a. It was issued in the name of "Rick Keema" with the designation "Sheriff"  
19 underneath his name to indicate the Department of the County with  
20 which he was associated.  
21  
22  
23 6. Although it is undated, at the time this Card was issued and delivered to  
24 the Defendant he executed a document entitled:  
25

26 ELKO COUNTY  
27 WellsOne Commercial Card  
28 Cardholder Agreement

1 a. That Cardholder Agreement clearly recited the admonition that:

2  
3 3. I understand that under no circumstances will I use  
4 the WellsOne Commercial Card to make personal  
5 purchases either for myself or for others.

6 That based upon my investigation of the above-referenced allegations I  
7 believe the aver that the Defendant after the same was issued to him utilized the  
8 aforementioned WellsOne Commercial Card, hereinafter within the remaining text of  
9 this Declaration simply the "Card", upon at least the following occasions for purposes  
10 other than any duty or obligation which was connected to his duties as the  
11 Undersheriff of Elko County:  
12

13 7. **A Payment Made To AT&T Mobile:**

14 a. On or about 9<sup>th</sup> day of May, 2011, the Defendant utilized the Card to  
15 make a payment of \$695.80 or some similar sum to AT&T Mobile, a  
16 cellular telephone provider to an account maintained by the Defendant  
17 under the name "Matchforce" which was a defunct business enterprise  
18 once operated by the Defendant.  
19

20  
21 b. Included on this Account were cellular telephone services provided to son  
22 and daughter.  
23

24 8. **Purchase Of A Baseball Bat From Mattingly Sports:**

25 a. On or about the 16<sup>th</sup> day of May, 2011, the Defendant utilized the Card  
26 to purchase a composite baseball bat for \$229.99, plus shipping in the  
27 amount of \$18.98 thus incurring a charge upon the Card of \$249.97 or  
28



1 some similar sum from a commercial organization known as Mattingly  
2 Sports, Inc. of Connecticut;

3  
4 b. The Defendant had this bat shipped, in the name of his son, to his  
5 personal Carson City, Nevada resident address.

6  
7 c. I do not believe and I allege and aver that this purchase had nothing to  
8 do with the Defendant's duties as the Undersheriff of Elko County.

9 **9. A Payment To Utility Telephone:**

10 a. On or about 24<sup>TH</sup> day of May, 2011, the Defendant made a payment on  
11 the Card to a commercial organization known as Utility Telephone in the  
12 amount of \$204.07, or some similar amount in payment of an outstanding  
13 bill due and owing to Utility Telephone upon an account maintained by  
14 him with Utility Telephone, for telephone and internet services in the  
15 name of ACODA a defunct business enterprise once operated by him.

16  
17 b. This payment did not have anything to do with his duties as the  
18 Undersheriff of Elko County, Nevada.

19  
20  
21 **10. The Purchase Of A Baseball Bat Through PayPal:**

22 a. On or about the 26<sup>th</sup> day of May, 2011, the Defendant, using the Card to  
23 fund a "PayPal" transaction, purchased an Easton Baseball Bat from a  
24 commercial organization known as Red Tag Sports which was shipped,  
25 in the name of the Defendant's Wife to his personal residence in Carson  
26 City, Nevada.  
27  
28

1 b. The purchase price of this Baseball bat was \$199.99; the shipping  
2 therefor was \$25.00; and the total charge made against the Card for this  
3 transaction was \$224.99.  
4

5 c. I do not believe that this purchase had anything to do with the  
6 Defendant's duties as the Undersheriff of Elko County.  
7

8 11. **A Payment Made To AT&T Mobile:**

9 a. On or about 27<sup>th</sup> day of June, 2011, the Defendant utilized the Card to  
10 make a payment of \$738.20 or some similar sum to AT&T Mobile, a  
11 cellular telephone provider to an account maintained by the Defendant  
12 under the name "Matchforce" which was a defunct business enterprise  
13 once operated by the Defendant.  
14

15 b. Again, included on this Account were cellular telephone services  
16 provided to his son and daughter.  
17

18 12. **A Purchase Of Sunglasses From CV Sports:**

19 a. On the 2<sup>nd</sup> day of July, 2011, the Defendant utilized the Card to purchase  
20 a pair of Sunglasses from a commercial organization located in Carson  
21 City, Nevada known as CV Sports. The purchase price and taxes on this  
22 purchase which were charged against the Card was \$171.36, or some  
23 similar amount.  
24

25 b. I do not believe that this purchase had anything to do with the Defendant's  
26 duties as the Undersheriff of Elko County.  
27  
28

1       13.    **A Purchase Of Sunglasses From Big 5 Sporting Goods:**

- 2
- 3       a.    On or about the 2<sup>nd</sup> day of July, 2011, the Defendant again utilized the
- 4           Card to purchase a pair of Sunglasses from a commercial enterprise
- 5           located in Carson City, Nevada known as Big 5 Sporting Goods. The total
- 6           charged against the Card for this transaction was the sum of \$161.21, or
- 7           some similar amount, representing a purchase price of \$150.00 and
- 8           taxes in the amount of \$11.21 for a total transaction charge against the
- 9           Card of \$161.21.
- 10
- 11       b.   Again, I do not believe that this purchase had anything to do with the
- 12           Defendant's duties as the Undersheriff of Elko County.
- 13

14   14.    **The Purchase Of A Baseball Bat From Protech Products, Inc.:**

- 15
- 16       a.    On or about the 15<sup>th</sup> day of July, 2011, the Defendant purchased on the
- 17           Card, from a commercial organization in Walnut, California a Baseball
- 18           Bat.
- 19
- 20           1.    This Baseball Bat was shipped to the Defendant at his Carson City,
- 21               Nevada, Residence.
- 22
- 23       b.    The total transaction price for the Defendant's purchase of this baseball
- 24           bat was the sum of \$244.99 or some similar sum, representing a
- 25           purchase price of \$209.99 plus next-day air shipping for a total charge of
- 26           \$244.99.
- 27
- 28       c.    Again, I do not believe that this purchase had anything to do with

the Defendant's duties as the Undersheriff of Elko County.

15. **A Payment Made To AT&T Mobile:**

a. On or about 19<sup>th</sup> day of July, 2011, the Defendant utilized the Card to make a payment of \$370.94, or some similar sum to AT&T Mobile, a cellular telephone provider to an account maintained by the Defendant under the name "Matchforce" which was a defunct business enterprise once operated by the Defendant.

b. Again, included on this Account were cellular telephone services provided to his son and daughter.

c. Again, I do not believe that this payment was for anything connected to the Defendant's duties as the Undersheriff of Elko County.

16. That in utilizing the Card for the purposes described above, the Defendant knowingly and without lawful authority converted and misappropriated the Card and the purchasing power it represented, to the extent and in the amounts described above, for purposes other than for which it was entrusted to him – which was to utilize in connection with his duties as the Undersheriff of Elko County, Nevada.

a. In doing so I would allege and aver that the Defendant committed the

/ / /

/ / /

/ / /

1  
2 offenses pleaded against him in the Criminal Complaint set forth above.  
3

4 Dated this 23 day of January, 2016.<sup>17</sup>  
5

6  
7 MARK TORVINEN  
8

9 State Bar Number: 551  
10 Elko County District Attorney  
11 Counsel For The Plaintiff  
12

13 CERTIFIED COPY  
14 DOCUMENT ATTACHED IS A  
15 TRUE AND CORRECT COPY  
16 OF THE ORIGINAL ON FILE

17 19<sup>th</sup> day of July, 20 17  
18

19 Coral Joanne  
20

21 CLERK  
22  
23  
24  
25  
26  
27  
28



# EXHIBIT G

FILED

CASE NO.: CR-FO-15-0577

DEPT. NO. 1

2017 JAN 24 PM 3:08

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY for

IN THE FOURTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

THE STATE OF NEVADA,

Plaintiff,

FIRST AMENDED

CRIMINAL INFORMATION

vs.

RICK L. KEEMA,

(Filed Pursuant To A Plea Agreement)

Defendant.

COMES NOW THE STATE OF NEVADA, the Plaintiff in the above-entitled cause, by and through its Counsel of Record, the Elko County District Attorney's Office, and conditioned upon the Defendant's faithful performance of that certain:

1. STATUTORY NO CONTEST PLEA AGREEMENT

AND

2. AN OFFER OF PROOF IN SUPPORT OF THE DEFENDANT'S  
CONTEMPLATED PLEA OF NO CONTEST;

entered into by and between the Parties would, pursuant to the provisions of NRS 173.035, inform the above-entitled Court that Defendant(s) above-named, between approximately the 1<sup>st</sup> day of May, 2011, and the 31<sup>st</sup> day of July, 2011, at or near the location of:

The Administrative Offices of the County of Elko, Nevada, situated on Court Street in or near the City of Elko, and/or

The Administrative Offices of the Elko County Sheriff's Department

ORIGINAL

Affirmation Pursuant to NRS 239B.030

SSN Does Appear

SSN Does Not Appear

B



The locations of the businesses at which the unauthorized use of the County-Issued credit card described hereafter was used, as it was Elko County where the Credit Card at issue (see *infra* was issued to the Defendant) and hence Elko County has jurisdiction and venue over the offenses alleged herein pursuant to the provisions of NRS 171.010 and/or NRS 171.020, and/or 171.030;

COUNT 1

The Defendant did, during the time period and at the place(s) alleged above, enter into an agreement with another person to accomplish a criminal or unlawful purpose, specifically:

All of which is contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Nevada.

Dated this 23 day of January, 2017.

By: DAVID A. BUCHLER  
Deputy District Attorney  
State Bar No. 11070

CERTIFICATE OF SERVICE

I hereby certify, pursuant to the provisions of NRCP 5(b), that I am an employee of the Elko County District Attorney's Office, and that on the 24<sup>th</sup> day of January, 2017, I served the foregoing FIRST AMENDED CRIMINAL INFORMATION, by delivering, mailing or by facsimile transmission or causing to be delivered, mailed or transmitted by facsimile transmission, a copy of said document to the following:

By delivering to:

HONORABLE NANCY PORTER  
FOURTH JUDICIAL DISTRICT COURT  
ELKO COUNTY COURTHOUSE  
ELKO, NV 89801

By mailing to:

DAVID B. LOCKIE  
ATTORNEY AT LAW  
919 IDAHO STREET  
ELKO, NV 89801

  
KURRI SULLIVAN  
ASSISTANT OFFICE MANAGER

DA# F-11-85415-01

CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

19<sup>th</sup> day of July, 2017



CLERK

# EXHIBIT H

CASE NO. CR-FO-15-577

DEPT. NO. 1

FILED

2017 JUL 10 PM 3:48

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY \_\_\_\_\_

IN THE FOURTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

THE STATE OF NEVADA,

Plaintiff,

V.

RICK L. KEEMA,

Defendant.

**JUDGMENT OF CONVICTION**

(No Contest Plea - Incarceration -  
Suspended - Fines and Fees)

On the 16<sup>th</sup> day of March, 2017, above-named Defendant, RICK L. KEEMA, [who is further described as follows: [REDACTED] was arraigned and entered a plea of no contest to the crime(s) described below and as more fully set forth in the criminal information filed herein. Legal counsel present at Defendant's arraignment were David B. Lockie, Esq., representing Defendant, and David A. Buchler, Elko County Deputy District Attorney, representing the State. At the time above-named Defendant entered his plea of no contest, this Court informed him of all applicable constitutional rights, the elements of the crime(s) charged, and the maximum possible penalty for said crime(s). After being so informed, above-named Defendant stated that he understood all of the applicable constitutional rights, the elements of the crime(s) charged and the maximum possible penalty for said crime(s). This Court then made a finding that Defendant had entered his plea freely and voluntarily, and with full understanding of his constitutional rights, the nature of the charges and the consequences of his plea.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**DESCRIPTION OF CONVICTIONS**

COUNT 1: CONSPIRACY TO COMMIT THEFT BY MISAPPROPRIATION, A GROSS MISDEMEANOR AS DEFINED BY NRS 199.480 AND NRS 205.0832.

On the 26<sup>th</sup> day of June, 2017, above-named Defendant personally appeared before this Court for the purpose of sentencing and entry of a final judgment of conviction in this matter. This Court, the State, and defense counsel had previously received a Pre-Sentence Report which had been prepared by the Division of Parole and Probation. Legal counsel present at Defendant's sentencing were David B. Lockie, Elko County Deputy Public Defender, representing Defendant, and Mark S. Mills, Elko County Deputy District Attorney, representing the State. Also present was Sara Macias, representing the Division of Parole and Probation.

After hearing from all parties and allowing Defendant an opportunity to personally address the Court, this Court finds that the appropriate judgment in this case is and shall be as follows:

**SENTENCE TERMS**

For the conviction of Count 1, Defendant is sentenced to a term of 90 days in the Elko County Jail.

Pursuant to NRS 176.0913 the name, social security number, date of birth and any other information identifying Defendant shall be submitted to the central repository for Nevada records of criminal history. Defendant shall submit to a blood and saliva test, to be made by qualified persons. The tests must include analyses of his blood to determine genetic markers and of his saliva to determine its secretor status. The results of the tests shall be submitted to the central repository for Nevada records of criminal history.

Said sentence is hereby suspended under the following special conditions:

**FINANCIAL AND RESTITUTION REQUIREMENTS**

Defendant is ordered to pay the administrative fee in the amount of \$25.00 as required by NRS 176.062. Said amount shall be deducted from any cash bail monies posted by Defendant before any remainder is returned upon the exoneration of bail. It is further ordered that if Defendant has any monies in the possession of the Elko County Jail, that said monies shall be delivered directly to the Elko County Clerk and applied to this fee.

Defendant is ordered to pay the \$3.00 administrative assessment fee for purposes of obtaining a biological specimen and conducting a genetic marker analysis; a judgment is awarded against Defendant for \$3.00. It is further

1 ordered that if Defendant has any monies in the possession of the Elko  
2 County Jail, that said monies shall be delivered directly to the Elko County  
Clerk and applied to this fee.

3 Defendant is ordered to pay the genetic testing fee of \$150.00 as required by  
4 NRS 176.0915. Said amount shall be deducted from any cash bail monies  
5 posted by Defendant before any remainder is returned upon the exoneration  
6 of bail. It is further ordered that if Defendant has any monies in the  
possession of the Elko County Jail, that said monies shall be delivered  
directly to the Elko County Clerk and applied to this fee.

7 Defendant is ordered to pay restitution to the victims in the amount(s) set  
8 forth in the following table:

<u>Amount</u>	<u>Name of Victim</u>
\$807.57	

9  
10 Defendant shall sign a Civil Confession of Judgment and pay the \$28.00  
11 filing fee associated therewith.

12 Defendant shall pay a fine in the amount of \$2,000.00.

13 Defendant shall make monthly payments on the foregoing obligations in the amount of  
14 \$500.00. The first payment shall be due on or before the 15<sup>th</sup> day of July, 2017, and shall  
15 continue on or before the 15<sup>th</sup> day of each and every month thereafter until the amount is paid  
in full. **Defendant shall provide proof of payments by mailing a receipt to the bailiff of  
this Court when they are made.**

16 Defendant is advised that should he fail to make the monthly payments as provided for in this  
17 Judgment of Conviction, that a status hearing may be scheduled. Defendant's appearance at  
18 any status hearing held in this matter is mandatory. The failure of Defendant to appear at a  
status hearing in this matter may be considered to be a contempt of court. Should Defendant  
fail to appear at any status hearing this Court may issue a bench warrant for Defendant's  
failure to appear. **It is the responsibility of Defendant to keep this Court advised of his  
address.**

19  
20 Any cash bail or monies in the possession of the Elko County Jail which belong to  
Defendant shall be confiscated and applied to this debt.

#### 21 **OTHER REQUIREMENTS**

22 Defendant shall report to the Elko County Jail by 5:00 p.m., on this same day as sentencing  
23 for booking purposes.



1 **BAIL**

2 IT IS HEREBY ORDERED that any bail bond previously posted for said Defendant shall be  
3 exonerated. Any cash bail posted for said Defendant shall be applied first to fines and/or costs due pursuant  
4 to this judgment and, unless otherwise agreed to by the parties, any amount remaining shall be returned by  
5 the clerk to the person who posted said cash bail.

6  
7 **ENTRY OF JUDGMENT**

8 IT IS FURTHER ORDERED that the clerk of the above-entitled Court enter this JUDGMENT OF  
9 CONVICTION as part of the record in the above-entitled matter.

10 SO ORDERED this 10 day of July, 2017.

11  
12  
13 CERTIFIED COPY  
14 DOCUMENT ATTACHED IS A  
15 TRUE AND CORRECT COPY  
16 OF THE ORIGINAL ON FILE

17 19<sup>th</sup> day of July, 20 17

18 Carol Joanne

19 CLERK

20 Nancy Porter  
21 NANCY PORTER  
22 DISTRICT JUDGE - DEPARTMENT 1  
23  
24  
25  
26



CERTIFICATE OF HAND DELIVERY

Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District Court, Department 1, and that on this 10<sup>th</sup> day of July, 2017, I personally hand delivered a file stamped copy of the foregoing **JUDGMENT OF CONVICTION** (No Contest Plea - Incarceration - Suspended - Fines and Fees) addressed to:

Dept. of Parole and Probation  
3920 E. Idaho Street  
Elko, NV 89801  
[Box in Clerk's Office]

Elko County Sheriff's Office  
775 W. Silver Street  
Elko, NV 89801  
[Box in Clerk's Office]

Tyler J. Ingram, Esq.  
Elko County District Attorney  
540 Court Street, 2nd Floor  
Elko, NV 89801  
[Box in Clerk's Office]

David B. Lockie, Esq.  
Lockie and Macfarlan, Ltd.  
919 Idaho Street  
Elko, NV 89801  
[Box in Clerk's Office]



# EXHIBIT I

## IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

### RECORD OF COURT PROCEEDINGS

Present - Honorable NANCY PORTER, District Judge,  
and Officers of the Court.

STATE OF NEVADA,

Plaintiff,

Date: 6/26/17

VS.

Case No.: CR-FO-15-0000577

Dept: 1

RICK L KEEMA,

Defendant.

State of Nevada represented by Mark Mills, Esq.  
Defendant present, not in custody, and represented by  
David Lockie, Esq.  
Division of Parole and Probation represented by Sara Macias.  
Court Clerk, Faye Fleury, present.

### SENTENCING HEARING

The Court noted the presence of the parties.

The Court noted that the Defendant last appeared in Court on March 16, 2017 and entered a plea of no contest to COUNT 1: CONSPIRACY TO COMMIT THEFT BY MISAPPROPRIATION, A GROSS MISDEMEANOR AS DEFINED BY NRS 205.0832 AND NRS 199.480. The matter was before the Court for the entry of judgment and the imposition of sentence. All parties indicated they were ready to proceed.

The Defendant advised the Court that he had received the Presentence Investigation Report, reviewed the same with counsel and understood the recommendations contained therein.

Defense counsel made no corrections to the report.

Neither the State nor the Division made corrections to the report.

The State presented its position for sentencing.

Defense counsel presented a recommendation on behalf of the Defendant.

The Court advised the Defendant of his right to make a statement on his own behalf.

The Defendant did not address the Court.

The matter being submitted;

The Court **ORDERED** a Judgment of Conviction be entered against the Defendant finding the Defendant no contest of COUNT 1: CONSPIRACY TO COMMIT THEFT BY MISAPPROPRIATION, A GROSS MISDEMEANOR AS DEFINED BY NRS 205.0832 AND NRS 199.480.

The Court **FURTHER ORDERED** the Defendant to pay a \$25.00 administrative assessment fee, a \$3.00 DNA administration assessment fee, a \$150.00 genetic testing fee and submit to test to determine his genetic markers and be sentenced to serve 90 days in the Elko County Jail, suspended. And be sentenced to pay a \$2,000.00 fine and to pay restitution in the amount of \$807.57. The Defendant will make payments of \$500.00 per month commencing on July 15, 2017 and payments due on the 15<sup>th</sup> of the month thereafter.

The Defendant needs to report to Elko County Jail and be booked on this matter.

Court adjourned.

CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE  
19<sup>th</sup> day of July, 2017  
*Coral J. J. J.*  
CLERK

### **III. REGULARLY SCHEDULED MEETING**

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Robert Reasoner, formerly of the Nevada Transportation Authority, certification based on a conviction for Attempted Possession Of A Controlled Substance, a Category E Felony or Gross Misdemeanor as defined in NRS 453.336 and NRS 193.330. The Commission previously suspended Mr. Reasoner's Category II Basic Certificate based upon a Criminal Complaint for Conspiracy to Violate the Uniform Controlled Substance Act, in violation of NRS 453.401, a Category C Felony. The Commission will decide whether to Revoke Mr. Reasoner's Category II Basic Certificate.



# EXHIBIT A

**Commission on Peace Officer Standards and Training**  
**5587 Wa Pai Shone Avenue**  
**Carson City, NV 89701**

**In the matter of the P.O.S.T. certificate of:**

**ROBERT REASONER**

## **ORDER OF SUSPENSION**

On July 27, 2017, the Commission on Peace Officer Standards and Training (hereafter "P.O.S.T.") held a hearing to review the evidence in the matter of the suspension of Petitioner Robert Reasoner's P.O.S.T. Category II Basic Certificate.

On or about June 7, 2017, Robert Reasoner was personally served with notice that the P.O.S.T. Commission intended to suspend his P.O.S.T. basic certificate(s) based on the filing of a Criminal Indictment or Complaint charging him with one count of Conspiracy to Violate the Uniform Controlled Substance Act, in violation of NRS 453.401, a Category C Felony.

The notice informed Mr. Reasoner he had a right to appear before the P.O.S.T. Commission to answer the charges through presentation of evidence and cross-examination of any witnesses presented against him. Additionally, Mr. Reasoner was informed that he would have to request a hearing within fifteen (15) days of receipt of the notice. Mr. Reasoner failed to request a hearing, and he did not appear at the P.O.S.T. Commission Meeting held on July 27, 2017 in Ely, Nevada.

## **FINDINGS OF FACT**

On or about February 17, 2017, a Criminal Complaint was filed in Justice Court of Carson Township in and for Carson City Case No. 17CR003081C, charging Robert Reasoner with one count of Conspiracy to Violate the Uniform Controlled Substance Act, in violation of NRS 453.401, a Category C Felony.

The complaint alleges that Mr. Reasoner did conspire with one or more persons to commit an offense which is a felony under the Uniform Controlled Substance Act, by conspiring with another person to purchase heroin, a Schedule I Controlled Substance.



1 During the relevant time period, Mr. Reasoner was employed as a peace officer by the  
2 Nevada Transportation Authority. Mr. Reasoner was terminated from employment on February  
3 23, 2017. Mr. Reasoner held a P.O.S.T. Category II Basic Certificate during the relevant time  
4 period.

### 5 CONCLUSIONS OF LAW

6 NRS 289.150 provides that the P.O.S.T. Commission shall adopt regulations establishing  
7 the minimum standards for the certification and de-certification, recruitment, selection and  
8 training of peace officers. Pursuant to that statute, the P.O.S.T. Commission adopted regulations  
9 providing for the revocation of a peace Officer certification under certain circumstances. Nevada  
10 Administrative Code (NAC) 289.290(1) reads in relevant part as follows:

11 Each of the following constitutes cause for the Commission to revoke, refuse or  
12 suspend the certificate of a peace officer:

13 ...

14 (e) Conviction of a gross misdemeanor. Upon criminal indictment or filing of a  
15 criminal complaint, suspension may be imposed.

16 .....

17 (g) Conviction of a felony. Upon criminal indictment or filing of a criminal  
18 complaint, suspension may be imposed. Upon conviction, the certificate will  
19 be revoked.

20 ....

21 Additionally, NAC 289.290(4) and (5) read as follows:

- 22 4. The Commission will notify the officer by certified mail at the Officer last  
23 known address of any pending revocation or suspension action and of the  
24 nature of the charges and the Officer right to appear and answer the charges.  
25 The officer shall, within 15 days after the date of the certified mail receipt,  
26 respond in writing, notifying the Commission of his intended action with  
27 reference to the charges.
- 28 5. If the officer fails to notify the Commission within the specified time of his  
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 the majority vote of the members of  
the Commission present.

1 The substantial evidence presented to the Commission proves on or about February 17,  
2 2017, a Criminal Complaint was filed in the Justice Court of Carson Township in and for Carson  
3 City, State of Nevada, Case No. 17CR003081C, charging Robert Reasoner with one count of  
4 Conspiracy to Violate the Uniform Controlled Substance Act, in violation of NRS 453.401, a  
5 Category C Felony.

6 During the relevant time period, Mr. Reasoner was employed as a peace officer with the  
7 Nevada Transportation Authority. Mr. Reasoner was terminated from the Nevada Transportation  
8 Authority on February 23, 2017. Mr. Reasoner held a P.O.S.T. Category II Basic Certificate  
9 during the relevant time period. Mr. Reasoner was properly noticed of the Commission's intent  
10 to suspend his P.O.S.T. certificate based on the filing of the above-referenced Criminal  
11 Complaint. Mr. Reasoner failed to respond to the notice within fifteen (15) days, and he failed to  
12 appear at the Commission's meeting on July 27, 2017.

### 13 DECISION

14 At the hearing held on July 27, 2017, the P.O.S.T. Commission received evidence  
15 supporting the suspension of Mr. Reasoner's P.O.S.T. Category II Basic Certificate. At the  
16 hearing, the P.O.S.T. Commission voted to suspend Robert Reasoners' Category II Basic  
17 Certificate pending the conclusion of his criminal case. Accordingly, based upon the substantial  
18 evidence presented at the hearing, the P.O.S.T. Commission hereby suspends Robert Reasoners'  
19 Category II Basic Certificate as of the date of this Order pending the conclusion of his criminal  
20 case. At that time, the P.O.S.T. Commission will determine what, if any, action should be taken  
21 with regard to Mr. Reasoner's P.O.S.T. Certificate(s).

22 This Order of Suspension is entered pursuant to NRS 233B.121, NRS 233B.125, NRS  
23 289.510, and NAC 289.290, and may be appealed within thirty (30) days of service on the  
24 adverse party as provided in NRS 233B.130.

25 Dated this 9th day of August, 2017.

26   
27 RON PIERINI, CHAIRPERSON  
28 NEVADA POST COMMISSION



# EXHIBIT B

## PROOF OF SERVICE

<b>Court Date:</b>		<b>File No.</b> 0011263
<b>Court:</b>	FIRST JUDICIAL DISTRICT COURT	<b>Case No.</b> 17CR001041B
<b>Initiator:</b>	COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING	<b>Company:</b>
<b>Address:</b>	5587 WA PAI SHONE AVENUE CARSON CITY, NV 89701	<b>Address:</b>
<b>Plaintiff:</b>	COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING	<b>Defendant:</b> REASONER, ROBERT
<b>Address:</b>	, 0	<b>Address:</b> [REDACTED]

1. Documents Served:  
ORDER OF SUSPENSION

2. Service Attempts:

Date	Time	Address:	Served
8/14/17	16:00	[REDACTED]	<input checked="" type="checkbox"/>
		Notes:	
		Address:	<input type="checkbox"/>
		Notes:	
		Address:	<input type="checkbox"/>
		Notes:	


3. Party Served: ROBERT REASONER Title: \_\_\_\_\_

4. I served the party named in Item 3: PERSONALLY

5. Remarks: \_\_\_\_\_

6. At the time of service I was at least 18 years of age and not a party to this action.

7. I am an authorized individual with the Carson City Sheriff's Office and certify that the foregoing is true and correct.

  
LEE MAJOR 9621  
Carson City Sheriff's Office  
911 East Musser Street  
Carson City, NV 89701  
Phone: 775-887-2500

8/15/17  
Date



# EXHIBIT C

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

BRIAN SANDOVAL  
*Governor*

MICHAEL D. SHERLOCK  
*Executive Director*

AMENDED  
NOTICE OF INTENT TO REVOKE

August 21, 2017

Robert Reasoner  
[REDACTED]

Dear Mr. Reasoner:  
POST PIN #: 18251

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's 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 ("NAC") 289.290 for your convenience.

Pursuant to NAC 289.290(g), the Commission has previously suspended your P.O.S.T. certification, based on the filing of a felony complaint, pending the outcome of the criminal proceedings. The Commission has learned that you recently plead guilty to a felony/gross misdemeanor for Attempted Possession of a Controlled Substance, in violation of NRS 453.336 and 193.330. The Commission has also learned that a Judgment of Conviction was entered on July 17, 2017 for this felony/gross misdemeanor crime. NAC 289.290(e) and (g) provide that upon conviction for felony/gross misdemeanor your P.O.S.T. certification may be revoked. The judgement of conviction which has led to this action is as follows:

**ATTEMPTED POSSESSION OF A CONTROLLED SUBSTANCE**

In violation of NRS 453.336 and 193.330, a Category E Felony or Gross Misdemeanor.

Case No.: **17 CR 00104 1B**

Dept No. **I**

Jurisdiction: **First Judicial District Court of the State of Nevada, Carson City, 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 or personal delivery, 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: October 16, 2017

Time: 4:00 pm

Location: South Point Hotel, Casino and Spa, 9777 Las Vegas Blvd S. Las Vegas, Nevada

If you fail to respond, the Commission will proceed in accordance with Nevada Administrative Code Chapter 289.

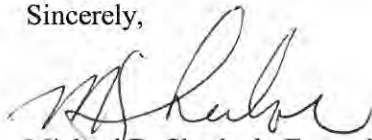
If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing, or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable.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

The hearing will cover the following: Whether your suspended P.O.S.T. certification should be revoked, pursuant to NAC 289.290(1)(e) and/or (g), based on a conviction for a felony/gross misdemeanor.

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,



Michael D. Sherlock, Executive Director  
Peace Officer Standards and Training

MS/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen  
File  
Ron Pierini - Commission Chairman



**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.



# EXHIBIT D

## PROOF OF SERVICE

<b>Court Date:</b> 10/16/17	<b>File No.</b> 0011333
<b>Court:</b> FIRST JUDICIAL DISTRICT COURT	<b>Case No.</b> 17CR001041B
<b>Initiator:</b> STATE OF NEVADA COMMISSION ON PEACE OFFICER	<b>Company:</b>
<b>Address:</b> _____, 0	<b>Address:</b>
<b>Plaintiff:</b> STATE OF NEVADA COMMISSION ON PEACE OFFICER	<b>Defendant:</b> REASONER, ROBERT
<b>Address:</b> _____, 0	<b>Address:</b> [REDACTED]

1. Documents Served:  
AMENDED NOTICE OF INTENT TO REVOKE

2. Service Attempts:			Served
Date	Time		
<u>8/22/17</u>	<u>13:24</u>	Address: <u>[REDACTED]</u>	<input checked="" type="checkbox"/>
		Notes: _____	
		Address: _____	<input type="checkbox"/>
		Notes: _____	
		Address: _____	<input type="checkbox"/>
		Notes: _____	

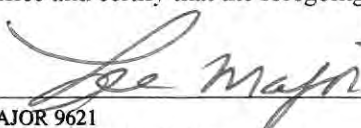
3. Party Served: ROBERT REASONER Title: \_\_\_\_\_

4. I served the party named in Item 3: PERSONALLY

5. Remarks: \_\_\_\_\_

6. At the time of service I was at least 18 years of age and not a party to this action.

7. I am an authorized individual with the Carson City Sheriff's Office and certify that the foregoing is true and correct.

  
LEE MAJOR 9621  
Carson City Sheriff's Office  
911 East Musser Street  
Carson City, NV 89701  
Phone: 775-887-2500

8/22/17  
Date

# EXHIBIT E

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

Post ID Number: 18251

Last Name: Reasoner

First Name: Robert

MI: C

Suffix:

☐ Name Change?

Last Name: Reasoner

First Name: Robert

MI: C

Suffix:

☐ Address Change?

Street Address:

City:

State:

Zip Code:

County: Other

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:

Subject has pending criminal charges through the Carson City District Attorney's Office.

Effective Date: 02/23/2017

Submitters Name: Brian Johnson

Submitters Phone: (702) 486-3303

Submitters E-Mail:

bjohnson@nta.nv.gov

# EXHIBIT F

## STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

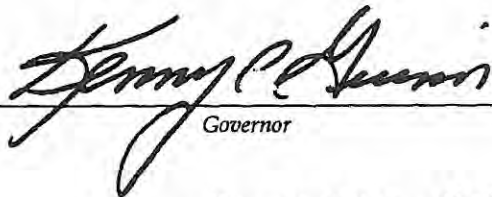
### Basic Certificate

To

ROBERT C. REASONER

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

CATEGORY II

  
Governor

  
Executive Director, Commission on Peace Officers'  
Standards and Training

Presented this 22nd day of November, 2002



# EXHIBIT G

JASON D. WOODBURY  
DISTRICT ATTORNEY  
Nevada Bar No. 6870  
885 E. Musser Street, Suite 2030  
Carson City, NV 89701  
(775) 887-2072  
Attorney for Plaintiff

REC'D & FILED

2017 MAY -1 PM 4:07

SUSAN MERRIWETHER

CLERK  
BY *[Signature]*  
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

STATE OF NEVADA,

Plaintiff,

v.

ROBERT CRAIG REASONER,

Defendant.

Case No. 17 CR 00104 1B

Dept. No. I

## CRIMINAL INFORMATION

STATE OF NEVADA )  
CARSON CITY )ss

JASON D. WOODBURY, District Attorney in and for Carson City, State of Nevada, by MEREDITH N. BERESFORD, Deputy District Attorney, in the name and by the authority of the State of Nevada, informs the Court that ROBERT CRAIG REASONER, the Defendant, above-named, on or about the 15th day of February, 2017, and before the filing of this Information, at Carson Township, in Carson City, State of Nevada, has committed the crime of **ATTEMPTED POSSESSION OF A CONTROLLED SUBSTANCE**, a category E Felony or a Gross Misdemeanor, as defined by NRS 453.336 and NRS 193.330, in the manner following:

///

///

///

///

///



**("E" Felony or Gross Misdemeanor – NRS 453.336 and NRS 193.330)**

DATED this 28th day of April, 2017.

By

MEREDITH N. BERESFORD  
Deputy District Attorney  
Nevada Bar No. 13308

1 The following are the names of such witnesses for the State of Nevada as are known to  
2 me at the time of filing this Information:

3 Rick Encinas  
4 Carson City Sheriffs Office  
5 911 E. Musser Street  
6 Carson City, NV 89701

7 Dan Vidovich  
8 Tri Net Narcotics Task Force  
9 555 Wright Way  
10 Carson City, NV 89701

11 James T. Boggan  
12 Tri Net Narcotics Task Force  
13 555 Wright Way  
14 Carson City, NV 89701

15 Daniel Johnson 157  
16 Tri Net Narcotics Task Force  
17 555 Wright Way  
18 Carson City, NV 89701

19 Uriel Collazo  
20 Carson City Sheriffs Office  
21 911 E. Musser Street  
22 Carson City, NV 89701

23 Joshua Chaney  
24 Carson City Sheriffs Office  
25 911 E. Musser Street  
26 Carson City, NV 89701

27 Coley McCann  
28 Tri Net Narcotics Task Force  
555 Wright Way  
Carson City, NV 89701

Washoe County Crime Lab  
911 Parr Boulevard  
Reno, NV 89512

CCSO Jail/Detention Facility  
911 E. Musser Street  
Carson City, NV 89701

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

Date

August 8, 2017  
Susan Merriwether, City Clerk and Clerk of the First Judicial District  
Court of the State of Nevada, in and for Carson City.

By

[Signature] Deputy

Per NRS 239 Sec. 6 the SSN may be redacted, but in no way affects the legality of the document.

# EXHIBIT H

JASON D. WOODBURY  
DISTRICT ATTORNEY  
Nevada Bar No. 6870  
885 E. Musser Street, Suite 2030  
Carson City, NV 89701  
(775) 887-2072  
Attorney for Plaintiff

REC'D & FILED  
2017 MAY -2 PM 3:51

SUSAN MERRIWETHER  
CLERK  
BY *[Signature]*  
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

STATE OF NEVADA,

Plaintiff,

v.

ROBERT CRAIG REASONER,

Defendant.

Case No. 17 CR 00104 1B

Dept. No. I

## MEMORANDUM OF PLEA NEGOTIATION

I, ROBERT CRAIG REASONER, by and through KARIN L. KREIZENBECK, Nevada State Public Defender and NEVADA STATE PUBLIC DEFENDER, Deputy Public Defender, and MEREDITH N. BERESFORD, Deputy District Attorney in and for Carson City, State of Nevada, hereby agree to plead guilty to **ATTEMPTED POSSESSION OF A CONTROLLED SUBSTANCE**, a category E Felony or Gross Misdemeanor as defined by NRS 453.336 and NRS 193.330, and as more fully alleged in the charging document attached hereto as Exhibit "1".

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

The Defendant agrees to plead guilty to Attempted Possession of a Controlled Substance. At sentencing parties are free to argue felony or gross misdemeanor treatment. There is no agreement as to diversion. The parties agree to recommend probation with the completion of the Western Regional Drug Court.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of the offense to which I now plead as set forth in Exhibit "1".

I understand that as a consequence of my plea of guilty to the charge of **ATTEMPTED POSSESSION OF A CONTROLLED SUBSTANCE**, I may be imprisoned in the Nevada Department of Corrections for a period of not more than 48 months but not less than 12 months and I may be fined not more than \$5,000.00 if treated as a felony. Alternatively, I may be imprisoned in the Carson City Jail for not more than 364 days and I may be fined not more than \$2,000.00 if treated as a gross misdemeanor. I understand that restitution may be required. I understand that the law requires me to pay a \$25.00 Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

I further acknowledge that I have been advised that if I am not a United States citizen, pursuant to Federal Immigration Law, conviction of this felony may result in deportation, revocation of resident alien status, visa or work permit, denial of re-admission to the United States, and denial of naturalization should I apply.

I understand that I may be eligible for probation for the offense to which I am pleading guilty. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I understand that information regarding charges not filed, dismissed charges, or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively.



1 I have not been promised or guaranteed any particular sentence by anyone. I know  
2 that my sentence is to be determined by the court within the limits prescribed by statute. I  
3 understand that if my attorney or the State of Nevada or both recommend any specific  
4 punishment to the Court, the Court is not obligated to accept the recommendation.

5 I understand that the Division of Parole and Probation will prepare a report for the  
6 sentencing judge prior to sentencing. This report will include matters relevant to the issue of  
7 sentencing, including my criminal history. This report may contain hearsay information  
8 regarding my background and criminal history. My attorney and I will each have the  
9 opportunity to comment on the information contained in the report at the time of sentencing.  
10 Unless the District Attorney has specifically agreed otherwise, then the District Attorney may  
11 also comment on this report and its contents, including, but not limited to, all facts and  
12 circumstances of this offense or offenses.

13 I understand that if the State of Nevada has agreed to recommend a particular  
14 sentence or has agreed not to present argument regarding the sentence, or has agreed not to  
15 oppose a particular sentence, such agreement is contingent upon my appearance in court on  
16 the initial sentencing date and any subsequent date if the sentencing is continued. I  
17 understand that if I fail to appear for the scheduled sentencing date or I commit a new  
18 criminal offense prior to sentencing, the State of Nevada would regain the full right to argue  
19 for any lawful sentence.

#### 20 WAIVER OF RIGHTS

21 By entering my plea of guilty, I understand that I am waiving and giving up the following  
22 rights and privileges:

23 1. The constitutional privilege against self-incrimination, including the right to  
24 refuse to testify at trial, in which event the prosecution would not be allowed to comment to  
25 the jury about my refusal to testify.

26 ///

27 ///

28 ///



1           2.     The constitutional right to a speedy and public trial by an impartial jury, free of  
2 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the  
3 assistance of an attorney, either appointed or retained. At the trial the State would bear the  
4 burden of proving beyond a reasonable doubt each element of the offense charged.

5           3.     The constitutional right to confront and cross-examine any witnesses who would  
6 testify against me.

7           4.     The constitutional right to subpoena witnesses to testify on my behalf.

8           5.     The constitutional right to testify in my own defense.

9           6.     The right to appeal the conviction, with the assistance of an attorney, either  
10 appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional  
11 or other grounds that challenge the legality of the proceedings and except as otherwise  
12 provided in subsection 3 of NRS 174.035. I understand that if I wish to appeal, I must notify  
13 my attorney as soon as possible, and that the Notice of Appeal must be filed within thirty (30)  
14 days from the judgment of conviction.

#### 15                               VOLUNTARINESS OF PLEA

16           I have discussed the elements of the original charge against me with my attorney and I  
17 understand the nature of the charge against me.

18           I understand that the State would have to prove each element of the charge against  
19 me at trial.

20           I have discussed with my attorney any possible defenses, defense strategies and  
21 circumstances which might be in my favor.

22           All of the foregoing elements, consequences, rights, and waiver of rights have been  
23 thoroughly explained to me by my attorney.

24           I believe that pleading guilty and accepting this plea bargain is in my best interest, and  
25 that a trial would be contrary to my best interest.

26           I am signing this agreement voluntarily, after consultation with my attorney, and am not  
27 acting under duress or coercion or by virtue of any promises of leniency, except for those set  
28 forth in this agreement.

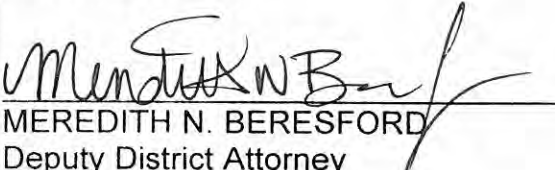
1 I am not now under the influence of any intoxicating liquor, a controlled substance or  
2 other drug which would in any manner impair my ability to comprehend or understand this  
3 agreement or the proceedings surrounding my entry of this plea.

4 My attorney has answered all my questions regarding this guilty plea and its  
5 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

6 DATED this 2 day of May, 2017.

7  
8   
9 ROBERT CRAIG REASONER  
Defendant

10 AGREED TO BY:

11   
12 MEREDITH N. BERESFORD  
13 Deputy District Attorney  
14 Nevada Bar No. 13308

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
Date 4/28/17

CERTIFICATE OF COUNSEL

I, NEVADA STATE PUBLIC DEFENDER, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the Defendant the allegations contained in the charge to which guilty pleas are being entered.

2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.

3. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant and are in the best interest of the Defendant.

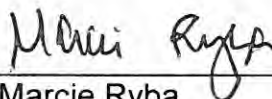
4. To the best of my knowledge and belief, the Defendant:

a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement.

b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily.

c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time of the execution of this agreement.

Dated this 2 day of May, 2017.



Marcie Ryba  
Attorney for Defendant  
511 East Robinson Street Suite 1  
Carson City, NV 89701  
(775) 684-1080  
Nevada Bar No.

JASON D. WOODBURY  
DISTRICT ATTORNEY  
Nevada Bar No. 6870  
885 E. Musser Street, Suite 2030  
Carson City, NV 89701  
(775) 887-2072  
Attorney for Plaintiff

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

STATE OF NEVADA,

Plaintiff,

v.

ROBERT CRAIG REASONER,

Defendant.

Case No. 17 CR 00104 1B

Dept. No. I

CRIMINAL INFORMATION

STATE OF NEVADA )  
CARSON CITY ) ss

JASON D. WOODBURY, District Attorney in and for Carson City, State of Nevada, by MEREDITH N. BERESFORD, Deputy District Attorney, in the name and by the authority of the State of Nevada, informs the Court that ROBERT CRAIG REASONER, the Defendant, above-named, on or about the 15th day of February, 2017, and before the filing of this Information, at Carson Township, in Carson City, State of Nevada, has committed the crime of **ATTEMPTED POSSESSION OF A CONTROLLED SUBSTANCE**, a category E Felony or a Gross Misdemeanor, as defined by NRS 453.336 and NRS 193.330, in the manner following:

///

///

///

///

///

Count I

**ATTEMPTED POSSESSION OF A CONTROLLED SUBSTANCE**

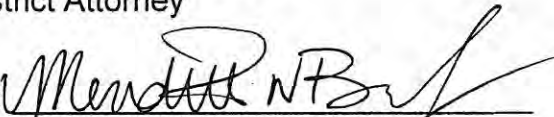
**("E" Felony or Gross Misdemeanor – NRS 453.336 and NRS 193.330)**

That the Defendant, Robert Craig Reasoner, on or about February 15, 2017, did willfully, unlawfully and knowingly or intentionally attempt to possess a Schedule I Controlled Substance, in the manner following, to-wit: the Defendant attempted to possess approximately 3 grams of heroin from TriNet, all of which occurred at or near 4539 North Carson Street, Carson City, Nevada.

All of which is contrary to the form of the Statutes in such cases made and provided and against the peace and dignity of the State of Nevada.

DATED this 28th day of April, 2017.

JASON D. WOODBURY  
District Attorney

By:   
MEREDITH N. BERESFORD  
Deputy District Attorney  
Nevada Bar No. 13308

1 The following are the names of such witnesses for the State of Nevada as are known to  
2 me at the time of filing this Information:

3 Rick Encinas  
4 Carson City Sheriffs Office  
5 911 E. Musser Street  
6 Carson City, NV 89701

7 Dan Vidovich  
8 Tri Net Narcotics Task Force  
9 555 Wright Way  
10 Carson City, NV 89701

11 James T. Boggan  
12 Tri Net Narcotics Task Force  
13 555 Wright Way  
14 Carson City, NV 89701

15 Daniel Johnson 157  
16 Tri Net Narcotics Task Force  
17 555 Wright Way  
18 Carson City, NV 89701

19 Uriel Collazo  
20 Carson City Sheriffs Office  
21 911 E. Musser Street  
22 Carson City, NV 89701

23 Joshua Chaney  
24 Carson City Sheriffs Office  
25 911 E. Musser Street  
26 Carson City, NV 89701

27 Coley McCann  
28 Tri Net Narcotics Task Force  
555 Wright Way  
Carson City, NV 89701

Washoe County Crime Lab  
911 Parr Boulevard  
Reno, NV 89512

CCSO Jail/Detention Facility  
911 E. Musser Street  
Carson City, NV 89701



**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

Date August 8, 2017  
Susan Merriwether, Clerk of the First Judicial District  
Court of the State of Nevada, in and for Carson City.

By [Signature] Deputy  
Per NRS 231.010, this document may be redacted, but in no way affects the validity of the document.

# EXHIBIT I

REC'D & FILED

2017 JUL 18 AM 8:38

SUSAN MERRIWETHER  
CLERK

BY *[Signature]* DEPUTY

## In The First Judicial District Court of the State of Nevada In and for Carson City

STATE OF NEVADA,

Plaintiff,

vs.

ROBERT CRAIG REASONER,  
Defendant.

) Case No.: 17 CR 00104 1B

) Dept. No.: I

) **JUDGMENT OF CONVICTION**

On the 8th day of May, 2017, the Defendant above-named appeared before this Court with his counsel, Marcie Ryba, and entered a plea of guilty, to the crime of **Attempted Possession of a Controlled Substance, a category E felony or gross misdemeanor**, committed February 15, 2017, in violation of NRS 453.336 and 193.330.

On the 17th day of July, 2017, the Defendant appeared before the Court for sentencing with his counsel, Marcie Ryba, and the State was represented by Orrin Johnson. No sufficient legal cause was shown by the Defendant as to why judgment should not be pronounced against him. The Court adjudged the Defendant guilty of the crime **Attempted Possession of a Controlled Substance, a gross misdemeanor**.

The Court then sentenced the Defendant to imprisonment in the Carson City Jail for a period of three hundred sixty-four (364) days, concurrent with case number 17 CR 00185 1C. The sentence was suspended and the Defendant placed on probation for a period not to exceed

1 three (3) years with special conditions. As a condition of probation, the Defendant is to enter  
2 and successfully complete the Western Regional Drug Court Program. A \$3.00 genetic marker  
3 analysis fee, \$25.00 administrative assessment and fee and \$60 chemical analysis fee were  
4 imposed. Pursuant to NRS 176.0913, samples of blood shall be obtained from the Defendant,  
5 and the samples shall be used for an analysis to determine the genetic markers of the blood. An  
6 analysis fee of \$150.00 is to be paid by the Defendant as provided by NRS 176.0915. The  
7 Defendant was ordered to reimburse Carson City the sum of Two Hundred Fifty (\$250.00)  
8 Dollars for legal representation by the Nevada State Public Defender's Office. The Defendant  
9 was ordered to report to the Fines and Fees Office immediately upon release to pay and/or make  
10 arrangements to pay the fines/fees imposed upon him. The Court enters judgment against the  
11 Defendant for the assessments and fees imposed. The Defendant was given credit for 29 day(s)  
12 pre-sentence confinement time.

13 Dated this 17th day of July, 2017.

14  
15   
16 DISTRICT JUDGE  
17

18  
19 RECEIVED of \_\_\_\_\_, Sheriff of Carson City, State of  
20 Nevada, on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, one \_\_\_\_\_.

21  
22  
23 \_\_\_\_\_  
SHERIFF, CARSON CITY JAIL

24  
25 By: \_\_\_\_\_  
26  
27  
28

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

Christy P. 2017  
Christy P. 2017, City Clerk and Clerk of the First Judicial District  
County of the State of Nevada, in and for Carson City.

By Christy P. 2017 Deputy  
NRS 259 Sec. 5 the SSN may be redacted, but in no way  
affects the legality of the document.

### **III. REGULARLY SCHEDULED MEETING**

#### **9. PUBLIC COMMENTS**

Request from the Carson City Sheriff's Office for their employee Captain Brian Humphrey for an Executive Certificate

# State of Nevada - POST

## Professional Certificate Application

POST ID#

11310

Officer's Name

Humphrey Brian C

**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:**

Sharon Daniels

**Submitters Phone:**

(775) 283-7805

**Submitters E-Mail:**

sdaniels@carson.org

Submission number: 69768

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

**Education**

**Credit Hours**

**Date Achieved**

**Approved By:**

**Comments:**

**Certification Date:**



SEP 18, 2017  
10:03AM

**Nevada Commission on POST  
Training Summary Report  
For All Dates**

Page: 1

Employee: Humphrey, Brian C. (11310)

Hours tallied by Training Date

Training Summary	2017	2016	2015	2014	2013	2012	Prior Yrs	Total
<b>Annual Totals</b>								
Training Hours (Passed / Completed)		240.00			12.00		282.00	534.00
Instructor Hours (Instructed)								
<b>Program / Subject</b>								
Professional Development								
• Executive					8.00			8.00
• Homeland Security							6.00	6.00
• Human Development					4.00			4.00
• Instructor							160.00	160.00
• Investigations							20.00	20.00
• Legal							16.00	16.00
• Supervision and Management		240.00					80.00	320.00
<b>Course Type</b>								
• Executive					8.00			8.00
• Homeland Security							6.00	6.00
• Human Development					4.00			4.00
• Instructor							160.00	160.00
• Investigations							20.00	20.00
• Legal							16.00	16.00
• Management		240.00						240.00
• Supervisory							80.00	80.00
<b>Training Type</b>								

Humphrey, Brian C. (11310)

**Certification**

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 6-30-2016	Active	6-30-2016			
Professional: Advanced 10-22-2013	Active	10-22-2013			
Professional: Intermediate 10-22-2013	Active	10-22-2013			
Professional: Supervisor 3-16-2010	Active	3-16-2010			
Basic: Category I 12-15-1996	Active	12-15-1996			
Basic: Category III 12-15-1996	Active	12-15-1996			

**Training**

Course	Title	Date	Hours	Score	Status
C0000005	Use of Force Policy Review <i>Statewide certification for use of force policy review.</i>	12-31-2016	1.00	0.00	Passed
M0000359	Agency Continuing Education Training <i>Generic statewide number to be used for agency authorized training to be counted towards the 12 hour requirement. Topics are at the discretion of the employing agency, as an example roll call or briefing training, blood borne pathogens, legal updates, sexual harrassment, detention facility fire response etc... Hours will vary by agency/topic.</i>	12-31-2016	1.00	0.00	Passed
P0000431	Management Module 2 <i>Pre-Requisite: Must complete management Module 1 prior to this module. Conduct needs assessment, develop a written action plan to meet the need and prepare a budget to support the plan- submit needs assessment results, action plan and budget to POST Professional Development Bureau. This is module 2 of 5</i>	6-29-2016	74.00	0.00	Passed
P0000432	Management Module 4 <i>Independent Study Public Policy Administration. Read and submit a minimum three page summary paper to POST on each of the following books: Public Administration and Law by David H. Rosenbloom (ISBN# 978-1-4398-0398-1) and Police Administration by Gary W. Cordner (ISBN# 987-1-4224-6324-6)</i>	6-29-2016	40.00	0.00	Passed
P0000433	Management Module 5 <i>This is Module 4 of 5 Independent Study- Financial Administration. Read and submit a three page summary paper to POST on each of the following books; Budget Tool: Financial Methods in the Public Sector by Greg Chen (ISBN# 978-0-87289-539-3) and The Politics of Public budgeting: Getting and Spending, Borrowing and Balancing by Irene Rubin (ISBN#978-1-60426-461-6)</i>	6-29-2016	40.00	0.00	Passed
C0000002	Firearms Proficiency 2 <i>This is Module 5 of 5 Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 2 of 2 required yearly. This certification number applies to all agencies.</i>	6-25-2016	1.00	0.00	Passed
P0000292	Policy Formulation Independent Study Program	3-23-2016	6.00	0.00	Passed

**Humphrey, Brian C. (11310)**

*Training Provider: NV Commission on POST, Professional Development Bureau, Carson City, NV*

*06-11-2009: Course will provide participants with a basic overview of policy formulation. This will be conducted online with participants electronically submitting course work to instructor. BSW*

C0000001	Firearms Proficiency 1	3-11-2016	1.00	0.00	Passed
----------	------------------------	-----------	------	------	--------

*Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 1 of 2 required yearly. This certification number applies to all agencies.*

P0000436	Management Module 1	2-05-2016	80.00	0.00	Passed
----------	---------------------	-----------	-------	------	--------

*40 hours classroom for staff who have completed the 80 hours supervisor course. This module is part of the Management 5-part series. This module includes Intro to Management, Management vs. Supervision, Personnel Administration, Strategic/Critical Thinking, Planning, Projection, Management Labor Relations.*

C0000003	Arrest Control/ Defensive Tactics	1-05-2016	1.00	0.00	Passed
----------	-----------------------------------	-----------	------	------	--------

*Statewide certification for all defensive tactics training as it relates to the 24 hour continuing education/critical skills requirements under 289.230. Hours to be established by individual agencies.*

C0000004	Less Lethal Weapon Proficiency	1-05-2016	1.00	0.00	Passed
----------	--------------------------------	-----------	------	------	--------

*Statewide number to include all less lethal weapons (Impact, Chemical and Electronic) officers are authorized in each agency.*

**2016 Pass/Complete: 246.00**

M0000359	Agency Continuing Education Training	12-31-2015	1.00	0.00	Passed
----------	--------------------------------------	------------	------	------	--------

*Generic statewide number to be used for agency authorized training to be counted towards the 12 hour requirement. Topics are at the discretion of the employing agency, as an example roll call or briefing training, blood borne pathogens, legal updates, sexual harrassment, detention facility fire response etc... Hours will vary by agency/topic.*

C0000003	Arrest Control/ Defensive Tactics	10-22-2015	1.00	0.00	Passed
----------	-----------------------------------	------------	------	------	--------

*Statewide certification for all defensive tactics training as it relates to the 24 hour continuing education/critical skills requirements under 289.230. Hours to be established by individual agencies.*

C0000004	Less Lethal Weapon Proficiency	10-22-2015	1.00	0.00	Passed
----------	--------------------------------	------------	------	------	--------

*Statewide number to include all less lethal weapons (Impact, Chemical and Electronic) officers are authorized in each agency.*

C0000005	Use of Force Policy Review	10-22-2015	1.00	0.00	Passed
----------	----------------------------	------------	------	------	--------

*Statewide certification for use of force policy review.*

C0000002	Firearms Proficiency 2	8-29-2015	1.00	0.00	Passed
----------	------------------------	-----------	------	------	--------

*Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 2 of 2 required yearly. This certification number applies to all agencies.*

C0000001	Firearms Proficiency 1	4-08-2015	1.00	0.00	Passed
----------	------------------------	-----------	------	------	--------

*Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 1 of 2 required yearly. This certification number applies to all agencies.*

**2015 Pass/Complete: 6.00**

C0000002	Firearms Proficiency 2	7-23-2014	1.00	0.00	Passed
----------	------------------------	-----------	------	------	--------

*Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 2 of 2 required yearly. This certification number applies to all agencies.*

M0000359	Agency Continuing Education Training	5-03-2014	1.00	0.00	Passed
----------	--------------------------------------	-----------	------	------	--------

**Humphrey, Brian C. (11310)**

*Generic statewide number to be used for agency authorized training to be counted towards the 12 hour requirement. Topics are at the discretion of the employing agency, as an example roll call or briefing training, blood borne pathogens, legal updates, sexual harrassment, detention facility fire response etc... Hours will vary by agency/topic.*

C0000003	Arrest Control/ Defensive Tactics	3-18-2014	1.00	0.00	Passed
----------	-----------------------------------	-----------	------	------	--------

*Statewide certification for all defensive tactics training as it relates to the 24 hour continuing education/critical skills requirements under 289.230. Hours to be established by individual agencies.*

C0000004	Less Lethal Weapon Proficiency	3-18-2014	1.00	0.00	Passed
----------	--------------------------------	-----------	------	------	--------

*Statewide number to include all less lethal weapons (Impact, Chemical and Electronic) officers are authorized in each agency.*

C0000005	Use of Force Policy Review	3-18-2014	1.00	0.00	Passed
----------	----------------------------	-----------	------	------	--------

*Statewide certification for use of force policy review.*

C0000001	Firearms Proficiency 1	3-05-2014	1.00	0.00	Passed
----------	------------------------	-----------	------	------	--------

*Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 1 of 2 required yearly. This certification number applies to all agencies.*

**2014 Pass/Complete: 6.00**

M0000359	Agency Continuing Education Training	10-30-2013	15.00	0.00	Passed
----------	--------------------------------------	------------	-------	------	--------

*Generic statewide number to be used for agency authorized training to be counted towards the 12 hour requirement. Topics are at the discretion of the employing agency, as an example roll call or briefing training, blood borne pathogens, legal updates, sexual harrassment, detention facility fire response etc... Hours will vary by agency/topic.*

P0020026	Emotional Survival for Law Enforcement	10-30-2013	4.00	0.00	Passed
----------	----------------------------------------	------------	------	------	--------

*This course deals with the issues that create law enforcement officers that see themselves as "victims" and begin rationalizing behavior that they previously would have considered inappropriate. The course also deals with the communication challenges that doom many law enforcement relationships and marriages to failure.*

*Review the causes of and interventions for: Cynicism, Malcontentism, Relationship Failures, Supervision Issues, Integrity Loss Issues, Officer Over-Aggressiveness, Situational Values, Victim-Based Thinking, Entitlement Orientation, and Loyalty vs. Integrity.*

P0000483	Blue Courage-The Heart and Mind of the Guardian	10-29-2013	8.00	0.00	Passed
----------	-------------------------------------------------	------------	------	------	--------

*Blue Courage is a ay of being, a philosophy that inspres one to embody the noblest of character and unquestioned devotion.*

*Training presented at the Sheriff's and Chief's meeting.*

M0000035	Internal Affairs Workshop	10-02-2013	4.00	0.00	Passed
----------	---------------------------	------------	------	------	--------

*Provider POOL/PACT*

M0000359	Agency Continuing Education Training	10-02-2013	9.00	0.00	Passed
----------	--------------------------------------	------------	------	------	--------

*Generic statewide number to be used for agency authorized training to be counted towards the 12 hour requirement. Topics are at the discretion of the employing agency, as an example roll call or briefing training, blood borne pathogens, legal updates, sexual harrassment, detention facility fire response etc... Hours will vary by agency/topic.*

C0000003	Arrest Control/ Defensive Tactics	7-31-2013	7.00	0.00	Passed
----------	-----------------------------------	-----------	------	------	--------

*Statewide certification for all defensive tactics training as it relates to the 24 hour continuing education/critical skills requirements under 289.230. Hours to be established by individual agencies.*

C0000004	Less Lethal Weapon Proficiency	7-31-2013	2.00	0.00	Passed
----------	--------------------------------	-----------	------	------	--------

*Statewide number to include all less lethal weapons (Impact, Chemical and Electronic) officers are authorized in each agency.*

C0000005	Use of Force Policy Review	7-31-2013	1.00	0.00	Passed
----------	----------------------------	-----------	------	------	--------

*Statewide certification for use of force policy review.*



**Humphrey, Brian C. (11310)**

C0000002	Firearms Proficiency 2	4-27-2013	0.50	0.00	Passed
<i>Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 2 of 2 required yearly. This certification number applies to all agencies.</i>					
C0000001	Firearms Proficiency 1	3-30-2013	0.50	0.00	Passed
<i>Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 1 of 2 required yearly. This certification number applies to all agencies.</i>					
<b>2013 Pass/Complete:</b>			<b>51.00</b>		
M0000359	Agency Continuing Education Training	9-12-2012	20.00	0.00	Passed
<i>Generic statewide number to be used for agency authorized training to be counted towards the 12 hour requirement. Topics are at the discretion of the employing agency, as an example roll call or briefing training, blood borne pathogens, legal updates, sexual harrassment, detention facility fire response etc... Hours will vary by agency/topic.</i>					
C0000003	Arrest Control/ Defensive Tactics	9-12-2012	4.50	0.00	Passed
<i>Statewide certification for all defensive tactics training as it relates to the 24 hour continuing education/critical skills requirements under 289.230. Hours to be established by individual agencies.</i>					
C0000005	Use of Force Policy Review	7-11-2012	4.50	0.00	Passed
<i>Statewide certification for use of force policy review.</i>					
C0000004	Less Lethal Weapon Proficiency	7-11-2012	2.00	0.00	Passed
<i>Statewide number to include all less lethal weapons (Impact, Chemical and Electronic) officers are authorized in each agency.</i>					
C0000002	Firearms Proficiency 2	4-18-2012	0.50	0.00	Passed
<i>Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 2 of 2 required yearly. This certification number applies to all agencies.</i>					
C0000001	Firearms Proficiency 1	3-04-2012	0.50	0.00	Passed
<i>Critical Skills training part of the 24 hours of yearly continuing education. This training consists of firearms proficiency to include all firearms carried. It is 1 of 2 required yearly. This certification number applies to all agencies.</i>					
<b>2012 Pass/Complete:</b>			<b>32.00</b>		
P1760001	Northern Nevada Gang Symposium	10-02-2009	16.00	0.00	Passed
<i>10-17-2008: Offers a specialized curriculum for law enforcement agencies who encounter gangs and City/district Attorney deputies engage in the prosecution of gang members.</i>					
<b>BSW</b>					
<i>9-13-12 Hours changed to 21.75. Additional curriculum attached....MS</i>					
P0040004	Suicide Terrorism	6-23-2009	6.00	0.00	Passed
<i>This course will assist in the preparation and insure that l/e and others are properly trained and prepared.</i>					
<b>2009 Pass/Complete:</b>			<b>22.00</b>		
P0000260	POST First-Line Supervisor Program	12-12-2008	80.00	0.00	Passed
<i>Training Provider: Professional Development Bureau</i>					

*11/24/08-"The instructional goal of this course is to provide an opportunity where first-line supervisors can discuss and examine innovative ideas and concepts concerning supervision and leadership."*

kf

**Humphrey, Brian C. (11310)**

*THIS COURSE BECAME EFFECTIVE DECEMBER 2008. SED*

*02/05/09: Course amendment received changing name of course, adding instructors and changing course content.*

*04/23/09: Course amendment received changing course content replacing Forensic Investigations with Policy for Supervisors. BSW*

M0220001	Required Range Qualifications	5-31-2008	1.00	0.00	Passed
----------	-------------------------------	-----------	------	------	--------

**2008 Pass/Complete: 81.00**

P0000054	Civil Liability & Risk Management	9-12-2006	16.00	0.00	Passed
----------	-----------------------------------	-----------	-------	------	--------

*This course is structured as to assist officers and agencies in making an assessment of their particular level of risk-exposure by examining court decision that have interpreted acceptable standards of conduct by officer.*

P0100078	Evidential Breath Testing Operator	4-19-2006	4.00	0.00	Passed
----------	------------------------------------	-----------	------	------	--------

*This course will develop the skills needed to properly administer an evidentiary breath test*

**2006 Pass/Complete: 20.00**

P0000027	Skid Car Instructors Course	9-23-2005	40.00	0.00	Passed
----------	-----------------------------	-----------	-------	------	--------

*This course is designed to develop EVOC Instructors to instruct slide and skid prevention and recovery utilizing the Skid Car platform*

**2005 Pass/Complete: 40.00**

P0103002	EVOC Instructor course	7-30-2004	120.00	100.00	Passed
----------	------------------------	-----------	--------	--------	--------

*This course is designed to develop instructors who may then instruct basic and re-certification courses.*

**2004 Pass/Complete: 120.00**

**Total Pass/Complete: 624.00**



911 E. Musser St.  
Carson City, NV  
89701



Ken Furlong  
Sheriff

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

March 31, 2017

TO: State of Nevada  
Peace Officers Standards & Training Commission  
Carson City, NV

RE: Recommendation for Award of Executive POST Certificate  
Captain Brian Humphrey

From: Sheriff Ken Furlong

It is a pleasure to recommend Captain Brian Humphrey to be awarded his Executive POST Certificate from the Nevada POST Commission. Captain Humphrey has fulfilled all of the requirements established by the Commission and has very well earned this recognition.

Captain Humphrey is an integral member of this organization, providing qualified policy direction, formulation of policy procedures, and implementation of instructions based on interpretations of law. Since being promoted to upper level management reporting to the Sheriff, Captain Humphrey has taken on the roles of executive direction enforcement operations, personnel accountability, equipment, and single point of contact for all health, safety and welfare operations. It is noteworthy that his leadership has provided for the foundations for many of the Carson City Sheriff's Office programs and critical field operations. He is a committed and well educated professional officer.

Captain Humphrey has achieved greater milestones by devoting time and attention to career development that has enhanced his own well-being, as well as created an internal and external mentor role model for others to follow. He is highly respected among his peers and one of the most effective leaders in the Carson City Sheriff's Office.

I am fully supportive of Captain Brian Humphrey's pursuit of career milestones and strongly recommend the award of an Executive POST Certificate. Thank you for your consideration.

  
Ken Furlong  
Sheriff



## PERSONNEL ORDER

*"Action, Urgency, Excellence"*

Issue Date: October 10, 2016

PO#: 16-42

Effective Date: October 6, 2016

Distribution: All Divisions

Authorization: Sheriff Ken Furlong

---

Effective October 6, 2016, LIEUTENANT BRIAN HUMPHREY is promoted to CAPTAIN with assignment to the Investigations Division.

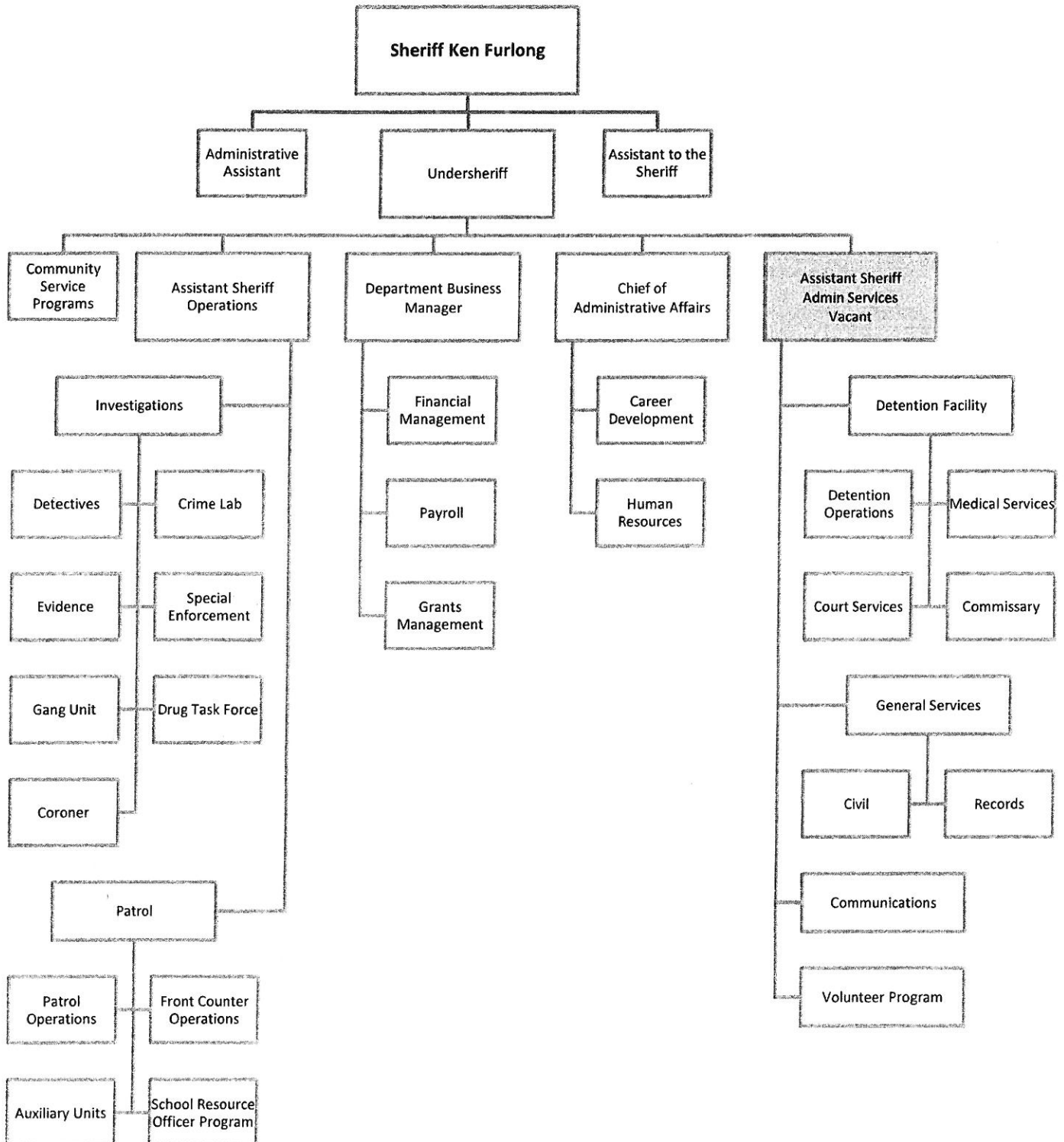
CAPTAIN HUMPHREY will report to Assistant Sheriff Ken Sandage or his designee for specific assignment.

(Employee #2269)

  
\_\_\_\_\_  
Authorizing Authority Signature



## Organizational Chart by Function





## FBI National Academy Student Transcript

**Brian C. Humphrey**

**FBI Academy, Quantico, Virginia**

**Session: NA265 - 07/11/2016 - 09/16/2016**

This is to certify the student listed above attended the following courses of the FBI National Academy.

Course Number	Course Title	Classroom Hours	Semester Hours
0595	National Academy Networking and Enrichment	0	0
3120	Drugs, Society, and Contemporary Drug Enforcement Strategies	45	3
3400	Fitness in Law Enforcement	30	2
3680	The Cyber Threat Landscape for Law Enforcement	45	3
3930	Leading At-Risk Employees	45	3
4730	Overview of Forensic Science for Police Administrators and Managers	45	3
4750	Stress Management in Law Enforcement	45	3

**Total Credits: 17**

In addition to the above identified course of study, all students participated in several plenary sessions dealing with selected National Law Enforcement issues, additional time was allocated for staff consultation, study and research and voluntary participation in the National Academy enrichment and physical fitness challenge programs.



UNIVERSITY OF VIRGINIA  
OFFICE OF THE UNIVERSITY REGISTRAR  
P.O. BOX 400203  
CHARLOTTESVILLE, VA 22904-4203  
www.virginia.edu/registrar

Brian Humphrey

10/25/2016

Date Printed

COURSE NUMBER	COURSE TITLE	GRADE	CREDITS	COURSE NUMBER	COURSE TITLE	GRADE	CREDITS
---------------	--------------	-------	---------	---------------	--------------	-------	---------

**Issued / Mailed To:**

BRIAN HUMPHREY

National Id: \*\*\*\*\*2774  
Birthdate: 11/18/XX

**Degrees Conferred**

Confer Date: 09/16/2016  
Degree: Certificate  
Certificate: Criminal Justice Education

**Beginning of Undergraduate Record**

**2016 Summer**

School:	Continuing & Prof Studies		
Certificate:	Criminal Justice Education		
CJ 3120	Drugs/Society Enf Strategies	A+	3.0
CJ 3400	Fitness in Law Enforcement	A+	2.0
CJ 3680	Cyber Threat Landscape	A	3.0
CJ 3930	Leading At-Risk Employees	A	3.0
CJ 4730	Forensic Sci for Admin & Mgrs	A+	3.0
CJ 4750	Stress Management in Law Enfor	A	3.0
Curr Credits	17.0	Grd Pts 68.000	GPA 4.000
Cuml Credits	17.0	Grd Pts 68.000	GPA 4.000

End of Undergraduate Record



*Carol A. J. Sanley*  
UNIVERSITY REGISTRAR

UNIVERSITY OF VIRGINIA  
SCHOOL OF CONTINUING AND PROFESSIONAL STUDIES

Awards this

Certificate of Achievement

to

Brian C. Humphrey

In recognition of the successful completion of  
all courses and other requirements in

Criminal Justice Education

September 16, 2016



*Heidi Ryan*

Interim Dean, School of Continuing and Professional Studies

*Maatta Ann Jono-Palmer*

Registrar, School of Continuing and Professional Studies



### **III. REGULARLY SCHEDULED MEETING**

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

A request from the Lyon County Juvenile Probation Department for their employee, Officer Christopher Gentine, for a 6 month extension past the one year requirement, to July 3, 2018, in order to meet the requirements for certification.

LYON COUNTY  
**Juvenile Probation Department**

Juvenile Division  
of the  
**THIRD JUDICIAL DISTRICT COURT**



**JOHN P. SCHLEGELMILCH**  
District Judge  
Department No. I

**LEON A. ABERASTURI**  
District Judge  
Department No. II

**ERIC A. SMITH**  
Chief Juvenile Probation Officer  
31 South Main Street-Annex  
Yerington, Nevada 89447

Phone: (775) 463-6641  
(775) 575-3360  
(775) 577-5017  
Fax: (775) 463-2204

DATE: September 7, 2017  
TO: Mike Sherlock Director, Nevada Peace Officer Standards and Training  
FROM: Eric Smith Chief Lyon County Juvenile Probation  
RE: 6 Month Extension, Officer Chris Gentine

Mr Sherlock,

I am writing you to request a six month extension for Officer Chris Gentine. Officer Gentine attended the summer 2017 POST academy. Officer Gentine was dismissed during the domestic violence practical testing for officer safety concerns. Officer Gentines first year will expire in December 2017, and in order for him to attend the January 2018 academy, he will need the extension. Thank you for your time in this matter.

### **III. REGULARLY SCHEDULED MEETING**

#### **11. 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*

### **III. REGULARLY SCHEDULED MEETING**

12. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Schedule upcoming Commission Meeting
13. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION**  
Adjournment