

In the Matter Of:

Meeting

October 16, 2017



3200 COBB GALLERIA PARKWAY
SUITE 200
ATLANTA, GA 30339

1 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
2 PUBLIC COMMENT HEARING, WORKSHOP, AND
3 REGULARLY SCHEDULED MEETING

4
5 South Point Hotel, Casino and Spa
6 Napa Rooms A&B
7 9777 Las Vegas Boulevard S.
8 Las Vegas, Nevada

9
10 Monday, October 16, 2017

11 4:00 p.m.

12 COMMISSIONERS:

13 RON PIERINI, Sheriff, Douglas County SO (Chairman)

14 MICHELE FREEMAN, Chief, City of Las Vegas DPS

15 JAMES KETSAA, Chief, Clark County School Police

16 KEVIN McKINNEY, Lieutenant, Elko County SO

17 RUSSELL PEDERSEN, Chief Deputy, Washoe County SO

18 GARY SCHOFIELD, Deputy Chief, Las Vegas Metro Police

19 TROY TANNER, Chief, Mesquite PD

20 DAN WATTS, Sheriff, White Pine County SO

21 JAMES WRIGHT, Director, Nevada DPS

22 MIKE JENSEN, Senior Deputy Attorney General, Attorney
23 General's Office

24 MIKE SHERLOCK, Executive Director, POST

25 SCOTT JOHNSTON, Division Chief, POST

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

2 (4:02 p.m.)

3 SHERIFF PIERINI: Okay. Today is
4 October 16, 2017, which is a Monday, 4 o'clock this
5 afternoon. On location here is a public comment
6 hearing, workshop, and regularly scheduled meeting,
7 which is here at South Point Hotel here in Las Vegas.
8 We'd like to first start off with -- first now is a
9 couple of things to make sure that everybody
10 understands what we have to do. Am I loud enough? Is
11 that better? That doesn't do anything? So how are we
12 doing there, Scott?

13 CHIEF JOHNSTON: I don't think they're on.

14 SHERIFF PIERINI: Something is not happening
15 I don't think.

16 UNIDENTIFIED SPEAKER: Everybody tap.

17 (Pause.)

18 SHERIFF PIERINI: We'll wait for Scott to
19 come back. Okay, how do you -- you hear us okay
20 there, Scott?

21 CHIEF JOHNSTON: Can you hear me? Can you
22 hear me now?

23 SHERIFF PIERINI: Yeah, okay. Since nobody
24 heard me, I'll have to go through it again, right?

25 Here we go. All right, today is October 16, 2017,

1 4 o'clock this afternoon. And what we're doing is the
2 Commission on Peace Officer Standards and Training to
3 hold the public comment hearing, workshop, and
4 regularly scheduled meeting here at South Point Hotel,
5 here in Las Vegas.

6 I'd like to make sure that everybody here,
7 just remind you as the public to sign your name if you
8 would at the back over there, that would be great, and
9 if you have an agency that you work for. We want to
10 make sure that when you come up here in front, if
11 you'd like to make a comment just say your name and
12 also the agency you work for. I want to make sure
13 that everyone here has a chance for public comments,
14 and we will certainly do that. Almost each one of
15 these items that we have listed here, you can come up
16 and say anything you wish on that.

17 I want to say here for our Commissioners
18 that if you're making a motion, we'd like to make sure
19 your name is then given and we want to make sure that
20 our mikes are on. And don't forget that if you're
21 talking to your neighbor next to you, it could be on
22 the record.

23 We'd like to start off right now with a call
24 of order, and we'll start with you if we could,
25 Michele.

1 CHIEF FREEMAN: Michele Freeman, Department
2 of Public Safety for City of Las Vegas.

3 SHERIFF PIERINI: Thank you.

4 DEPUTY CHIEF SCHOFIELD: Gary Schofield
5 representing the Las Vegas Metropolitan Police
6 Department.

7 CHIEF TANNER: Troy Tanner, Mesquite PD.

8 LT. MCKINNEY: Kevin McKinney, Elko County
9 Sheriff's Office.

10 MR. WRIGHT: Jim Wright, Nevada Department
11 of Public Safety.

12 CHIEF DEPUTY PEDERSEN: Russ Pedersen,
13 Washoe County Sheriff's Office.

14 SHERIFF PIERINI: Ron Pierini, Douglas
15 County Sheriff.

16 CHIEF KETSAA: Jim Ketsaa, Clark County
17 School Police.

18 SHERIFF WATTS: Dan Watts, White Pine County
19 Sheriff.

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

22 MR. SHERLOCK: Mike Sherlock from POST.

23 CHIEF JOHNSTON: Scott Johnston from POST.

24 SHERIFF PIERINI: Thank you, Scott. Can you
25 also align exactly where this information was passed

1 onto so our public knows that this is going on today?

2 CHIEF JOHNSTON: Sure. The notice of
3 hearing for part of this meeting was posted at Carson
4 City Legislative Building, Las Vegas, Grant Sawyer
5 Building, Carson Nevada State Library, Capitol
6 Building at POST, the Ely/White Pine County Sheriff's
7 Office, and at all major library branches in Carson
8 City, Churchill County, Clark County, Douglas County,
9 Elko County, Esmeralda County, Humboldt County,
10 Lander/Battle Mountain Branch Library, Lincoln County,
11 Lyon County, Mineral County, Tonopah Public Library,
12 Pershing County, Storey County, Washoe County, and
13 White Pine County, as required with the meeting laws.

14 Also, we sent notice of the entire meeting
15 out to all law enforcement agencies that are listed on
16 our email distribution. And pursuant to regulations,
17 it was posted at the state posting site, website.

18 SHERIFF PIERINI: Thanks, Scott. Thank you
19 very much. Okay, on number 3 here, we're going to go
20 into Public Comment Hearing on Proposed Regulations
21 for LCB File R003-17 and also R012-17. The purpose of
22 the hearing is to receive comments from all interested
23 persons regarding adoption, amendment, and repeal of
24 regulations that pertain to Chapter 289 of the Nevada
25 Administrative Code. I'd like to have Mr. Jensen talk

1 a little bit about how that happens and what that's
2 all about.

3 MR. JENSEN: Thank you, Mr. Chairman. This
4 is Mike Jensen for the record. I know I've done this
5 a few times before, so if you're not relatively new to
6 the Commission, you've probably heard this several
7 times.

8 But today we're actually taking part in two
9 parts of the rule-making process. This first thing
10 that we're going to be going through as the Commission
11 is a public comment hearing. This is a process --
12 part of the rule-making process where the public has
13 an opportunity to comment on proposed language that's
14 been approved by the Legislative Council Bureau. When
15 you look at your agenda, there are a couple of file
16 numbers there, and each of those files are different
17 proposed agendas -- or proposed language with two
18 separate regulation changes that are going to be
19 talked about today. And so this an opportunity for
20 interested parties to come and give input on those
21 proposed regulations before the Commission takes any
22 action on those regulations.

23 And just to preempt, the second part that's
24 coming up after this is a workshop, and that's
25 actually the first step in the rule-making process for

1 the Commission, which is before -- sometimes you'll
2 have language that's been put together, and I think
3 Scott has put and the Commission staff has put some
4 potential language out there for this proposed
5 regulation, but it's also just an opportunity for
6 stakeholders and other interested parties to come and
7 talk about more of a general concept of a regulation
8 and how that regulation might work if the Commission
9 were to propose language that would be reviewed by the
10 Legislative Council Bureau. So that's part 2 that
11 you're going to see in the meeting today as well, the
12 workshop part.

13 SHERIFF PIERINI: Thank you, Mr. Jensen.

14 Okay, we're onto Topic A, LCB File R003-17,
15 and I'll have Mike Sherlock go ahead and outline
16 exactly what we're going to be talking about.

17 MR. SHERLOCK: Sure. Mike Sherlock for the
18 record. And I'll just go through all these. And just
19 to remind the Commission, this is part of the
20 rule-making process. We went through a workshop on
21 all these reg changes, and this is the language coming
22 back from LCB as Mike Jensen just mentioned.

23 So through these changes I've kind of
24 outlined real quickly just to give everybody a summary
25 and whether or not there is comment or not. The first

1 one is 289.140, which is the category I minimum
2 standards. And that we changed the subject titles to
3 match NRS changes. So what you see in there is the
4 legislature change, the term accident to crash, elder
5 abuse to older person abuse. So we just cleaned up
6 the language in the NAC on that in terms of subject
7 titles for training in category I. Additionally, we
8 added nine -- I think it's nine new titles to category
9 I, which cover cat III subjects to category I.

10 The same with 289.150, which is the
11 category II requirements. Again we fixed the subject
12 titles and added the cat III titles that were
13 necessary.

14 And 289.170, I believe that's reserve
15 training. Again we cleaned up the title, subject
16 titles to match the NRS.

17 And 289.200, that covers reciprocity, again
18 the title changes were made and category III subjects
19 were added there where necessary.

20 289.230 deals with maintaining a POST
21 certificate, continuing education type stuff. We
22 simply clarified in the requirement to demonstrate
23 proficiency on firearms to type of firearm. The
24 previous language was all firearms authorized, so kind
25 of cleaned that up and made it clearer for the

1 agencies.

2 289.310 has to do with certified courses of
3 training. Basically, we changed there that the
4 providers whose principal place of business are
5 outside the state of Nevada must first be certified by
6 the National Certification Program unless they're
7 exempted by the executive director. And it just
8 clarified some of the language on active courses and
9 removed some confusing language that was in there.

10 So those were the changes that we made as we
11 went through the process in the language coming back
12 from LCB. It seems to meet our needs and follows
13 along with the rule-making process that we went
14 through.

15 SHERIFF PIERINI: Our Commission itself
16 actually went through this whole process, and we want
17 to make sure everybody understands that all of us
18 decided that we need to make those changes. Sometimes
19 we get some of those regulations, they don't make a
20 lot of sense or they cross something out. So I think
21 every time we do one of these things, it makes it
22 easier for people to understand.

23 So I'd like to ask for comment of any of our
24 people out in the audience. Would anybody like to
25 make a comment on this particular topic? Yes, sir?

1 SHERIFF ELGAN: If I may?

2 SHERIFF PIERINI: Yes, come on up.

3 SHERIFF ELGAN: Ken Elgan, Sheriff,
4 Esmeralda County. So if I understand you correctly,
5 what you're saying is you want to combine the category
6 I, II, and III to a category I position?

7 MR. SHERLOCK: I'm sorry, Sheriff. Mike
8 Sherlock for the record. Can you repeat that for me?

9 SHERIFF ELGAN: Okay. If I understand you
10 correctly, what you're saying is you want to change
11 the NRS and NAC to combine category III, II, and I to
12 an all-inclusive category I peace officer?

13 MR. SHERLOCK: Mike Sherlock for the record.
14 That's correct. If you understand the difference in
15 our categories, it's about training. So what we're
16 doing with this is add about nine titles that bring
17 that category III training into category I. And
18 actually it's currently the way category II is handled
19 right now is totally integrated in category I. So
20 we've just integrated cat III into category I also.

21 SHERIFF ELGAN: Okay. And I don't know if
22 in the rural counties, such as mine, we don't really
23 require category IIIs to be trained up to category I
24 standards. They basically operate in the jail as
25 corrections officers. Are you putting this

1 requirement on NDOC also?

2 MR. SHERLOCK: Again, Mike Sherlock for the
3 record. This does not change category III at all. So
4 it --

5 SHERIFF ELGAN: Just the way -- just the way
6 POST is presenting it.

7 MR. SHERLOCK: You still have a category III
8 training program, that's fine. You can be just
9 category III.

10 SHERIFF WATTS: Dan Watts, for the record.
11 Kind of what we looked at was category I right now, if
12 in our rural areas, if they're category I and they
13 need to fill in at the jail, they don't meet the
14 requirements for category III so they cannot do that.
15 So what's going to be done is added into some of the
16 training, into the category I training where they
17 could step in and help out in your jail if needed.
18 But your category III will still stay the same.
19 Correct?

20 MR. SHERLOCK: Mike Sherlock for the record.
21 That's correct. I think some of the misconceptions
22 out there were currently how a lot of places have
23 operated from our experiences. If you have a
24 category I officer and you're short in the rurals, in
25 the jail, you're bringing in a category I officer to

1 work the jail. That's actually a violation of the
2 category and the training needs of a category III.
3 This cleans that up so you will be able to bring your
4 cat I in to cover the jail or what have you.

5 SHERIFF ELGAN: So why not just include it
6 in category I framing rather than making it a
7 category III position as well as a category I? Why
8 not just include that training in the category I?

9 MR. SHERLOCK: Mike Sherlock for the record.
10 That is what we're doing. All we're doing is
11 including --

12 SHERIFF ELGAN: Yeah, I'll argue that point
13 with you simply because I had a cat III I sent to your
14 first class of 2017, which was a combination category
15 I, III -- or I, II, and III, and it was just too much
16 category I for my category III guys, for his position
17 is what I'm saying. That's my point. I took him out
18 of your academy, put him in an NDOC academy, passed
19 with flying colors.

20 MR. SHERLOCK: Mike Sherlock for the record.
21 I'm not really sure. Our cat III may be longer in
22 hours than DOC, but we front road -- front load all
23 the cat III stuff for that purpose, that if someone
24 only wants cat III, they can leave at that point.

25 SHERIFF ELGAN: You need to look at your

1 agenda a little closer because that's not the way it
2 happened.

3 Thank you. Ken Elgan, Sheriff, Esmeralda
4 County.

5 SHERIFF PIERINI: Let me ask you a couple of
6 questions. Like what happened to me was when I had a
7 category I, I thought you could go in the jail and do
8 whatever you want because I was a number 1, right?
9 And then we found out that that's not true because you
10 didn't get through the right program for the jail
11 process. So --

12 SHERIFF ELGAN: And I was under that same
13 assumption in the beginning.

14 SHERIFF PIERINI: Yeah. And all of a sudden
15 I go, whoops, I made a mistake, I didn't know that.
16 So that's what we tried to do is to make that right
17 that if a category I goes into the academy, he's going
18 to learn what III is all about, too, so then you can
19 bring him to the jail and there is not going to be a
20 problem with that. That education that he has and
21 training is now filtered into him and he understands
22 or her to be able to do that.

23 What you still can do and I'm going to ask
24 Mr. Sherlock this, in our facility we do our own
25 category IIIs. We can still do that and be able to

1 have a category III for only the jail. See, that's
2 still the same, so we're okay with that.

3 SHERIFF ELGAN: That's my point.

4 MR. SHERLOCK: And I would agree with --

5 SHERIFF ELGAN: If POST -- if POST is going
6 to do this, increase the level for the category I
7 category to include category III, but don't give us
8 the impression that I can send a category III and he's
9 going to get just category III, because he didn't. He
10 was getting category I training at the same time.

11 MR. SHERLOCK: I'll take a look at that. I
12 can tell you that we do, do firearms training as part
13 of the category III, which is not currently required.
14 But we do, do that. So there are some cat I --

15 SHERIFF ELGAN: It was more academics than
16 anything else. Thank you.

17 SHERIFF PIERINI: Thank you, Sheriff,
18 appreciate it.

19 Anybody else in the audience would like to
20 make a comment? Ask a question?

21 Okay, seeing none, go to the Commissioners,
22 does anybody would like to say anything? Any
23 questions? Okay, thank you.

24 Mr. Sherlock, why don't you go onto number
25 B, please.

1 MR. SHERLOCK: Mike Sherlock for the record.
2 I went through the entire file. Those are all the
3 changes.

4 SHERIFF PIERINI: So you want to include
5 that. You don't want to have anything more added on
6 that?

7 MR. SHERLOCK: No.

8 SHERIFF PIERINI: Okay. Because I mentioned
9 in this process we started with A, but we did both A
10 and B, okay. Any other questions?

11 Okay, we're going to go onto number II, the
12 workshop. The workshop is for future regulation
13 related to the voluntary law enforcement dispatcher
14 training and certification pursuant to the authority
15 set in Assembly Bill 151. And maybe we should talk
16 about what that is first.

17 Mike would you want to do that, or
18 Mr. Jensen, do you want to do that?

19 MR. JENSEN: I think you were there.

20 MR. SHERLOCK: Yeah, Mike Sherlock for the
21 record. Again, so just to kind of remind everybody,
22 the last legislative session under AB 151, the
23 legislature essentially put dispatch sort of under the
24 umbrella POST and may -- and creates a voluntary --
25 makes it a voluntary participation for individuals and

1 agencies to meet the POST requirements.

2 Basically, the bill directs POST to create a
3 training program for dispatchers, and it also
4 contained a definition of what a dispatcher is and
5 that kind of thing. In the book, itself, we had
6 created some sample language for discussion. That was
7 really based on the original bill and, frankly, the
8 intent of the working group of dispatchers.

9 That said, the bill was watered down quite a
10 bit. And probably that sample that you find in the
11 commission book really exceeds the authority granted
12 in that final bill. On the public table and then in
13 front of each Commissioner, I handed out a new sample
14 for discussion. And this sample we tried to zero in
15 on the requirement to create a program for
16 dispatchers, of POST, that is. And, frankly, from our
17 perspective at POST, it just -- it makes sense to have
18 standards and value for any certificate that we give
19 out.

20 So based on that bill and that intent, we
21 simply added the volunteer program for dispatchers
22 under basic training, which would be 289.120, add a
23 new NAC that establishes the training topics required
24 in this program we are to create. You can see in
25 there, and this is again coming from the dispatch

1 working group, it's a 120-hour course. Currently,
2 it's all online. Again, it's voluntary. And the 120
3 hours was based on their study and what other states
4 do, what our officer training looks like, and that
5 kind of thing. And then it adds dispatcher to 289.200
6 for the certificate itself and what the program is.

7 We simply made it as cut and dry as we
8 could, not wanting to cut anybody out, that kind of
9 thing. So simply would require that they are employed
10 by a law -- as a law enforcement dispatcher as defined
11 in the NRS that was passed. We included certified as
12 an NCIC user at the inquiry level because every
13 dispatcher in the state has to meet that currently, so
14 we're not changing or adding anything new to any sort
15 of requirement. And then, of course, successful
16 completion of that training program that was created.
17 And at that point, they'd be given a certificate for
18 the program.

19 And so that's just a sample to talk about.
20 But, again, I just wanted to remind everybody where
21 that came from. It was a legislative bill that put
22 dispatchers under the umbrella of POST.

23 SHERIFF PIERINI: Thank you, Mike.

24 To the public, is there anybody from the
25 public would like to make a comment on this topic?

1 Let there be more dispatcher out there. No? Okay.

2 Oh, Keith, okay, come on up.

3 SHERIFF ELGAN: Can I go with him?

4 SHERIFF ELGAN: Sure, come on.

5 SHERIFF LOGAN: Keith Logan, Sheriff of
6 Eureka County for the record. I support the program,
7 and I know it's not where we want it to be under the
8 voluntary part of it. But in order to get there, we
9 have to make first steps and hope that we will see
10 something beyond that. I know that in our small
11 little community, we are -- they're all striving to
12 get as much training as possible. They want to be
13 challenged, and they want to be recognized for the
14 hard work that they are doing. So I support what
15 we're trying to do, but I know it's not exactly what
16 the original documentation started as. So if I can
17 assist in any way working forward to getting this
18 first part done and then we can in years in the
19 future, can try to make it more stringent and better,
20 then I think we should do that.

21 SHERIFF PIERINI: Sheriff? Thank you,
22 Keith.

23 SHERIFF ELGAN: Ken Elgan, Sheriff,
24 Esmeralda County. What more training can POST offer
25 our dispatchers than what is currently required by the

1 state?

2 MR. SHERLOCK: Mike Sherlock for the record.
3 I don't know what the state requires for dispatchers
4 right now. I didn't know they did actually.

5 SHERIFF ELGAN: Yes, they do. Your terminal
6 agency coordinators, which is your TAC, your ATAC,
7 which is the assistant terminal agency coordinator,
8 have several weeks of training that they can go
9 through. In the rurals, we rely on the TAC and ATAC
10 to train the new dispatchers. So I just can't imagine
11 POST taking on another training project when the
12 requirements by the state are already pretty
13 stringent. And we are audited every year.

14 MR. SHERLOCK: Mike Sherlock for the record.
15 All I could say is this was a legislative bill that
16 directs us to create this program. I will say that
17 the training program is already done. It's going to
18 be online through our platform. Moodle is what we use
19 right now. And, again, it was created by this
20 dispatch working group. We're going to hopefully send
21 it out to agencies and get some feedback on what
22 changes need to be made. But for us, in terms of the
23 new training program, I think it's -- it was really
24 most of the work frankly was done by this dispatch
25 working group.

1 SHERIFF ELGAN: Well, the best part of the
2 whole legislative it's voluntary.

3 MR. SHERLOCK: It is voluntary.

4 SHERIFF ELGAN: Okay. Thank you.

5 SHERIFF PIERINI: Okay, please, come on up.

6 SHERIFF McNEAL: Al McNeal, Sheriff, Lyon
7 County. The Lyon County Sheriff's Office is a
8 proponent of this program. We understand it's
9 voluntary. I think the critical thing is, you know,
10 when you deal with a public safety dispatch center the
11 size of Washoe County or of Clark County, they have a
12 lot more resources. The issue here is about
13 sustainment in a critical incident in those small or
14 medium-sized counties. If I have a large incident in
15 Lyon County, I don't have the dispatching pull to
16 sustain any large-scale operation, whether I'm
17 starting to transform -- transfer my calls to Douglas
18 County or Carson City. I've got have -- we've got to
19 have a standardization between -- a baseline
20 standardization between communication centers, and I
21 think this is a good step.

22 I'm not a proponent of the state taking over
23 everything and mandating it, but there's got to be
24 that baseline for sustainment. I think that Sheriff
25 Lombardo today really talked about the resources and

1 having to sustain what's going on here in Clark
2 County. This is basically I think an eye-opener for
3 all of us that we've got to start thinking outside the
4 box.

5 Thank you.

6 SHERIFF PIERINI: Thank you. Yes, ma'am?

7 MS. SNYDER: Gina Snyder, UNLV Police
8 Department. We applaud the fact that there is at
9 least some training being offered at this time.
10 Currently, there is no telecommunicator training
11 that's required other than what the gentleman had
12 said. The TAC and ATAC training is NCIC only, and
13 it's 4 days' worth of training. And then we go back
14 and teach our dispatchers NCIC. Coming from another
15 state, coming from Illinois, we had required training.
16 Like this gentleman just said, the dispatchers need
17 the opportunity to work together and learn consistency
18 and continuity, so we need more topics than just NCIC
19 offered to us as a collective training group. So
20 anything that's being offered now will definitely be a
21 plus.

22 I know the majority of us as dispatchers
23 would love the opportunity to be able to assist in any
24 way that we can. Also, being a part of APCO, Nevada
25 APCO would love to be able to be a part of this and to

1 be a part of the working group possibly. I know
2 Nevada also has a Nevada NINA (ph.) chapter who would
3 love to be a part of things. It's just the state is
4 sort of spread out so we don't always have a way to
5 get together, to work on these things together, so
6 hopefully POST can maybe help bring us all together
7 and we can get some more collective organized training
8 where we can be assets to each other.

9 MR. SHERLOCK: Mike Sherlock for the record.
10 Not to go too specific, but my understanding is with
11 the training program, the intent right now is to test
12 that with all, you know, send it out to all
13 supervisors in every com center -- communications
14 center across the state and then get the feedback from
15 there. So we hope to get everybody's feedback on the
16 training itself before we put it live.

17 MS. SNYDER: Sure. We'd love to help
18 however we can.

19 SHERIFF PIERINI: Okay, thank you very much.
20 Anybody else in the audience would like to make
21 comment? Seeing none, how about the Commission?

22 CHIEF DEPUTY PEDERSEN: Russ Pedersen. Just
23 a couple of things. One, the NCIC training, I'm
24 certainly not a subject matter expert, but I think the
25 key, although a fantastic training and critical

1 training to make sure data entry is accurate, that
2 we're not violating any federal laws, but I don't
3 believe that training goes into specifics on
4 dispatching, itself, those critical calls, those types
5 of, you know, a baby not breathing. It certainly
6 doesn't cover anything at all. I think this
7 Commission, as well as everybody in this room, would
8 probably agree this is just a small step to really
9 recognize what we've always known, that our
10 dispatchers are communication specialists, whatever
11 you call them in your agency, are fantastic. They're
12 professionals. This is just a step in the right
13 direction to really show them and support them from
14 the POST standpoint that they are truly the
15 professionals and give them some basic standardized
16 training that we can build off of throughout the
17 entire state.

18 And so, again, I think it's smart that it's
19 voluntary because certainly not every agency has the
20 ability or the resources, but it gives the Commission,
21 as well as people throughout the state, to support
22 POST and maybe build their lesson plans and get more
23 and more online training so we can build off of that.

24 Thank you.

25 SHERIFF PIERINI: I appreciate that.

1 Anybody else? Okay, I remember some time ago when --
2 I'm sorry, Kenny? Okay, we'll go back from
3 the Commissioners now to you, there you go.

4 SHERIFF FURLONG: I apologize, I apologize.
5 For the record, Kenny Furlong, Carson City. Several
6 of our community colleges or colleges in the state
7 offer some sorts of training. Just for clarification
8 purposes, Mr. Sherlock, will -- can civilians who are
9 not currently employed with a law enforcement agency
10 sign onto this and receive a certification prior to
11 making an application to join an agency?

12 MR. SHERLOCK: Mike Sherlock for the record.
13 You know, Sheriff, we haven't really got
14 that far yet. Currently, with a lot of our online
15 courses, anybody can access that, so I'm assuming we
16 could do the same with that. And I know what you're
17 talking about. I know WNC no longer has the program
18 anymore. And I know it was a pool to hire from. And
19 we can certainly entertain that. I'm not opposed to
20 that. We have to work out these other things first,
21 but yeah.

22 SHERIFF FURLONG: Okay, thank you.

23 SHERIFF PIERINI: Thank you, Kenny.

24 I think one of the comments I'd like to make
25 is I remember some time ago when we had some of the

1 dispatchers came into this location, I think, and they
2 talked about the need for that kind of training, and
3 all of us agreed with that. The problem is, is that
4 right under POST it's for peace officers and not, you
5 know, they're not sworn in. And that's really a
6 problem we have to think about. But more importantly,
7 we have to think about is how much money we really
8 have. We're barely hanging onto all the academies
9 that we have today for the sworn peace officer, and we
10 can't grow right now because there is not enough
11 money.

12 So we're going to do the best we possibly
13 can and why we wanted to, and this is what I
14 understand Mr. Sherlock and Mr. Jensen, was the fact
15 that least-wise you have the opportunity to go get
16 something and then hopefully in the future that it can
17 grow enough that we can have more financial help that
18 we can do more for everybody. But don't forget our
19 main mission is peace officers, not anybody else.
20 Even though they passed a law on that, that's what
21 we're allowed to have.

22 Okay. Yes, sir?

23 CHIEF DEPUTY PEDERSEN: Sir, Russ Pedersen
24 one more time for Mike. I notice there is no time
25 limit for the 120 hours. Is that going to be a

1 concern? Are we talking for the dispatcher, do we
2 want them to have that time done in 1 year, 6 months,
3 or a continuous 120? Should that be listed in the
4 law, or are you going to adopt a different regulation,
5 or how is that going to look?

6 MR. SHERLOCK: Mike Sherlock for the record.
7 You know again, and maybe Mike Jensen can speak to
8 this, but when we look at the current bill and what it
9 directs us to do, we're somewhat limited. I can say
10 that in terms of time to take the course, that's done
11 administratively, so in fact, we were just talking
12 about this earlier. If you look at, for instance, our
13 reserve program, you have 180 days to complete it or
14 we boot you out administratively and you have to start
15 over. So we'll look at that, the administrative
16 rules, but for us, again, based on this bill, it's if
17 you meet this standard, we will give you this piece of
18 paper from POST. And that's where we're at right now.

19 SHERIFF PIERINI: It's all we can do.

20 MR. SHERLOCK: From our interpretation.

21 SHERIFF PIERINI: Thank you.

22 Okay, why don't we move onto our regularly
23 scheduled meeting. We don't have to worry about the
24 call to order because we're all here and all
25 Commissioners are present. So right now we're going

1 to deal with number 3 and that's discussion, public
2 comment, and for possible action, approval of minutes
3 from the July 27, 2017, regularly scheduled POST
4 Commission meeting.

5 So what we need to do is everybody hopefully
6 had enough time to read the minutes that we did on
7 July 27th. Did anybody see any problems with it?
8 Seeing none, we're ready for a motion?

9 DEPUTY CHIEF SCHOFIELD: Gary Schofield.
10 I'll make a motion to approve.

11 SHERIFF PIERINI: Thank you, Gary.

12 CHIEF TANNER: Troy Tanner, second.

13 SHERIFF PIERINI: Thank you, Troy. Any
14 other questions, comments? All in favor?

15 (Ayes.)

16 SHERIFF PIERINI: Okay, thank you. Our
17 Director, Mr. Mike Sherlock, you've got several things
18 here, information of the training division, standards
19 division, and other things. Go ahead.

20 MR. SHERLOCK: Mike Sherlock for the record.
21 I'll just -- I'll make it real quick. In terms of
22 training, basic training right now we're just about to
23 graduate a class in November. We'll start another one
24 in January. We have -- we just filled the last
25 academy. I think we'll probably be pretty close to

1 full for the coming January academy. I would
2 encourage anybody who wants to get people into our
3 academy to get that paperwork to us as soon as
4 possible.

5 One concern for us in our basic training
6 program, we charge local agencies \$500. It has been
7 \$500 since the '80s. We've been running into some
8 issues in collecting that \$500. Just so everybody
9 knows, the \$500 basically pays for their food, for
10 about 6 weeks of our 16-week academy. After that it's
11 on us.

12 We do have an administrative rule that says
13 that bill has to be paid within the first 30 days.
14 We've let that go for a while. It poses a problem for
15 us both in terms of the budget but also in managing
16 that academy. If someone doesn't make it through the
17 academy, it's hard for us to ask for the money once
18 they get booted out of the academy. So all I'm saying
19 is, please, if you do have people in our academy, to
20 try to make sure that the budget issues are taken care
21 of within the first 30 days.

22 Also in the training area, one of our goals
23 has been to improve our advance training in addition
24 to our basic training. One of the areas that I want
25 our advance training to get into is more career

1 oriented training, something that I call the detective
2 core series. We've begun development of that. Thanks
3 to the Attorney General's Office for financial support
4 and a grant from them, we did complete and develop a
5 basic investigation course that we're rolling out,
6 with a lot of help particularly from Metro and DPS and
7 Washoe County actually are helping us with that. So
8 we want to continue to expand that core series, and
9 hopefully we can find the funds to do that. We'll
10 move away from basic investigation to homicide, adult
11 sex crimes, and child sex crimes, that kind of thing,
12 in that series. And so we're working on that. Again,
13 sometimes we're limited by budget.

14 On the standards side, we continue to look
15 at regulations. We'll be working on the dispatch
16 regulation, I'm assuming, and those areas.

17 Administratively, our business process
18 analyst is retiring, Shirley Micallef. She
19 deals with all of our IT issues and communication with
20 our agencies, so I am a little nervous about that. We
21 need to get her position filled as quickly as
22 possible. She handles things like Formatta and some
23 of our IT web stuff where we receive most of our
24 information. So we're working on filling that
25 position.

1 In terms of the budget, just to cry a little
2 bit, this last legislative session, the courts
3 expanded their draw from the court assessment fees to
4 60 percent, dropping the executive branch to 40
5 percent where we get our funds. Unfortunately, they
6 did not change the calculation or the calculator over
7 at the comptroller's office and have been sweeping
8 money out of our account to make up the differences.
9 They accidentally gave us too much money. And that
10 always poses a problem for us. This month they swept
11 \$22,000. With our little budget, that's a big impact.
12 So we'll continue to deal with that. Hopefully, they
13 fixed the calculations and don't have to take any more
14 money from us. But that's about it going on at POST
15 right now.

16 SHERIFF PIERINI: Thank you, Mike,
17 appreciate it. Any questions from the Commission?
18 Anybody from the public?

19 Okay, going on then, if we can, to number 5
20 and this is discussion/public comment -- I'm sorry?
21 Oh, gosh, sorry.

22 SHERIFF PITTS: Sheriff Pitts, Elko County,
23 for the record. On the administrative part of POST,
24 I've talked to Mr. Sherlock about this, I couldn't get
25 it on the agenda, so we thought we'd bring it up in

1 open comments. I have a problem with our guys getting
2 washed out in the pre-physical. Now, let me straight
3 and right up front, I don't want to change the exit
4 physical at all, but this pre-physical, I had a guy
5 get washed out for one sit-up or one push-up. I was
6 told by Mr. Sherlock, too, that they don't allow --
7 once that's done, they don't allow them to finish the
8 rest of the test, the physical agility test. So
9 essentially he didn't have a chance to finish it, and
10 to make up one push-up in 16 weeks I think is very
11 reasonable. I want to see if we can get that changed.

12 I've talked to several sheriffs that are
13 present today. They've had guys washed out for one
14 sit-up, for two -- just short, small. And I
15 understand having an entry-level test, but this is
16 kind of ridiculous to kick a guy out of POST, one of
17 my employees out of POST for one push-up.

18 A couple of things: I think that it should
19 be up to us. According to Mr. Sherlock, it doesn't
20 cost the POST any more for my guy to finish. It costs
21 me 16 weeks of pay to finish POST, and if he doesn't
22 pass the test, he doesn't get his certificate, he
23 can't get hired. That should be a call that's made to
24 any sheriff or any chief of police to say do you want
25 to keep this guy or not keep this guy in my class

1 because he didn't pass by one push-up or one sit-up,
2 or he failed the run by 3 seconds or whatever the
3 standard is. That should be our call.

4 Again, this just came up this last POST. I
5 had a guy that didn't make it by one push-up. I
6 didn't even get notified. He called me and said I'm
7 on my way home; I got kicked out of POST. POST never
8 reached out to me and said, hey, this is what
9 happened, do you want to -- in my opinion, you should
10 have said do you want to leave him in and take a
11 chance that he won't make that push-up up by the end
12 of the exam or the end of the 16 weeks, or do you want
13 him to leave. And then I can make the call, say, hey,
14 I think if I call him and say you better get your, in
15 gear and get this made up, I think it's going to hold
16 more weight than POST saying you missed it by one week
17 [sic]. Again, Sheriff Allen had the same situation
18 happen, several times that happened.

19 SHERIFF ALLEN: Mike Allen, Humboldt County
20 Sheriff. We've been -- we've had our issues. I have
21 also talked to the Director Sherlock about this, and
22 it just seems like it's very difficult, our applicant
23 pool in the rural areas. Once they -- if they can
24 make it out of the background, then we start a whole
25 new process. So there is a lot of investment that

1 goes in at the start of the hiring process, as well as
2 people buying uniforms and getting washed out the
3 first day.

4 So with the sheriff -- we're not asking to
5 lower the standards. We're just asking are we really
6 looking at this the right way, to wash somebody out
7 the first day on something where they have 16 weeks to
8 make up some of this area. And I just want to say
9 that I do support Sheriff Pitts on what he said.

10 I think we've got to remember that most of
11 the state is rural, and that's what everybody here is
12 for, as Sheriff Pierini said, is police officers. And
13 we need to support the police officers and try to get
14 these people trained the best way possible. But it's
15 very difficult in the rural areas to get a good
16 applicant pool. And we're not saying to lower the
17 standards at all, the ending standards, but is there
18 something else that we can look at to make sure that
19 everybody that we feel is a good candidate can
20 successfully complete the POST Academy.

21 SHERIFF PITTS: And I'd like to add
22 something. Because when we do our physical for hiring
23 them, we do use POST standards. So he passed it once,
24 but he, I don't know, off day or -- again, the story I
25 got from him was that he did seven extra push-ups

1 thinking he had it made, and seven of them didn't
2 count or eight of them didn't count, so he missed it
3 by one.

4 So I mean are we -- I think we're getting a
5 little too picky on that at that pre-test. Again, I'm
6 not asking to change the exit. If he doesn't pass
7 that exit, that's on me, that's on him to no longer be
8 employed. But this entry level is getting --

9 SHERIFF PIERINI: Well, I just wonder if
10 maybe I could interrupt for a second. The problem of
11 it is, it's not an agenda item. And because it --

12 SHERIFF PITTS: I know. I tried to get on
13 the agenda, and they told me I was too late because it
14 had to be posted all over the state. I was a month
15 ahead of it, but they did say it was too late.

16 SHERIFF PIERINI: I know.

17 SHERIFF PITTS: So we wanted to -- but we
18 wanted to bring this issue up. If we can agenda-ize
19 it for the Mesquite meeting, I'd love it. I think
20 we'd all come back for that.

21 SHERIFF PIERINI: Well, I think one of the
22 things if I could, please, we really can't come back
23 and talk about much of this because as you all know
24 how it all works. So the agenda item we're going to
25 ask is then have an opportunity for you to come up

1 here the next meeting we have, which will probably be
2 in February, if I recall right, or maybe it's at your
3 location, I'm not sure.

4 SHERIFF PITTS: It's in Mesquite.

5 SHERIFF PIERINI: Is it Mesquite? Okay. So
6 what we'd like to do is at that time be able to talk
7 more about it, maybe there's some reasons why we
8 can't, there's some other ones we can do. So we need
9 to work together on that, but we really can't go
10 further than what we are right now. I get it. I
11 understand what you're talking about, truly
12 understand. So what we need to do is have you, if you
13 would, please, and I think this would be a fair way to
14 do it, is just send us a certain letter that you want
15 to have an agenda item dealing on that particular
16 issue, and we will make sure that's done.

17 SHERIFF PITTS: I do have one question on
18 that agenda item, and we wouldn't have a problem
19 putting something forward, but what's your deadline?
20 When we reached out about a month to a month and a
21 half prior to this meeting, it was already closed. To
22 me that's a significant timeline when -- and Mike
23 Jensen is here now; what is it, 3 days to post? And
24 we couldn't post within a month or a little bit over a
25 month. So that's real frustrating. So what is you

1 guys' deadline for a posted agenda item?

2 SHERIFF PIERINI: One of the things, just to
3 let you know is, too, is we obviously only meet four
4 times -- about five, four times a year; that's all we
5 really have, maybe five at the most. So that's kind
6 of a negative thing for all of us, isn't it? So you
7 can't go up right away and say, hey, I want to see if
8 something happens or fixed and repair.

9 UNIDENTIFIED SPEAKER: But it's not right
10 away.

11 SHERIFF PIERINI: Right, that's right.

12 SHERIFF PITTS: But, again, this happened in
13 January -- or July, July, and then I reached out to
14 Mike -- Mr. Sherlock I believe in August. Again, till
15 August, I still had not received a letter, phone call,
16 anything from POST to say your guy got kicked out for
17 this reason. I had to just take his word. And I mean
18 I -- I mean everybody, if he gets kicked out for one
19 push-up, I mean he's going to make it sound like he's
20 the victim here, for lack of a better word, that he
21 did everything right and didn't do it.

22 I never got word from POST saying, hey, we
23 had, you know, he got kicked out for not only doing
24 push-ups, sit-ups, I haven't heard a word. I reached
25 out to Mr. Sherlock. He finally told me that during

1 that time period, I mean you start with whatever they
2 start with. If he doesn't do sit-ups, push-ups, or
3 whatever, they're done at that point. And that's -- I
4 have a problem with that. They should do the whole
5 physical, and then if they get washed out on more than
6 one, two, three, maybe we should or me, as the
7 sheriff, should say, hey, okay, he might not make it
8 through POST, I'm not wasting my money, you're gone.

9 SHERIFF PIERINI: Again, I think not to -- I
10 think the right thing for us to do right now is we
11 need to have an agenda item as I mentioned. If you
12 could help us with that and put that together for the
13 next one, we'll make sure it's done. I think we have
14 to have a list, and I would like to see the
15 information that you have brought to us, include the
16 things that are issues and maybe we can look at.

17 MR. SHERLOCK: Mr. Chairman? Mike Sherlock
18 for the record. Just so everybody knows, 30 days is
19 out, and you're right, we did reopen it. I didn't
20 re-contact you because I talked to the lieutenant in
21 terms of the agenda, but regardless, please contact us
22 and we will put it on the agenda.

23 SHERIFF PITTS: Well, I did --

24 MR. SHERLOCK: I just wanted to --

25 SHERIFF PITTS: I did contact you and --

1 MR. SHERLOCK: No, no, I --

2 SHERIFF PITTS: -- I didn't know you
3 reopened it or I would have put it on the agenda.

4 MR. SHERLOCK: And that's my fault. And I
5 apologize for that. I just wanted to clarify a couple
6 of things though. We have a validated physical
7 fitness test. And so what people don't understand is
8 that entry level requirement is based on a study that
9 says that someone who gets this many push-ups at the
10 end of a 16-week academy would be able to pass that
11 certification level. So that's what the standard is
12 based on, just so you know. That's where that comes
13 from. That's not our arbitrary --

14 SHERIFF PITTS: And I understand your
15 standard, but it's still -- I think it still should be
16 up to us as, yeah, as CFOs that, hey, we should make
17 that decision. I'm not saying POST doesn't have the
18 right to kick anybody out or not allow them to go to
19 POST, but we should be making that call on something
20 like this because it is very -- I'd rather have the
21 guy that, to be honest with you, the officer that
22 maybe flunked out on push-ups, sit-ups, and in 16
23 weeks knew he had to make it up and made it up. That
24 shows me he really wants that job bad, that he busted
25 tail to pass the standards to get that job. I mean

1 that tells me he really wants the job. And you're not
2 giving him that opportunity.

3 MR. JENSEN: Mr. Chairman, this is Mike
4 Jensen for the record. I appreciate that you've said
5 it three or four times, and I'm getting a little bit
6 uncomfortable because this isn't on the agenda and
7 having too much discussion about it. I mean it
8 certainly is an opportunity for the public to make a
9 comment. There shouldn't be too much back and forth
10 from the Commission on this. And certainly I think
11 it's a topic that could be discussed hopefully in
12 advance and some ideas put together for an agenda item
13 in advance, including, you know, this may be a
14 rule-making item. I don't know. I haven't looked at
15 the regs. It may be something that we just need to
16 get on an agenda and have discussion.

17 SHERIFF PIERINI: Yeah. I think we
18 understand what we've got to do is we've got to move
19 on now, and the reason is we can't go further on what
20 we're trying to talk about because --

21 SHERIFF ELGAN: If I may? Ken Elgan,
22 Sheriff, Esmeralda County. If we can get a ruling
23 from the AG's office on what is the deadline, how many
24 days out is it? I know we do for all open meetings,
25 for Commissioner meetings, the County Commissioners,

1 and any public meetings that we have, what is the
2 standard? When do we have to have the agenda items?

3 MR. JENSEN: There are two pieces to that.
4 This is Mike Jensen for the record. First is the open
5 meeting law requirement, which is 3 working days. The
6 agenda has to be posted at certain locations 3 working
7 days before the meeting. If it's a rule-making
8 situation where there's got to be a workshop notice,
9 there are different deadlines for that as well. But
10 the Commission has the ability as a commission to put
11 their own deadline on when they'll accept agenda items
12 to put on a Commission agenda, and that's kind of
13 within their discretion. And I don't know if that's
14 ever been formally done by the Commission, I can't
15 recall, or if that's a staff determination. I think
16 at this point, it's been a staff determination.

17 SHERIFF ALLEN: Can we request a
18 formal, to be put on the agenda for next February then
19 right now?

20 MR. JENSEN: You could.

21 SHERIFF ALLEN: Or does it have to be
22 in writing?

23 MR. JENSEN: I don't believe there is any
24 formal process to ask to be put on the agenda. I
25 think that's just a request that's supposed to be --

1 SHERIFF ALLEN: Okay. We ask to be
2 put on the agenda for February then.

3 SHERIFF PIERINI: That's fine. But one of
4 the things I had mentioned was I would like to have
5 some kind of information of what topics you want us to
6 know about so we can prepare for that. So I'm just
7 asking you if you could do that for us, that would
8 make a difference, I think. We want the agenda to
9 come up, that would be great, but we can't go further
10 than what we are right now.

11 SHERIFF ALLEN: Okay.

12 SHERIFF PIERINI: Thank you very much.

13 Okay, so where are we? Okay, I think we're
14 done with Mr. Sherlock, right?

15 MR. SHERLOCK: I hope so.

16 SHERIFF PIERINI: Okay, we'll go onto number
17 5, discussion, public comment, and for possible
18 action. The Commission to decide whether to continue
19 the rule-making process regarding AB 151 requirements
20 to set standards and certification requirements for
21 law enforcement dispatchers to become certified
22 through a voluntary program.

23 Both you -- I think this was just with Mike
24 Sherlock. We've gone through that. I think that
25 everybody here understands what AB 151 is, and the

1 question comes down to that is to go further and to
2 start our ruling process ahead of us. So I'm going to
3 ask anybody from the Commissioners if they have
4 anything at all they'd like to comment?

5 Okay, then we're going to go to audience.
6 Anybody out there would like to make a comment on
7 that?

8 Seeing none, then we're looking for an
9 agenda item, a motion, please, I should say.

10 CHIEF DEPUTY PEDERSEN: Russ Pedersen, make
11 a motion to continue the rule-making process on AB 151
12 and allow POST to start that process.

13 SHERIFF PIERINI: Okay, thank you. Do I
14 have a second?

15 MR. WRIGHT: Jim Wright, I'll second.

16 SHERIFF PIERINI: Thank you, Jim. Anybody
17 else like to make a comment? All in favor?

18 (Ayes.)

19 SHERIFF PIERINI: Anybody opposed? So
20 carried, thank you.

21 Okay, we're going to go onto number 6,
22 again. Again, there's a little redundancy going on
23 here as you all know. This is a discussion, and
24 public comment, and possible action, the Commission to
25 discuss and take possible action to adopt new rental

1 -- regulations as follows. Mr. Jensen -- I should say
2 Mr. Sherlock, if we go with LCB, only A, we could
3 start off with that, R003-17.

4 So we've gone pretty much over that, right,
5 Mr. Sherlock, we've gone through all that stuff? Is
6 there anything else you want to add?

7 MR. SHERLOCK: Our recommendation -- staff's
8 recommendation would be to adopt the language that LCB
9 sent back to us.

10 SHERIFF PIERINI: Okay, feel good about
11 that.

12 MR. JENSEN: Mr. Chairman, just for the
13 record, this is Mike Jensen. Under the open -- under
14 the rule-making statutes, it provides that you have to
15 take into consideration in making a decision any
16 written or oral comment that you receive from the
17 public on this regulation, so I would just put on the
18 record that that's something that needs to be done in
19 the process of making a decision today. It's my
20 understanding there hasn't been any written comment.

21 MR. SHERLOCK: Mike Sherlock for the record.
22 That's correct.

23 MR. JENSEN: That's all I --

24 SHERIFF PIERINI: Okay. So what I'm hearing
25 from you is to ask the public, right? I think I'm

1 going to ask that, if they have any questions on that,
2 if we go further on that. Is there anybody out there
3 in the public would like to make any comments on that?

4 Okay, seeing none, then we go to the
5 Commission. Does anybody here, any Commissioners like
6 to make any comments on this particular one?

7 LT. MCKINNEY: Kevin McKinney, for the
8 record. In regards to Sheriff Allen's comments from
9 Esmeralda County regarding the cat III, cat II, and
10 cat I, I believe during the workshops it was my
11 understanding that after I believe it was 7 weeks
12 you're eligible for your cat III, after 11 weeks for
13 your cat II, and then after 16 weeks you'd be eligible
14 for all three; is that correct? Is that kind of --

15 MR. SHERLOCK: Mike Sherlock for the record.
16 Just so everybody understands, these regulations do
17 not change the mandatory number of hours. So you're
18 specifically talking about the POST Academy.

19 MR. WRIGHT: Yes.

20 MR. SHERLOCK: At POST, the way we do
21 cat III, it's 8 weeks, I believe.

22 MR. WRIGHT: Okay.

23 MR. SHERLOCK: It's a total of 8 weeks. So
24 these regulations don't change the mandatory hours, so
25 if you have a standalone cat III, it'll still be under

1 that, you know?

2 LT. MCKINNEY: Kevin McKinney again. What I
3 kind of understood it to be is you attend the POST
4 Academy. And then after 8 weeks, you can leave and
5 get your cat III without attending the remainder of
6 the academy.

7 MR. SHERLOCK: Mike Sherlock for the record.
8 That's correct, yes.

9 LT. MCKINNEY: Okay. And I think that's
10 where his misunderstanding is.

11 MR. SHERLOCK: Could be, yeah.

12 SHERIFF PIERINI: Okay, any other comments
13 or questions? Okay, looking for a motion then. This
14 is on A.

15 LT. MCKINNEY: Kevin McKinney, I say we move
16 forward on this.

17 SHERIFF PIERINI: Okay, move forward with
18 that, is that what I heard from you?

19 LT. MCKINNEY: Yes, sir.

20 SHERIFF PIERINI: Okay, thank you. Do I
21 have a second?

22 MR. JENSEN: Mr. Chairman? At this point, I
23 think the motion is, would be to adopt the regulation.
24 I think that's where we're at, at this point. I'm
25 sorry to be so technical on that, but I just want to

1 make sure.

2 SHERIFF PIERINI: I'm glad you're here, I
3 really am. I'm really okay with that.

4 UNIDENTIFIED SPEAKER: You can use the right
5 tone.

6 LT. MCKINNEY: Kevin McKinney, I'll amend
7 that to adopt.

8 SHERIFF PIERINI: Please.

9 SHERIFF WATTS: Dan Watts for the record.
10 I'll second.

11 SHERIFF PIERINI: Okay, Dan, we've got a
12 second. Any other questions or comments? All in
13 favor?

14 (Ayes.)

15 SHERIFF PIERINI: Anybody opposed? All
16 right, thank you.

17 Okay, we'll go to B, if we could, now
18 Mr. Sherlock, and this is LCB File R012-17. Anything
19 else you would like to make, comment on that
20 whatsoever?

21 MR. SHERLOCK: Mike Sherlock for the record.
22 Again, I'll defer to Mike Jensen, let the Commission
23 take into consideration any written or oral
24 statements. But again we've received no written
25 statements regarding to this particular change.

1 SHERIFF PIERINI: Okay, good, thank you.
2 Anybody out in the public? Seeing none, can I have a
3 motion?

4 CHIEF DEPUTY PEDERSEN: Russ Pedersen to
5 move to adopt the proposed language in LCB File Number
6 R012-17.

7 SHERIFF PIERINI: Thank you. Do I have a
8 second?

9 MR. WRIGHT: Jim Wright gladly seconds.

10 SHERIFF PIERINI: Thank you for your motion.
11 All in favor?

12 (Ayes.)

13 SHERIFF PIERINI: Any opposed? So carried.
14 Thank you.

15 Okay, we're going to number 7. All right,
16 this is discussion, public comment, and for possible
17 action. Hearing pursuant to NAC 289.290(1)(e) as the
18 revocation of formerly Elko County Sheriff's Office,
19 certified based as a convict -- conviction, I should
20 say, for commitment of Theft and Misrepresentation, a
21 Gross Misdemeanor defined at NRS 199.480 and NRS
22 205.0832. The Commission to decide whether or not
23 they should revoke his basic I -- category I basic
24 certificate. And I think that's yours, Mr. Jensen?

1 MR. JENSEN: Yes, Mr. Chairman. Mike Jensen
2 for the record. There are two hearings on the agenda
3 for today, so I'll try to move through these. The
4 first is this is the time and place scheduled for the
5 revocation hearing for Rick L. Keema. Just as a
6 reminder, this hearing is being held pursuant to the
7 authority that the Commission has to set the standards
8 and requirements for certification and decertification
9 of basic certificates for peace officers.

10 The Commission has adopted a regulation in
11 289.290, which sets the grounds for revocation of a
12 certificate, which include a conviction for a gross
13 misdemeanor. There are some exhibits behind agenda
14 item number 7 that I'll just quickly go through,
15 Mr. Chairman, and ask that they be made a part of the
16 record for any action that the Commission may take
17 today.

18 The first is the amended notice of intent to
19 revoke which is required by the Commission's
20 regulations, which gives Mr. Keema notice that the
21 Commission intends to revoke his basic certificate
22 based on a conviction for a conspiracy to commit theft
23 by misappropriation, a gross misdemeanor. It
24 indicates the court that that conviction came from,
25 the date, time, and location of this particular

1 hearing, and the opportunity to appear and to present
2 evidence, cross-examine, and make any statement that
3 he wished to make in opposition to any action taken by
4 the Commission against the certificate.

5 (Exhibit A marked for identification.)

6 MR. JENSEN: That particular notice was
7 served on Mr. Keema, that's the next exhibit, which is
8 Exhibit B, which shows the proof of service, that that
9 was personally served on him. I'm going high tech
10 today, Mr. Chairman, on my computer so you'll have to
11 bear with me a little bit. Exhibit B is the proof of
12 service showing the service occurred on August 31st of
13 2017. That satisfies both the POST regulations as
14 well as the open meeting law requirements for notice
15 to an individual prior to a hearing such as this.

16 (Exhibit B marked for identification.)

17 MR. JENSEN: Exhibit C is the personnel
18 action report showing Mr. Keema resigned. It appears
19 the date on that is July 1st of 2012 [sic].

20 (Exhibit C marked for identification.)

21 MR. JENSEN: Exhibit D is the category I
22 basic certificate.

23 (Exhibit D marked for identification.)

24 MR. JENSEN: Exhibit E is the first criminal
25 information which began with multiple felony accounts,

1 which some were -- some of which were pled in the
2 alternative, all related to the use of a government
3 issued credit card for personal -- alleged personal
4 use.

5 (Exhibit E marked for identification.)

6 MR. JENSEN: Exhibit F is a statutory no
7 contest plea agreement which Mr. Keema agreed to plead
8 no contest to a gross misdemeanor conspiracy to commit
9 theft by misappropriation as defined in NRS 199.480
10 and NRS 205.0832.

11 (Exhibit F marked for identification.)

12 MR. JENSEN: As part of that plea agreement,
13 there is a section that provides an offer of proof on
14 a set of facts that supported the alleged offense,
15 essentially which state -- generally state that
16 Mr. Keema as undersheriff of Elko County was issued a
17 credit card for business related expenses which was
18 not used -- which he used for personal use for himself
19 and others, which included a number of different
20 personal items. If you want to see more specifics on
21 those, those are in the charging documents.

22 Exhibit G is the first amended information
23 which goes along with the change of plea agreement and
24 which Mr. Keema was charged with conspiracy to commit
25 theft by misappropriation, again a gross misdemeanor.

1 (Exhibit G marked for identification.)

2 MR. JENSEN: Exhibit H is the key document,
3 which is the judgment of conviction, which shows that
4 a conviction was entered against Mr. Keema for that
5 charge of conspiracy to commit theft by
6 misappropriation and which he was sentenced to 90 days
7 in the Elko County Jail, which was suspended. He was
8 required to pay restitution in the amount of \$807.00,
9 a \$2,000 fine, and other administrative filing fees,
10 and to reimburse the county through monthly payments.

11 (Exhibit H marked for identification.)

12 MR. JENSEN: Based on the type of conviction
13 involved here, which included actions taken with a
14 credit card that was issued as part of his duties as
15 an undersheriff, it's the recommendation that his POST
16 certificate be revoked.

17 SHERIFF PIERINI: Thank you, Mr. Jensen. I
18 also want to mention exhibits approved and certainly
19 accepted.

20 (Exhibits A through H received.)

21 SHERIFF PIERINI: I'd like to ask anybody
22 out in the public if they have any comments in
23 reference to this agenda item, including Keema. Is
24 anybody there with that name or a representative of
25 his?

1 Seeing none, okay, I'll ask from the
2 Commission, do you have any questions?

3 DEPUTY CHIEF SCHOFIELD: Mr. Chairman, Gary
4 Schofield for the record. Mike, does he have any
5 other certificates beyond the basic? He's an
6 undersheriff.

7 MR. JENSEN: The only one I'm aware of is
8 the one that's a part of the record. Scott or Mike
9 Sherlock might be able to answer that.

10 DEPUTY CHIEF SCHOFIELD: Would it follow
11 that if his basic was suspended, that all the other
12 certificates are suspended if he does have them?

13 MR. JENSEN: The basic certificate is the
14 certificate that is the one he's required to have to
15 be a peace officer, and that's the one that you'd be
16 taking action on.

17 DEPUTY CHIEF SCHOFIELD: That answers my
18 question.

19 LT. MCKINNEY: Kevin McKinney for the
20 record. I need to excuse myself from this due to a
21 possible conflict of interest.

22 SHERIFF PIERINI: All right, thank you, sir.
23 Now would anybody else like to make comment?
24 How about a motion?

25 SHERIFF WATTS: Dan Watts. I'd like to make

1 the motion that we revoke the basic POST certificate
2 for Rick L. Keema.

3 SHERIFF PIERINI: Thank you, Dan. Got a
4 second? Any other questions, comments? All in favor?
5 (Ayes.)

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

8 We're going to go to number 8, discussion,
9 public comment, and for possible action. Pursuant to
10 NAC 289.290(1)(g), revoke Robert Seasoner --

11 MR. JENSEN: Reasoner.

12 SHERIFF PIERINI: -- formerly -- what is it?

13 MR. JENSEN: Reasoner.

14 SHERIFF PIERINI: Reasoner, okay, formerly
15 of the Nevada Transportation Authority, certification
16 based on a conviction for Attempted Possession of
17 Controlled Substances, a Category E Felony or Gross
18 Misdemeanor as defined in NRS 453.336 and NRS 193.330.
19 The Commission previously suspended Mr. Reasoner's
20 category II based on -- certificate based on a
21 Criminal Complaint of Conspiracy to Violate the
22 Uniform Controlled Substance Act in violation of NRS
23 453.401, which is a Category C. The Commission to
24 decide whether or not to revoke his category II basic
25 certificate.

1 Mr. Jensen?

2 MR. JENSEN: Thank you, Mr. Chairman. As
3 you may recall in the meeting out in Ely, Mr. Reasoner
4 was on the agenda for a suspension of his basic
5 certificate based on a charging document for a felony
6 controlled substance law violation. At that time, the
7 Commission voted to suspend his basic certificate
8 pending the outcome of the criminal case, and he has
9 now had a conviction. So today is the time and place
10 that has been noticed for the Commission to
11 potentially take action on his basic certificate based
12 on that conviction. Again, as part of this particular
13 hearing, Mr. Chairman, I'd ask that the exhibits that
14 are behind tab number 8 related to Mr. Reasoner, I'll
15 go through those real quickly, but those be admitted
16 in support of any action the Commission may take
17 today.

18 Exhibit A is the order of suspension from
19 the previous hearing just as a reminder of what the
20 Commission -- the action that you took in your
21 previous meeting.

22 (Exhibit A marked for identification.)

23 MR. JENSEN: Exhibit B, I believe, is the
24 proof of service of that order of suspension.

25 (Exhibit B marked for identification.)

1 MR. JENSEN: Exhibit C is the amended notice
2 of intent to revoke, again informing Mr. Reasoner of
3 this particular hearing today, the time, place, and
4 location, the particular conviction upon which this
5 hearing would go forward today, and his opportunity to
6 appear. It's my understanding that Mr. Reasoner has
7 not noticed POST that he would appear and intend to
8 present any evidence at the hearing today. Is that
9 correct?

10 MR. SHERLOCK: That would be
11 correct.

12 (Exhibit C marked for identification.)

13 MR. JENSEN: Exhibit D is the proof of
14 service showing that the amended notice of intent to
15 revoke was served on Mr. Reasoner.

16 (Exhibit D marked for identification.)

17 MR. JENSEN: Exhibit E is the personnel
18 action report showing his termination as a peace
19 officer, from a peace officer position and indicating
20 that there was a reason for that termination that
21 could be a revocable offense.

22 (Exhibit E marked for identification.)

23 MR. JENSEN: Exhibit F is his category II
24 basic certificate, which the Commission would be
25 taking action, if any, on today.

1 (Exhibit F marked for identification.)

2 MR. JENSEN: Exhibit G is the criminal
3 information, the charging document that you looked at
4 at the previous hearing which shows that he was
5 charged with attempted possession of controlled
6 substance, a category E felony or gross misdemeanor.
7 It states that on February 15th of 2017, he willfully,
8 unlawfully, knowingly, or intentionally attempted to
9 possess a schedule I controlled substance, to wit: he
10 attempted to possess approximately 3 grams of heroin
11 from Tri-Net, which I know is the drug task force
12 there in the Carson City area, Douglas County area,
13 and that that offense occurred in Carson City, Nevada.

14 (Exhibit G marked for identification.)

15 MR. JENSEN: Exhibit H is his plea agreement
16 where he agreed to plead guilty to that attempted
17 possession offense.

18 (Exhibit H marked for identification.)

19 MR. JENSEN: Exhibit I is the judgment of
20 conviction showing he was, in fact, convicted of
21 possession of a controlled substance, a gross
22 misdemeanor. He was sentenced to I believe it was
23 364 days in the Carson City Jail. That was suspended.
24 He was placed on probation with other special
25 conditions.

1 (Exhibit I marked for identification.)

2 MR. JENSEN: Based on the nature of this
3 offense, it is recommended that his POST certificate
4 be revoked.

5 SHERIFF PIERINI: Thank you, Mr. Jensen.
6 The exhibits are approved and certainly accepted.

7 (Exhibits A through I received.)

8 SHERIFF PIERINI: I want to reach out to the
9 public, is anybody here would like to make a comment
10 on in person? How about the Commissioners, any
11 comments, questions? How about a motion? Dan, you're
12 good at it, go ahead.

13 SHERIFF WATTS: Dan Watts. I'll make a
14 motion that we revoke the certificate of Robert
15 Reasoner.

16 SHERIFF PIERINI: Do I have a second?

17 CHIEF FREEMAN: Michele Freeman, second.

18 SHERIFF PIERINI: Any other questions,
19 comments? All in favor?

20 (Ayes.)

21 SHERIFF PIERINI: Anybody opposed? So
22 carried.

23 Okay, number 9, discussion, public comment,
24 and for possible action, request from the Carson City
25 Sheriff's Office for their employee Captain Brian

1 Humphrey -- I see him out there -- for an executive
2 certificate. Mr. Sherlock?

3 MR. SHERLOCK: Mike Sherlock for the record.
4 POST staff received application for an executive
5 certificate for Captain Brian Humphrey. Additionally,
6 we had a letter of support received from Sheriff Ken
7 Furlong. Staff reviewed the application and found
8 that Captain Humphrey meets or exceeds all of the
9 requirements to obtain that particular certificate and
10 would recommend issuing the executive certificate.

11 SHERIFF PIERINI: Thank you. Mr. Furlong,
12 would you like to make a comment?

13 SHERIFF FURLONG: Thank you, I appreciate
14 Mr. Sherlock going through this with us. Education
15 and career development is absolutely a critical
16 foundation piece of the Carson City Sheriff's Office.
17 And Brian, having attended the FBI National Academy
18 just this past year, is another inspiration to those
19 young folks that are coming into the career field
20 hoping that they can achieve their own dreams. Brian
21 is an absolute top performer. He has a tremendous
22 impact on what we do and how we do it in our region.
23 And so I thank you, Mr. Sherlock and Mr. Pierini.

24 SHERIFF PIERINI: Thank you, sheriff,
25 appreciate that.

1 MR. HUMPHREY: I'll keep it brief. I
2 appreciate everything, and just like he was saying,
3 returning back from the FBI Academy this last year, a
4 lot of education this last year going into the
5 certificate, and I appreciate everybody's time. Thank
6 you.

7 SHERIFF PIERINI: And we're going to make
8 that happen right now if we can. Okay, we're looking
9 for a motion. Or maybe I should ask to the public
10 does anyone want to make any comments?

11 DEPUTY CHIEF SCHOFIELD: Anybody want to
12 protest? I make a motion to approve the executive
13 certificate.

14 SHERIFF PIERINI: Thank you, Gary, I
15 appreciate that. Do I have a second?

16 CHIEF FREEMAN: Michele Freeman seconds.

17 SHERIFF PIERINI: Thank you so much. Any
18 comments? Anything else? Okay, all in favor?

19 (Ayes.)

20 SHERIFF PIERINI: Any opposed? So carried.
21 Come on up.

22 DEPUTY CHIEF SCHOFIELD: Congratulations.

23 CHIEF FREEMAN: Congratulations.

24 SHERIFF PIERINI: Congratulations to you,
25 sir.

1 Okay, now we're going to go to 10. We're
2 getting there. We are getting there, aren't we?
3 Discussion, public comment, and for possible action
4 request from the Lyon County Juvenile Probation
5 Department for their employee Officer Christopher
6 Gentine, Gentino, I don't know, whatever, for a
7 6-month extension past the 1-year requirement to
8 July 3, 2018, in order to meet the requirements for
9 certification. Sir?

10 CHIEF SMITH: I am Eric Smith, Chief of
11 Juvenile Probation, Lyon County. Aside from what's
12 addressed in my letter, I did have a chance to speak
13 to some of the instructors at the academy who did say
14 Officer Gentine would pass or could pass the academy
15 with more training. My department does want to retain
16 him. He is a valuable officer. We do need that
17 extension for the 3 weeks. I do not have a civilian
18 position to put him into. So without that extension,
19 I would have to release him. And he is currently
20 enrolled in the POST 2018 academy.

21 SHERIFF PIERINI: Okay. Sheriff, would you
22 like to make any comment?

23 SHERIFF McNEAL: For the record, Sheriff Al
24 McNeal. I'm here to support the chief and a juvenile
25 probation officer I've known for many years. If he

1 says he's going to work with him and give him the
2 training, I know Eric Smith well enough that he is
3 going to fulfill that requirement. So I know with a
4 new face or, you know, the Commission doesn't know who
5 this individual is. I think it's important as the
6 sheriff to speak on his behalf.

7 SHERIFF PIERINI: Thank you, sir. Scott,
8 would you want to say anything, please?

9 CHIEF JOHNSTON: Yes, Scott Johnston for the
10 record. If the Commission chooses to approve the
11 6-month extension -- how do you pronounce his last
12 name, Gentine?

13 CHIEF SMITH: Gentine.

14 CHIEF JOHNSTON: Gentine. He was hired on
15 1/3/of 17, so a 6-month extension would move his
16 certification period out to July 3rd of '18. He would
17 have until that time to obtain his basic. And being
18 as he is enrolled in the 2018 academy, which I presume
19 is in February, January or February.

20 CHIEF SMITH: The end of January is my
21 understanding.

22 CHIEF JOHNSTON: Then he would be graduating
23 in time to fulfill this time requirement and get
24 certified. The staff would have no objections to
25 this.

1 SHERIFF PIERINI: Perfect, thank you, Scott.
2 I'm going to ask anybody out in the public, any
3 comments? How about the Commission, any questions?
4 Gary, motion?

5 DEPUTY CHIEF SCHOFIELD: I'll make a motion
6 to approve the extension -- you caught me off guard --
7 on staff's recommendations.

8 SHERIFF PIERINI: Thank you. Is there a
9 second?

10 CHIEF DEPUTY PEDERSEN: Russ Pedersen,
11 second.

12 SHERIFF PIERINI: Okay, Russ, thank you.
13 All in favor?

14 (Ayes.)

15 SHERIFF PIERINI: Any opposed? Thank you,
16 appreciate you coming.

17 CHIEF SMITH: Thank you, gentlemen.

18 SHERIFF PIERINI: As well we're so really
19 pleased that you come here because it's very important
20 to hear about it, thank you.

21 Public comments, anybody out in the public
22 would like to make any other further comments? Items
23 that we haven't covered?

24 Okay, we're going to go onto, let's see,
25 we're going to do the schedule of upcoming Commission

1 meeting. Mr. Sherlock?

2 MR. SHERLOCK: Mike Sherlock for the record.
3 We are actually still working with Bob Roshack (ph.)
4 to try to nail a date, but we are planning February in
5 Carson. As soon as we nail that down, clearly there
6 are some people that would want to be on the agenda,
7 we'll get a date out to everybody.

8 UNIDENTIFIED SPEAKER: Is there still snow
9 on the ground in February?

10 MR. SHERLOCK: Yeah, yeah, I heard it snowed
11 in Hawaii, too, but it'll be cold.

12 SHERIFF PIERINI: So we are not going to be
13 with the sheriffs and chiefs meeting at the same time
14 that's in Mesquite; is that what I'm hearing?

15 MR. SHERLOCK: That's correct. We're trying
16 to figure that out now.

17 SHERIFF PIERINI: Okay, thank you. All
18 right, so when that comes up, we can certainly pass
19 that onto you.

20 And onto number 13, discussion, public
21 comment, and for possible action, adjourned. Does
22 anybody want to leave? I guess not, we're still
23 going.

24 CHIEF DEPUTY PEDERSEN: Russ Pedersen, move
25 to leave.

1 SHERIFF WATTS: Second.

2 SHERIFF PIERINI: All right, all in favor?

3 (Ayes.)

4 SHERIFF PIERINI: Thank you.

5 (Whereupon, 5:18 p.m., the meeting in the
6 above-entitled matter was concluded.)

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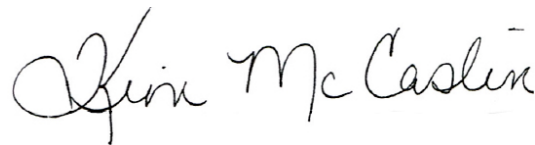
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CERTIFICATION

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



Kim McCaslin
Transcriber

<p style="text-align: center;"><u> </u> \$ <u> </u></p> <p>\$2,000 54:9 \$22,000 33:11 \$500 31:6,7,8,9 \$807.00 54:8</p> <p style="text-align: center;"><u> </u> 1 <u> </u></p> <p>1 16:8 29:2 11 47:12 120 20:2 28:25 29:3 120-hour 20:1 151 18:15,22 44:19, 25 45:11 15th 59:7 16 5:4,25 34:10,21 35:12 36:7 41:22 47:13 16-week 31:10 41:10 180 29:13 193.330 56:18 199.480 50:21 53:9 1st 52:19</p> <p style="text-align: center;"><u> </u> 2 <u> </u></p> <p>2 10:10 2012 52:19 2017 5:4,25 15:14 30:3 52:13 59:7 205.0832 50:22 53:10 27 30:3</p>	<p>27th 30:7 289 8:24 289.120 19:22 289.140 11:1 289.150 11:10 289.170 11:14 289.200 11:17 20:5 289.230 11:20 289.290 51:11 289.290(1)(e) 50:17 289.290(1)(g) 56:10 289.310 12:2</p> <p style="text-align: center;"><u> </u> 3 <u> </u></p> <p>3 8:19 30:1 35:2 38:23 43:5,6 59:10 30 31:13,21 40:18 31st 52:12 364 59:23</p> <p style="text-align: center;"><u> </u> 4 <u> </u></p> <p>4 5:4 6:1 24:13 40 33:4 453.336 56:18 453.401 56:23 4:02 5:2</p> <p style="text-align: center;"><u> </u> 5 <u> </u></p> <p>5 33:19 44:17</p>	<p style="text-align: center;"><u> </u> 6 <u> </u></p> <p>6 29:2 31:10 45:21 60 33:4</p> <p style="text-align: center;"><u> </u> 7 <u> </u></p> <p>7 47:11 50:15 51:14</p> <p style="text-align: center;"><u> </u> 8 <u> </u></p> <p>8 47:21,23 48:4 56:8 57:14 80s 31:7</p> <p style="text-align: center;"><u> </u> 9 <u> </u></p> <p>9 60:23 90 54:6</p> <p style="text-align: center;"><u> </u> A <u> </u></p> <p>AB 18:22 44:19,25 45:11 ability 26:20 43:10 absolute 61:21 absolutely 61:15 abuse 11:5 academics 17:15 academies 28:8 academy 15:18 16:17 30:25 31:1, 3,10,16,17,18,19 36:20 41:10 47:18 48:4,6 61:17 accept 43:11 accepted 54:19 60:6</p>	<p>access 27:15 accident 11:4 accidentally 33:9 account 33:8 accounts 52:25 accurate 26:1 achieve 61:20 Act 56:22 action 9:22 30:2 44:18 45:24,25 50:17 51:16 52:3, 18 55:16 56:9 57:11,16,20 58:18, 25 60:24 actions 54:13 active 12:8 add 13:16 19:22 36:21 46:6 added 11:8,12,19 14:15 18:5 19:21 adding 20:14 addition 31:23 Additionally 11:7 61:5 adds 20:5 administrative 8:25 29:15 31:12 33:23 54:9 administratively 29:11,14 32:17 admitted 57:15 adopt 29:4 45:25 46:8 48:23 49:7 50:5</p>
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