



STATE OF NEVADA
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING
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Brian Sandoval
Governor

Richard P. Clark
Executive Director

2nd AMENDED NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT 1:00 PM ON WEDNESDAY, MARCH 5, 2014, THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING WILL HOLD A WORKSHOP, PUBLIC COMMENT HEARING, AND REGULARLY SCHEDULED MEETING AT THE CARSON CITY SHERIFF'S OFFICE, ORMSBY ROOM, 911 E. MUSSER ST., CARSON CITY, 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. WORKSHOP

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

THE PURPOSE OF THE WORKSHOP IS TO SOLICIT COMMENTS FROM INTERESTED PERSONS ON THE FOLLOWING GENERAL TOPICS THAT MAY BE ADDRESSED IN THE PROPOSED REGULATIONS. The Workshop has been previously noticed pursuant to the requirements of NRS Chapter 233B.

TOPICS

NAC
REGULATIONS

- A. The Commission to consider amending NAC 289.290, which establishes the causes for the Commission to revoke, refuse or suspend the certificate of a peace officer, to include a provision authorizing the Commission to revoke a peace officer's certificate based on a plea of guilty to felony or gross misdemeanor charge(s) under circumstances where the court defers entry of a judgment of conviction on the felony or gross misdemeanor charge(s). The regulation changes are being considered in order to provide the Commission with the authority to take action under circumstances where a peace officer enters a guilty plea to felony or gross misdemeanor charge(s) but the court defers entry of a judgment of conviction.
- B. The Commission to consider repealing NAC 289.280, the regulation

NAC 289.290

establishing the requirements for an Instructor Certificate. Through the repeal of this regulation, the Commission would discontinue the issuance of Instructor Certificates. **NAC 289.280**

C. The Commission to consider repealing NAC 289.200(3), the regulation establishing an expedited process for a peace officer holding a category II basic certificate to obtain a category I basic certificate upon successful completion of a training course approved by the Executive Director that consists of a minimum of 280 hours in specific course topics. Through the repeal of this regulation, the Commission would no longer provide an expedited process for category II peace officers to upgrade to a category I certificate. Instead, a category II peace officer would be required to attend a category I basic training course to obtain a category I basic certificate. **NAC 289.200(3)**

D. The Commission to consider amending NAC 289.260, which contains the requirements for a management certificate, to remove the requirement of six units of credit from an accredited college or university. **NAC 289.260**

3. Public Comments.

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

II. PUBLIC COMMENT HEARING

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

THE PURPOSE OF THIS PORTION OF THE AGENDA IS TO RECEIVE COMMENTS FROM ALL INTERESTED PERSONS REGARDING THE AMENDMENT OF REGULATIONS PERTAINING TO THE NEVADA ADMINISTRATIVE CODE AS THEY RELATE TO THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING SET OUT MORE FULLY IN LCB FILE R121-13. A COPY OF THE PROPOSED REGULATIONS WILL BE AVAILABLE UPON REQUEST AT THE MEETING OR THEY CAN BE INSPECTED AT THE MAIN PUBLIC LIBRARY IN EACH COUNTY. The Public Comment Hearing has been previously noticed pursuant to the requirements of NRS Chapter 233B.

Section 1 LCB file No. R121-13: Amend NAC 289.230, which establishes the annual in-service training requirements to maintain a basic certificate or reserve certificate as follows:

1. Change the current 24 hour training requirement to 12 hours of agency in-service training, and provide examples of topic areas of training.
2. Remove the requirement that the Executive Director must approve the 12 hours of training provided by a law enforcement agency.
3. Change the due date for agency reporting of in-service training from before January 31st following the year in which training was required to on or before December 31st of the year in which the training was required.
4. Change the course topic title of "defensive tactics" to "arrest and control tactics."

Section 2 LCB file No. R121-13: Amend NAC 289.260, which contains the requirements for a management certificate, to remove the wording "in addition to the units required for the intermediate and advanced certificates".

3. 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. Commission Chairman Ron Pierini
 - a. Farewell, retirement of Commissioner Chief Officer Karen Coyne of the City of Las Vegas Department of Public Safety.
 - b. Welcome new Commissioner, Assistant Sheriff Darin Baalam of the Washoe County Sheriff's Office.
4. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Approval of the minutes from the October 28, 2013 Workshop and October 29, 2013 POST Commission meeting.
5. **INFORMATION ITEM.**
A presentation will be given by Mr. Caleb Cage, Director of Military and Veteran Policy, Governor's Office, addressing the transition of military credentialing standards of certain professions, including law enforcement, into civilian sector reciprocity credentialing.
6. Executive Director's Report.
 - a. **INFORMATION ITEM** Bureau updates.
 - b. **INFORMATION ITEM** POST Budget.
 - c. **INFORMATION ITEM** 2nd Quarter Report/Performance Indicators.
 - d. **INFORMATION ITEM** Certificates issued.
 - e. **INFORMATION ITEM** Courses certified.
7. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
The Commission will discuss, receive public comment and possibly take action on the following proposed changes to the Commission's regulations as set out more fully in LCB File R121-13. The Commission to consider fully all written and oral comments received on the proposed regulations.

TOPICS

NAC REGULATIONS

Section 1 LCB file No. R121-13:Amend NAC 289.230, which establishes the annual in-service training requirements to maintain a basic certificate or reserve certificate:

NAC 289.230

1. Change the current 24 hour training requirement to 12 hours of agency in-service training, and provide examples of topic areas of training.
2. Remove the requirement that the Executive Director must approve the 12 hours of training provided by a law enforcement agency.
3. Change the due date for agency reporting of in-service training from before January 31st following the year in which training was required to on or before December 31st of the year in which the training was required.
4. Change the course topic title of "defensive tactics" to "arrest and control tactics."

Section 2 LCB file No. R121-13. Amend NAC 289.260, which contains the requirements for a management certificate, to remove the wording "in addition to the units required for the intermediate and advanced certificates".

NAC 289.260

8. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
The Commission will discuss and possibly take action to continue the rulemaking process to amend NAC 289.290, which establishes the causes for the Commission to revoke, refuse or suspend the certificate of a peace officer, to include a provision authorizing the Commission to revoke a peace officer's certificate based on a plea of guilty to felony or gross misdemeanor charge(s) under circumstances where the court defers entry of a judgment of conviction on the felony or gross misdemeanor charge(s). The regulation changes are being considered in order to provide the Commission with the authority to take action under circumstances where a peace officer enters a guilty plea to felony or gross misdemeanor charge(s) but the court defers the judgment of conviction on the felony or gross misdemeanor charge(s).
9. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
The Commission will discuss and possibly take action to continue the rulemaking process to repeal NAC 289.280, the regulation establishing the requirements for an Instructor Certificate. Through the repeal of this regulation, the Commission would discontinue the issuance of Instructor Certificates.
10. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
The Commission will discuss and possibly take action to continue the rulemaking process to consider repealing NAC 289.200(3), the regulation establishing an expedited process for a peace officer holding a category II basic certificate to obtain a category I basic certificate upon successful completion of a training course approved by the Executive Director that consists of a minimum of 280 hours in specific course topics. Through the repeal of this regulation, the Commission would no longer provide an expedited process for a category II peace officer to upgrade to a category I certificate.
11. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
The Commission will discuss and possibly take action to continue the rulemaking process to amend NAC 289.260, which contains the requirements for a management certificate, to remove the requirement of six units of credit from an accredited college or university.
12. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Eugenio Elizarraras Dimas', formerly of the Nevada Department of Corrections, certification based on a felony conviction for Misconduct of Public Officer. The Commission will decide whether to revoke Mr. Dimas's Category III Basic Certificate.
13. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Darryl Thomas Terry's, formerly of the Clark County Juvenile Justice Services, certification based on a felony conviction for Misconduct of Public Officer. The Commission will decide whether to revoke Mr. Terry's Category II Basic Certificate.
14. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) and NAC 289.290 (1)(e) on the revocation of Dominic Cassinelli's, formerly of the Winnemucca Police Department, certification based on a felony conviction for Coercion, a gross misdemeanor conviction for Witness Intimidation, and a misdemeanor conviction for Domestic Battery. The Commission will decide whether to revoke Mr. Cassinelli's Category I Basic Certificate.
15. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(e) on the revocation of Thomas R. Mendiola's, formerly of the Las Vegas Metropolitan Police Department, certification based on a gross misdemeanor conviction for Conspiracy To Commit Disposal Of Firearm To Prohibited Person. The Commission will decide whether to revoke Mr. Mendiola's Category I Basic Certificate.

16. **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.

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

Schedule upcoming Commission meetings.

18. **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
White Pine County Sheriff's Office, Ely
Carson City Sheriff's Office
<http://post.nv.gov>
<http://leg.state.nv.us/>

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 Scott Johnston at (775) 687-7678, Ext. 3335 Commission on Peace Officers' 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 Officers' Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701 or call Scott Johnston at (775) 687-7678, Ext. 3335, no later than 2 working days prior to the meeting.