



Nevada Commission on Peace Officer
Standards and Training

POST COMMISSION MEETING
TUESDAY, NOVEMBER 17, 2020

COMMISSION ON POST
ADMINISTRATION BUILDING
5587 WA PAI SHONE AVE.
CARSON CITY, NV 89701

NOTICES

- I. **WORKSHOP**
- II. **REGULARLY SCHEDULED MEETING AGENDA**



STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

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

A workshop has been scheduled for **10:00 a.m., Tuesday November 17, 2020 at the Administrative Offices of the Nevada Peace Officer Standards and Training, 5587 Wa Pai Shone Ave., Carson City, NV 89701**. The purpose of the workshop is to solicit comments from interested persons on the following general topic(s) that may be addressed in the proposed regulations:

TOPIC

NAC REGULATION

- | | |
|--|----------------------|
| A. Discussion regarding possible revisions to NAC 289.140, Minimum Standards of Training for Category I Peace Officers, to add "The DWI Detection and Standardized Field Sobriety Testing and Advanced Roadside Impaired Driving Enforcement courses approved by the National Highway Traffic Safety Administration. | 289.140(2)(i) |
|--|----------------------|

POSTED AT THE FOLLOWING LOCATIONS:

POST Administrative Offices, Carson City

Pursuant to the Governors Declaration of Emergency Directive 006, section 004, a notice of this meeting has been provided via electronic means to all persons on the POST official Listserv e-mail list and posted on the following websites:

<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 Standards Division, at (775) 687-7678, ext. 3335, 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. 3335, no later than 2 working days prior to the meeting.



STATE OF NEVADA
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STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT 10:00 A.M., TUESDAY, NOVEMBER 17, 2020, THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A WORKSHOP AND REGULARLY SCHEDULED MEETING AT THE ADMINISTRATIVE OFFICE OF THE NEVADA PEACE OFFICER STANDARDS AND TRAINING, 5587 WA PAI SHONE AVE., CARSON CITY, NV 89701. **COMMISSIONERS MAY APPEAR TELEPHONICALLY.**

EMERGENCY COVID-19 NOTICE:

COMMISSION MEETING WILL BE CANCELLED AND RESCHEDULED IF TOO MANY MEMBERS OF THE PUBLIC ATTEND IN PERSON AND THE COMMISSION IS UNABLE TO ENSURE PROPER COVID-19 PROTOCOLS INCLUDING SOCIAL DISTANCING REQUIREMENTS (6 FEET DISTANCE) IMPOSED BY NEVADA GOVERNOR.

MEMBERS OF THE PUBLIC ARE INVITED TO SUBMIT WRITTEN PUBLIC COMMENT WHICH WILL BE SUBMITTED INTO THE RECORD OF THE PUBLIC MEETING.

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.
3. Workshop on proposed regulation change.

THE PURPOSE OF THIS WORKSHOP IS TO RECEIVE COMMENTS FROM ALL INTERESTED PERSONS REGARDING THE ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS PERTAINING TO CHAPTER 289 OF THE NEVADA ADMINISTRATIVE CODE (NAC)(THIS WORKSHOP HAS BEEN PREVIOUSLY NOTICED AS REQUIRED BY NRS CHAPTER 233B):

<u>TOPIC</u>	<u>NAC REGULATION</u>
Discussion regarding possible revisions to NAC289.140, Minimum Standards of Training for Category I Peace Officers, to add "The DWI Detection and Standardized Field Sobriety Testing and Advanced Roadside Impaired Driving Enforcement courses approved by the National Highway Traffic Safety Administration."	289.140

4. **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.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Approval of minutes from the August 13, 2020 regularly scheduled POST Commission Meeting

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

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

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

The Commission to decide whether to continue the rulemaking process to amend NAC289.140, Minimum Standards of Training for Category I Peace Officers, to add "The DWI Detection and Standardized Field Sobriety Testing and Advanced Roadside Impaired Driving Enforcement courses approved by the National Highway Traffic Safety Administration."

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Gary R. Erickson, formally of the Mesquite Police Department, certifications based upon a felony conviction.

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Aaron M. Winder, formally of the Department of Health and Human Services Division of Public Behavioral Health, certification based upon felony convictions.

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

Request from the City of Las Vegas Department of Public Safety, for their employee Deputy Chief Rhonda Adams for an Executive Certificate.

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

Request from the Las Vegas Metropolitan Police Department, for their employee Assistant Sheriff Christopher C. Jones for an Executive Certificate.

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

Request from the Nye County Sheriff's Office, for their employee Captain David Boruchowitz for an Executive Certificate.

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

A request from the Rural Justice Courts for a 6-month extension pursuant to NRS 289.550 for their employee Aaron Starns to meet certification requirements.

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

A request from Carson City Sheriff's Office for a 6-month extension pursuant to NRS 289.550 for their employee Bethany Wurster to meet certification requirements.

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A request from Carson City Sheriff's Office for a 6-month extension pursuant to NRS 289.550 for their employee Kendall Murphy to meet certification requirements.

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Ghade Brooks to meet certification requirements.

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

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Miranda Barnes to meet certification requirements.

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Juan A. Molina to meet certification requirements

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 Meeting

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

Adjournment.

POSTED AT THE FOLLOWING LOCATIONS:

POST Administrative Offices, Carson City
Carson City Sheriff's Office, Carson City
Las Vegas Metropolitan Police Department, Las Vegas
White Pine County Sheriff's Office, Ely

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II. REGULARLY SCHEDULED MEETING AGENDA ITEMS



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II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Approval of minutes from the August 13, 2020 regularly scheduled POST Commission Meeting.

1 STATE OF NEVADA

2 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

3
4 A Workshop and Regularly Scheduled Meeting of
5 the Commission on Peace Officer Standards and Training was held
6 on Thursday, August 13, 2020, commencing at 10 a.m. at Reno
7 Police Department at 455 East Second Street, Reno, Nevada.

8
9 COMMISSIONERS:

10 Jason Soto, Chairman

11 Michael Allen

12 Michele Freeman

13 Kevin McKinney

14 Ty Trouten

15 George Togliatti

16
17 STAFF:

18 Mike Jensen, Attorney General's Office

19 Mike Sherlock, POST

20 Kathy Floyd, POST

21 Richard Moore, POST Training Specialist

22
23
24
25 TRANSCRIBED BY: Debra S. Behuniak

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15. 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. 61

16. Schedule upcoming Commission Meeting. 61

17. Adjournment. 62

PROCEEDINGS

CHAIRMAN SOTO: Good morning. I'm going to call this meeting to order. The date and time is August 13th, 2020, at 1000 hours. This meeting is being held at the Reno Police Department at 455 East Second Street, Reno, Nevada. I want to start off with roll call of commission members. Due to the conference call meeting, I'm going to verbally do a roll call and just go through. This is Chief Jason Soto with the Reno Police Department, the Chair of the POST Commission. Commissioner Tim Shea?

COMMISSIONER SHEA: I am here.

CHAIRMAN SOTO: Commissioner Mike Allen?

COMMISSIONER ALLEN: Here.

CHAIRMAN SOTO: Commissioner Michele Freeman?

COMMISSIONER FREEMAN: I am here. Thank you.

CHAIRMAN SOTO: Commissioner Kevin McKinney?

COMMISSIONER McKINNEY: Here.

CHAIRMAN SOTO: Commissioner Kelly McMahon?

Not present. Commissioner Ty Trouten?

COMMISSIONER TROUTEN: Here.

CHAIRMAN SOTO: Commissioner George Togliatti?

COMMISSIONER TOGLIATTI: Here.

CHAIRMAN SOTO: And I'm going to turn it over to our Staff so that they can announce their presence as well.

1 MR. JENSEN: Mike Jensen with the Attorney
2 General's Office.

3 MR. SHERLOCK: Mike Sherlock with POST.

4 MS. FLOYD: Kathy Floyd with POST.

5 MR. MOORE: And I'm Richard Moore. I'm a
6 Training Specialist for POST.

7 CHAIRMAN SOTO: And before I turn it over to our
8 POST Staff, I just wanted to take one moment to put on the
9 record that I really want to thank a couple of our
10 Commissioners. I'll start off with Michele Freeman, who we have
11 on the line. I just want to thank you for all of your years of
12 service and devotion to our POST Commission. Thank you very
13 much for all you've done. We're really going to miss you and
14 your presence on this Commission. And I also want to thank Jim
15 Ketsaa with Clark County School District who has since retired
16 and all of his work over the years as well. So thank you both
17 very much, and I just wanted to get that on record. Okay. I'm
18 going to turn it over to our --

19 COMMISSIONER FREEMAN: (Inaudible).

20 CHAIRMAN SOTO: You bet. We're going to miss
21 you, Michele. I'm going to turn it over to POST Staff for legal
22 postings.

23 MS. FLOYD: So this meeting has been noticed
24 according to NRS 241.020 and the Governor's Declaration of
25 Emergency Directive 006, Section 4. Public Comment Workshop and

1 Regularly Scheduled Meeting Notices were posted at the POST
2 Administration Office in Carson City. Carson City Sheriff's
3 Office faxed to the Grant Sawyer Building in Las Vegas and email
4 to all agency point of contacts and administrators on the POST
5 listserv. These notices have been posted electronically on the
6 POST website at post.nv.gov and on the Nevada Public Notice
7 Website at notice.nv.gov.

8 CHAIRMAN SOTO: Okay. Thank you very much. I
9 suppose I should also note that we have this call-in ability
10 because of COVID and (inaudible). Um, we've made sure to have
11 COVID restrictions and guidelines in place for this meeting that
12 we have here. I'm going to go on to the first Public Comment
13 Hearing. We'll address proposed -- did we get that --
14 regulations -- did you read that off? Okay.

15 COMMISSIONER SHEA: You did (inaudible).

16 CHAIRMAN SOTO: Okay. Proposed Regulations, LCB
17 file, are R112-19. The purpose of the Hearing is to receive
18 comments from all interested persons regarding the adoption of
19 amendment and repeal of regulations pertaining to Chapter 289 of
20 the Nevada Administrative Code or NAC. This Public Comment
21 Hearing has been previously noticed as required by NRS, Chapter
22 233B. This regulation amends NAC 289.200, Subsection 9, which
23 allows the executive director at the employing agency's request
24 to return the Basic Certificate Category 1 and 2 to active
25 status once the peace officer meets minimum standards of

1 appointment, successfully completes requirements set forth in
2 Paragraph D, E, and F of Subsection 2, and within five
3 consecutive years of his/her termination of employment as a
4 Category 1 or 2 peace officer, became a full-time employee of
5 the Commission or full-time law enforcement officer of a federal
6 law enforcement agency approved by the Commission, and
7 subsequently within five consecutive years of his/her
8 termination of employment with the Commission or federal law
9 enforcement agency became employed as a peace officer in the
10 same category of a peace officer, he/she held immediately prior
11 to his/her appointment with the Commission or federal law
12 enforcement agency. Now I'm going to turn this over to Mike
13 Sherlock for some background.

14 MR. SHERLOCK: Thank you, Chief. Mike Sherlock
15 for the record. I know that's a mouthful -- typical regulation.
16 So as the Commissioners I'm sure recall, this regulation was
17 amended by this Commission, and what you have before you now is
18 language brought to us back from LCB. Just as a reminder, this
19 amendment sort of evens the playing field and basically puts
20 those who leave state service as a certified Nevada peace
21 officer and go to work either for POST in our academy or a
22 federal law enforcement agency that POST recognizes -- it allows
23 them to return their Nevada certificate back to active if they
24 come back to state service. Kind of puts them on the same
25 playing field as reciprocity. If somebody went to Utah and was

1 there for seven years, they could come back reciprocity. The
2 little hole in our -- as you recall, the reason this was written
3 is -- you didn't have that option with federal law enforcement
4 and that kind of thing. So this is the language from that. It
5 just essentially makes the same process with reciprocity across
6 the board. Obviously, this is the public comment hearing that's
7 part of the final task for implementation of that particular
8 regulation.

9 CHAIRMAN SOTO: Okay. Do we have anyone in the
10 public who wishes to comment on this regulation? Seeing none,
11 we'll continue to Part 2 of the Public Comment Hearing. This
12 regulation amends NAC 289.230 to require all peace officers
13 annually complete 12 hours of in-service training in (1) racial
14 profiling, (2) mental health, (3) the wellbeing of officers, (4)
15 implicit bias recognition, (5) deescalation, (6) human
16 trafficking, and (7) firearms. With that, I'm going to go back
17 to Mike Sherlock for some background information on this.

18 MR. SHERLOCK: Again, Mike Sherlock for the
19 record. As the Commissioners recall, AB 478, which passed in
20 the last legislative session, mandated those specific training
21 topics as a part of the peace officer's continuing education
22 requirement. The Commission amended this regulation, and it
23 simply reiterates the statute that was established by AB 478,
24 and it actually requires us to create this language that you see

1 before you, and it is just simply in response to that
2 legislation and gets our regulations to mirror the statute and
3 conform with that statute. So again, this is the time for any
4 public comments related to that particular issue.

5 CHAIRMAN SOTO: Okay. Do we have any comments
6 from the public in regards to this regulation? Seeing as though
7 there are none, we're going to close the Public Comment Hearing,
8 and we're now going to move to a workshop on proposed regulation
9 changes. The purpose of the hearing is to solicit comments from
10 interested persons on the following topic that may be addressed
11 in future proposed regulations. This workshop has been
12 previously noticed pursuant to the requirements of NRS Chapter
13 233B. The first workshop is in reference to NAC 289.200 and the
14 requirements to pass the POST physical readiness test per
15 reciprocity certificate applicants. I'm going to turn it over
16 to Mike Sherlock for some background on this subject.

17 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
18 Sherlock for the record again. So the first area for this
19 workshop is again related to that PPFT, the Physical Readiness
20 Test, as it's required for those seeking certification via
21 reciprocity, meaning they were a peace officer in another state,
22 and now they're coming into our state. So as you may recall,
23 under the current regulation, that PPFT test must only be given
24 after the date of hire of that reciprocity person. This has
25 been a source of some frustration for agencies that are hiring.

1 They often give the test during recruitment only to find out
2 that that test doesn't apply to certification because of this
3 regulation and must give that test again after the date of hire
4 to be in compliance. There's obviously some problems with that,
5 including they may discover if they wait to get that PPFT till
6 after they're hired, they may discover that that applicant
7 doesn't meet the minimum standards, and yet they've already
8 hired him, and those kind of issues arise. Just based on that,
9 Staff would suggest that perhaps the regulation should be
10 changed to more closely match the requirement for other new
11 hires. So for those who are not reciprocity, they must take the
12 academy entrance test no more than 30 days prior to the start of
13 the academy. We would suggest that perhaps changing the wording
14 here to allowing that PPFT to no more than 30 days before the
15 date of hire would benefit those agencies that are recruiting
16 and want to know at what point they meet the minimum standard.
17 And again, leave the 16 weeks, which is the other end of that
18 period that you can test for, in the regulation. And again,
19 this would just simply apply to reciprocity. So again, the
20 workshop is our chance to discuss that, and that would be our
21 suggestion as we get into the meeting agenda.

22 CHAIRMAN SOTO: Can you explain one more time,
23 Mr. Sherlock, the wording -- no more than 30 days -- and what
24 that does for specific agency? I was a little confused, and I
25 apologize.

1 MR. SHERLOCK: Sure, Mike Sherlock for the
2 record. So the way it stands right now, if the applicant is
3 looking for their basic certificate and their theory that
4 qualifies as reciprocity -- they were a peace officer in another
5 state -- under our current regulations you have to do a few
6 things, right? You have to do the online reciprocity basic
7 academy, you have to take the state cert test, and you have to
8 take our physical fitness test. The way it reads right now is -
9 - that physical fitness test cannot be administered until after
10 they're hired. What we're suggesting is -- maybe it would be
11 better to move that prior to that hire date, as we do with
12 academy recruits for instance, to give more value, one to the
13 recruiting process for those agencies and not have them worry
14 about having to give the test again once that person is
15 employed. And it has been sort of a source of confusion for our
16 agencies out there on getting that PPFT.

17 COMMISSIONER ALLEN: I've got a question. So on
18 that test -- on the physical agility test -- that has to be
19 proctored by somebody from POST?

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

22 COMMISSIONER ALLEN: Excuse me. That was Mike
23 Allen for the record. Well, okay.

1 CHAIRMAN SOTO: Okay. Thank you for that
2 explanation. That certainly helps me. Do we have any other
3 comments or questions from any of our Commission on this?

4 COMMISSIONER SHEA: Tim Shea here. Yeah, I find
5 this -- again, I -- in the seven years I've been in Nevada now
6 to find this very difficult to reconcile with myself. The fact
7 is -- we are hiring police officers who are actively working as
8 police officers, so we're going to give them a physical agility
9 test to see if they can be a police officer. That in and of
10 itself seems a little strange to me. The other thing is --
11 because of the way we have this set up, we cannot administer the
12 test. Somehow, some way, we have to get somebody from POST here
13 to administer a test. Now, when we're dealing with people
14 coming from out of state, we have to get them here, and we have
15 to get a number of things accomplished within some short windows
16 normally. They're not here for three or four or five weeks.
17 They're frequently only here for a week because they're working
18 police officers, so they take vacation time and they come here.
19 So if we give them the test, which we do now -- we give them the
20 test as part of the hiring process because we want to make sure
21 they can pass it because if they don't pass it, I'm not going to
22 eventually find myself in front of the Commission asking for an
23 extension. I did that once when I was with the Marshal's
24 Office, and I said I would never let that happen again. So now,
25 we give them the test with people here who have been in the past

1 certified by POST to give the physical agility test, but because
2 it's a lateral, it can't be done by us. It has to be done by
3 somebody from POST. Cause -- Mike, please correct me if I'm
4 wrong -- the entry level test can still be done by our people
5 who are certified by POST. Is that correct?

6 MR. SHERLOCK: Mike Sherlock for the record.
7 That's correct, Chief, but understand there is a difference.
8 The academy entrance is not a certification issue. The
9 reciprocity test is a certification issue -- if that makes
10 sense.

11 COMMISSIONER SHEA: Okay. Yeah, it does. It
12 does.

13 MR. SHERLOCK: That's the difference between the
14 two.

15 COMMISSIONER SHEA: So I mean basically, we're
16 trusted to do everything else, but not this. So that makes it
17 difficult to try to get somebody here to administer the test,
18 which we're getting ready to bring in laterals now, and it's
19 going to be difficult to get somebody here to do this. So what
20 happens is -- if my understanding is correct, Mike -- somebody
21 is coming to us from school police to administer the test.

22 MR. SHERLOCK: Mike Sherlock for the record.
23 I'd have to check on that, Chief. We're doing what we can with
24 COVID to try to --

25 COMMISSIONER SHEA: I know.

1 MR. SHERLOCK: But, yeah, we can't travel and
2 those kinds of things, so we're using what we can, but that may
3 be true. I wouldn't know for sure, but --

4 COMMISSIONER SHEA: So what I'm kind of getting
5 at is -- this physical agility test has become the omnipresent
6 requirement, and it's become a stumbling block in a number of
7 venues to hire a experienced police officer, who we put through
8 a whole battery of other tests. But the stumbling block for us
9 has been this physical agility test, and it's come up over and
10 over again -- certainly before even I was on POST, cause I
11 attended all the POST meetings since I've been here -- where
12 agencies are asking for extensions, not for academic reasons,
13 but because of this test, and we're making it harder to
14 administer it instead of opening up ways to get it accomplished
15 efficiently and effectively. And we're giving it multiple
16 times, and you're having to pass it multiple times. You don't
17 pass it once. People in the academy pass it multiple times. So
18 it's become a multiple-application test, most of which
19 applications do not pass. And the way the test itself is set up
20 is -- you could blow all of these things off the map in
21 physically, but if you have one event that you are a second slow
22 on, you've failed everything. And it's a very difficult process
23 that's made more difficult by the way we have this set up. So
24 that's just my opinion on it, and having to administer this or

1 try to administer this multiple times over the past seven years
2 has been pretty frustrating.

3 MR. SHERLOCK: Mike Sherlock for the record. I
4 agree, Chief, that one of the goals of this if we're able to
5 change this regulation would reduce the number of times you have
6 to give that test, and we recognize that. You're give it
7 recruiting, but then we won't accept it because the regulation
8 Requires after-hire dates, so this would alleviate some of that
9 at least.

10 COMMISSIONER McKINNEY: Kevin McKinney for the
11 record. It may alleviate some of that, but the 30 days -- I
12 still believe it's a 30 day because most of the (inaudible)
13 testing that most departments do include the physical test.
14 Then there's a background investigation, which takes anywhere
15 from three to six months. So you're out of that window if you
16 do the additional test anyway, so you still have to do a second
17 test.

18 MR. SHERLOCK: Mike Sherlock for the record. I
19 understand that, and we know. But a couple things I would say
20 on -- for us, reciprocity applicants are -- there's not a lot.
21 I don't even know what we're at -- maybe 20 a year right now.
22 And we wanted to give agencies that option though to give a
23 record physical fitness test prior to the day that they start
24 the job, and that was the thought with this regulation change.

1 CHAIRMAN SOTO: Okay. All good points.

2 (Inaudible) brought up some as well. At least this gives us
3 (inaudible) at least we're moving in the right direction. Um,
4 do we have any more comments or questions from the
5 Commissioners?

6 COMMISSIONER SHEA: Well, I'd like to make --
7 this is Tim Shea again. I'd like to make one more comment.
8 Because of this -- I'll be honest -- I try to avoid out-of-state
9 applicants as much as I possibly can. It's when I get pushed
10 into a corner and I don't have any in state, when I have to do a
11 lateral -- because again, academies are few and far between, and
12 getting someone into an academy is also very difficult, so I
13 have to try and balance when I'm going to hire. Now, we're not
14 a very big agency, and I can't afford to have two or three
15 vacancies for a year, and that literally is what happens. The
16 person I have going through field training right now began his
17 testing process in September of last year because the academy
18 doesn't start till the end of January. I didn't get him out of
19 the academy till the end of July. So now he's in the field
20 training program. So when we were compounding what's a
21 recruiting issue -- Number 1, trying to find candidates is hard
22 enough. We're in a very difficult period for that. Looking at
23 out-of-state candidates is becoming very difficult as we're
24 making the testing process more difficult to accomplish. So
25 it's making some of the smaller agencies such as ours -- it's

1 making it more difficult for us. It's hard enough for us to
2 compete as it is, and I'm just thinking that I appreciate some
3 adjustment in this, but I agree that the 30-day window won't
4 solve a thing because we will be testing people in the beginning
5 of the testing processes that we're going to be hiring by about
6 December next month. And that includes -- we'll have to give
7 them the physical agility test because I don't go any farther
8 with them if they can't pass the thing. I don't bother because
9 I don't want to end up before the Commission again, and I
10 frankly don't trust people to get themselves into shape to pass
11 the test on a promise. I've been burned by that. I'm not going
12 to have it happen again.

13 CHAIRMAN SOTO: Thanks for that, Tim. And I
14 suppose I appreciate the discussion in terms of agencies
15 throughout the state, especially those that have a different
16 number of employees, because I think for an agency of your size,
17 this gives some perspective and some depth as to what your
18 challenges are as opposed to somebody who might have a larger
19 agency that maybe doesn't have those challenges. So I think
20 it's a good conversation, and it gives the Commission and POST a
21 better understanding as to -- there's a lot of rural agencies
22 that we have throughout our state that probably are facing some
23 of the same challenges that you are. Is lateral hires for your
24 agency somewhat regular?

1 COMMISSIONER SHEA: It is. I try to balance
2 them. So I don't want to do all laterals, of course, but over
3 the past four years, I've brought in probably fourteen new
4 personnel cause of retirements and bringing our numbers back up
5 to where they need to be because of the crime-prevention act and
6 the (inaudible). So out of that, less than half are laterals,
7 but -- cause I was trying to push academies, but the academies
8 are becoming more difficult to get into because of this COVID,
9 and we don't know when the next one's going to be for sure. We
10 never really know. We're hoping when it's going to show up, but
11 we don't know if there's going to be one or not. We have
12 absolutely no control over when they're going to occur or not
13 occur. Like some of the larger agencies -- again, whereas
14 before we could pretty well count on when they're going to be
15 and know when we're going to do it. Here, we don't know. So
16 we're rolling the dice. And laterals provide us a more stable
17 timeline because we control that timeline, not looking for a
18 possible academy to get somebody into. They're just few and far
19 between. So the laterals -- when we get pushed for people, that
20 becomes the -- I can afford to hold a vacancy for nine or ten
21 months and go the academy route. I can't afford to hold this
22 one, so that's going to be a lateral route where I can normally
23 get somebody in about four months. And then, of course, begin
24 the field training program. And it takes us about four months
25 to hire somebody -- three to four months, depending on where

1 they are and getting the background investigators to their
2 agency to go through their records and check references and all
3 that and to get them here to do all the tests they must do here.
4 So when you're scheduling all this back and forth, and you're
5 small, and you're not dealing with 30 or 40 lateral candidates -
6 - you're dealing with 3, it becomes very difficult. And the
7 impediment of the physical agility test of having to take it
8 multiple times also becomes an impediment, because we can't
9 administer the test. I've got to find somebody to come here and
10 do this who's qualified to give it, cause we can't give it.

11 CHAIRMAN SOTO: Thank you, Tim. Appreciate --

12 COMMISSIONER SHEA: Sure. You bet.

13 CHAIRMAN SOTO: (Inaudible). I think that's
14 something we can probably look at and start talking about a
15 little bit in the future, but --

16 COMMISSIONER SHEA: Right. Expanding that
17 timeout would help a great deal because that'd give us a bigger
18 window to find somebody and to get somebody here to get it
19 accomplished within an acceptable window, so any extension on
20 that time we can do helps a great deal.

21 CHAIRMAN SOTO: I agree. I agree. Okay. Any
22 other comments or questions from the Commission? Okay. I'm
23 going to move on to the next workshop issue, which is in
24 reference to 289.110 under Standards of Appointment and the high

1 school education requirement. I'll turn it over to Mike
2 Sherlock for an explanation of this.

3 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
4 Sherlock for the record. The second issue here in terms of the
5 workshops is -- currently under 289.110, the background requires
6 that the applicant completed the 12th grade or was certified by
7 an appropriate authority as having an equivalent education.
8 We're getting some inquiries on this with homeschooling and
9 other optional education programs becoming more common. The
10 question is -- what does appropriate authority mean? We've had
11 different issues where an applicant was homeschooled, and the
12 parents printed a certificate of completion for them -- whether
13 or not that's an appropriate authority. And I think I'm going
14 to throw it over here to Kathy, who did some research on what
15 our Department of Education would accept as an equivalent, and
16 what did you print, Kathy?

17 MS. FLOYD: Kathy Floyd for the record. So I
18 reached out to the Department of Education just to try to figure
19 out what the rules were in regards to homeschooling. So
20 basically the bottom line is -- a student can go to an
21 organization and take a GED -- a HiSET or TASC, which I believe
22 those are the companies that administer these high school final
23 tests. They will then receive what they call a high school
24 equivalency certificate, which is essentially their diploma. I
25 was told that accredited homeschool agencies will issue a

1 student a high school diploma. He provided me with a list of
2 organizations that Nevada recognizes as an accredited homeschool
3 company. The certificate in question that we came up with just
4 recently -- that company was not on the list, but it's one of
5 those situations. Um, even the colleges I reached out to -- UNR
6 and UNLV -- they both are happy to accept the high school
7 diploma. They're happy to accept the HSE, but they primarily go
8 off of credits. They look at their transcripts. So Department
9 of Education, as I said -- they are telling me that we don't
10 need to recognize a diploma that comes from a homeschooling
11 company that is not accredited.

12 MR. SHERLOCK: Mike Sherlock for the record. So
13 after this discussion and on the main agenda, we'll look to the
14 Commission on whether or not they would like us to explore
15 clarifying what that statement -- appropriate authority --
16 means. Right now, the way it stands, we can only give advice
17 limited to what that regulation currently says, but it's an
18 issue, and we've had background investigators and agencies make
19 some inquiries on that with what's going on out there in terms
20 of recruitment.

21 CHAIRMAN SOTO: Okay. Thank you for that
22 explanation. Do we have any questions or comments from the
23 Commission?

24 COMMISSIONER TROUTEN: I would encourage you to
25 seek out some clarification on that. I foresee with this COVID

1 pandemic that's drastically affecting our school year. I know
2 just in our local school district, we have a lot of additional
3 parents who are seeking to do homeschooling, and (inaudible) to
4 answer this question more frequently in the future, so let's get
5 it dialed in now.

6 CHAIRMAN SOTO: Yeah, I think that's a good
7 point, and I guess we do need some kind of line as to what is
8 accredited and what isn't accredited, because on the other --
9 through another lens, we don't want to be bringing people into
10 our organizations that don't have any type of education. So I
11 think that would be prudent of us to find out where that bar is
12 and make it a little bit more clear, cause I do agree. I think
13 that our future has forever changed in terms of what we're doing
14 remotely, including school.

15 CHAIRMAN SOTO: All right. Any other questions
16 or comments from the Commission? Do we have any public comments
17 related to this workshop? Seeing as though there's none, we're
18 going to close this workshop and move to our regularly scheduled
19 meeting. Commission Meeting, Item Number 1, which is approval
20 of minutes from the February 12th, 2020, regularly scheduled
21 POST Commission Meeting. Any discussion related to the prior
22 meeting minutes? Seeing as there's none, I'm looking for a
23 motion to approve those minutes.

1 COMMISSIONER TROUTEN: I make a motion to
2 approve the minutes from our February 12th, 2020 regular
3 meeting.

4 CHAIRMAN SOTO: I have a motion. Can I get a
5 second?

6 COMMISSIONER MCKINNEY: I'll second.

7 CHAIRMAN SOTO: I have a motion and a second.
8 All those in favor?

9 (All Commissioners say Aye.)

10 CHAIRMAN SOTO: Any opposed? Motion carries
11 unanimously. Next Item Number 2. We want to go to our
12 Executive Director's Report, and again, I'm going to turn this
13 over to Mike Sherlock.

14 MR. SHERLOCK: Thank you Mr. Chairman. Mike
15 Sherlock for the record. It's been a while, so hopefully, you
16 guys will put up with me for a minute. First I'll start with
17 training and COVID-19 issues. We are currently hosting an
18 academy. It's our second one since the pandemic issues began.
19 We've had no issues to date. We're using all the CDC and
20 Governor recommendations. Remember, we're a live-in academy.
21 We do daily screenings for both staff and students. We have
22 isolation rooms in the dorm should we need them. We don't have
23 public access to our building. We've entered into disinfecting
24 contracts for cleaning and that kind of thing. As I said, so
25 far, so good. We have had a couple advanced training sessions,

1 again, using those same procedures. Along the lines of basic
2 training and before the recent focus, we had added a class
3 called Ethical Use of Force, which addresses some of the things
4 brought up in the special session. We were just ahead of the
5 curve there. We may end up having to have to add this to our
6 statewide curriculum in the area of use of force. We have
7 looked at the latest legislation which we do not believe is a
8 big change in curriculum. The legislation actually reiterates
9 the constitutional standard for use of force essentially, and,
10 of course, that is already a part of our curriculum. It's the
11 very bones of our curriculum. There will be some changes in
12 terms of duties of peace officers, both in use-of-force incident
13 and in relation to civil liability and peace officer bill-of-
14 rights issues. We're reviewing them and how that applies to the
15 statewide curriculum. Training has posted the schedule for
16 about the next 12 months on our offerings for supervisor, BID,
17 and management training. We know that the current situation has
18 slowed that advanced training down, and so we're trying to get
19 as many offerings of that as we can under the circumstances. In
20 terms of our Standards Division, you heard the public comment
21 hearings and the workshops. We will get to those in a moment on
22 the agenda. There continues to be a push for a national
23 database of officer misconduct. We continue to get many media
24 inquiries on this. In general, from our perspective, Nevada
25 POST already participates and enters into the National

1 Decertification Index. As you all know, we revoke and suspend
2 based on specific criteria, and it's predicated on due process.
3 Once we suspend or revoke, that information is entered into that
4 national database, and we have since the beginning. I think
5 there is a push to have some sort of federally run database, but
6 nearly every single state that I interact with participates in
7 the National Decertification Index anyway. I'm not sure how
8 having redundant databases will benefit anyone, but again, we
9 already do it, and so it's not an issue. Not so much here in
10 Nevada, but other states do have an issue with that. If you can
11 understand that -- some states revoke and decertify officers for
12 missing one hour of training, and so they have some concerns
13 with those officers being listed in a national database as based
14 on something that's not conduct, but here in Nevada, we just
15 don't have that issue, and it almost never comes up for us. And
16 so it's not a big issue for us. On the administrative side of
17 things, the Deputy Director, Tim Bunting -- many of you remember
18 -- he's retired after serving some 20 years. Obviously, Tim's
19 shoes are pretty big to fill, and he had a big personality as
20 many of you know, and frankly the state hiring freeze and budget
21 mitigation plan -- so we had to come up with -- made the
22 prospect of filling that position a bit scary. However, we were
23 fortunate enough just prior to the hiring freeze to hire Chris
24 Carter as our Training Chief. Chris has an extensive background
25 to include working his way up through the ranks of Chief of

1 Police. He is recognized as an expert and trained in the
2 evaluation of use-of-force incidents among a whole host of other
3 areas of expertise, but from my perspective, he has the budget-
4 building and management background that that Deputy Director
5 position is tasked with, so we volunteered him for that
6 position, and I'm excited to have him on board. Many of you
7 remember Scott Johnston also, who was our Chief of Standards.
8 He was with us for 27 years. Again, a lot of institutional
9 knowledge with Scott. Difficult to replace. That said, Kathy
10 here next to me has been with POST for many years. She worked
11 her way up through the Standards Division and is without a doubt
12 the most knowledgeable person on issues related to that task in
13 standards. Kathy has a background in supervising personnel, and
14 this along with her knowledge of the Division allowed for a
15 seamless transfer into that Standards Chief position. We're
16 happy to have her there. Actually, over here is Richard Moore.
17 He is a new Training Specialist. Richard came to us from
18 National Park Service law enforcement and prior to that,
19 Nashville PD. He brings a lot of good training background and a
20 lot of things that we need, and he's an IT guy, so worked out
21 pretty well for me. We hope to get a couple more internal
22 promotions through the Governor's Budget Office very soon. I
23 think our justification for filling our positions is solid, as
24 our budget came in at 100% last fiscal year. With that, we
25 don't think there's any reason to withhold our ability to fill

1 those vacant positions. I do want to say thank you to those
2 agencies who continue to enforce traffic laws in particular, as
3 this is a big part of our revenue stream at POST. And frankly,
4 it's unusual for us to hit 100% authorization, and yet we did
5 despite the pandemic, so that's a good thing. On the subject of
6 the budget, the Training Division put in for DOJ grant, which,
7 of course, run through DPS. We were awarded that grant. We are
8 going to purchase a whole host of training material, new tablets
9 for the academy, training stress vests, which are a great
10 training tool and not cheap, and, body cams for training
11 purposes, and some other training aids. It was around a
12 101,000. We really can't thank DPS enough. Over the years, we
13 have relied on those grants for things that we just can't get
14 into our budget, and once again, they've done that for us. I
15 think the advantage with awarding those to POST is -- we can
16 share that statewide rather well. I also met with the Nevada
17 Sentencing Commission a couple times. They were evaluating BJA
18 grants really. I applied for a 30,000-dollar grant to establish
19 a program for Mental Health Multidisciplinary Teams, the
20 Sentencing Commission recommended we receive the grants, and we
21 just were notified by CJIS as part of BJA that they agreed, and
22 they're going to award those funds to us. Those funds will be
23 used to advance our mandate under AB 236, which established POST
24 as administering a grant program with emphasis on rural agencies
25 to develop these Multidisciplinary Mental Health Response Teams.

1 So this first initial grant will be used to build the
2 infrastructure for that -- a part-time position to establish
3 that grant program. Now, understand the money we received is
4 only to build the infrastructure. We have not received the
5 grant funds that's talked about in AB 236. Not sure where that
6 funding will come from, but in our next biennium budget request,
7 we're asking for a grant management position to deal with that
8 if we do get those funds. And from the legislative standpoint,
9 we don't have to administer that program unless we receive the
10 funds obviously. We are currently engaged in budget building
11 for the next biennium. Pretty used to a pessimistic outlook
12 when you're building budgets, but we are in that. We are in
13 some critical need for staff training, which was cut out of our
14 budget many years ago, training resources, personnel, that kind
15 of thing, and we'll be making some requests in our budget
16 obviously to try to bring us up to speed. One of our priorities
17 now -- and it's just forced upon us -- is our data management
18 system is antiquated and needs to be updated, and so that will
19 be one of our priorities -- to come up with a new data
20 management system. The only other budget issue -- our agreement
21 with the Carson City Parks Department to use one of their parks
22 for EVOC is coming to an end. They repaved it. There are
23 restrictions on what we can do on that new pavement -- and I
24 understand it -- they have to protect their investment there --
25 will force us out of that agreement with them. Many of you know

1 we've tried to get a CIP for an EVOC since 2007. We had the
2 funds. They swept the funds. We're going to ask again. It's
3 on land that we already own. We've put in for that CIP again.
4 However, because of the delay, they're forcing us back to the
5 planning stage, and so this CIP would only -- again -- once
6 again to do the plans that we've already done in the past, but
7 they're outdated. So with that, we have worked with the
8 training center up here in Reno, and we are not budgeted for
9 that. And it looks like we're not going to be budgeted for that
10 or be able to -- we will likely July 1 of next year raise our
11 tuition from 500 to 600 dollars to cover the cost of the EVOC
12 Track at training center. And it's not a big raise -- I get it
13 -- and that kind of thing. I am a little bit concerned about
14 our downtime and wear and tear on our EVOC cars back and forth,
15 but there are advantages to us going up to the training center
16 also, so I do appreciate those people working with us to take
17 care of that. One final issue, and after speaking with Chief
18 Soto -- we have had some inquiries as to whether or not POST
19 will require continuing education this year in face of the
20 Coronavirus issues. The truth of the matter is -- many agencies
21 have already completed this year's training anyway, but we have
22 had a couple of agencies looking for options and asking what
23 their options may be in terms of that. So couple things.
24 Obviously, the academic and other subjects found in AB 478
25 regulation are statutory, and we don't have the ability or the

1 authority to waive those particular requirements. In terms of
2 things like arrest control, firearms, less lethal, the
3 regulation requires demonstration of proficiency. So POST does
4 not establish proficiency. We leave that to the needs of the
5 agency and their practical considerations for them. So that
6 said, should an agency believe an officer can demonstrate
7 proficiency handcuffing a dummy while they're being observed by
8 the instructor through the glass? We're not going to argue
9 that. I mean, that's established by the agency or social
10 distancing at the range. That's not something that POST would
11 get involved in. But -- and I hate to give an out in public
12 meeting like this, but the truth of the matter is -- our
13 requirements are calendar year, and if you don't complete the
14 training by December 31st of that calendar year, you're noticed
15 by us. But from a practical standpoint, there is no action by
16 the Commission until July. So in reality, if COVID issues
17 prevented the training, they would have another six months on
18 top of that year to get it done. And frankly, we would
19 recommend that if they're unable to do that even with the
20 extension of the six months, the July 2021 meeting would be the
21 time to come address that and talk to the Commission on which
22 way the Commission would want to go with that particular
23 situation. But, frankly, we've only had a few inquiries now
24 today, and most people are getting through it I think at this
25 point, so that's where we stand -- or that's our position on

1 that. I think if it is an issue the Commission would like to
2 address and mediate, it wouldn't be necessary till the July
3 meeting of next year after we see who's actually been able to
4 complete the training or not -- if that makes sense. And I
5 think that's enough, right? That's my update. Thank you, Mr.
6 Chairman.

7 CHAIRMAN SOTO: Thank you, Mr. Sherlock. Just a
8 couple of comments from myself. First off, I want to
9 congratulate Kathy, Chris, and Richard on your new positions.
10 Welcome aboard. We're certainly happy to have you. Just to
11 speak for a brief moment on POST and the work that they've done
12 for our state for as long as I've been a police officer. I
13 think in the past couple months, it's shown just how important
14 that work really is and how that's really helped our state get
15 through some of these issues that you're seeing in other areas
16 across the country, so keep doing what you're doing. You
17 brought up budget. I think now is a good time to just put out
18 there -- POST right now is underbudgeted. There's just no other
19 way to look at it. And I think that we need to bring attention
20 to this issue, especially in light of all of the challenges and
21 needs and requests from our elected officials throughout the
22 state on what they want us to do in terms of training for our
23 police officers. And we've been saying at the POST Commission
24 for as long as I've been here -- and I'm sure prior to that --
25 that training is a big piece of this. It's paramount in terms

1 of what we do in this profession. And I really hope that we can
2 take a look at this budget and improve it in some areas so that
3 we can continue to have above-board training and put out the
4 best product in terms of police officers that we can. I know
5 it's challenging. I know that everybody is looking at ways of
6 reducing their budget because of COVID, but this is something
7 that can't be ignored. So I just wanted to bring that up in
8 this meeting today. And then finally, the last note that I had
9 was on the training piece. My suggestion to agencies that are
10 having difficulty with training is -- find a way to train your
11 people. I know it's challenging. It's challenging for large
12 agencies. It's challenging for small agencies. But I'm
13 confident that we'll be able to do so. And I agree -- we don't
14 really need to look at it until June or July. But I also know,
15 again, that's an important piece of what we do, and proficiency
16 is important, but so is that training piece. With that, I'm
17 going to ask our Commission if they have any comments or
18 questions for Mr. Sherlock.

19 COMMISSIONER ALLEN: Mike Allen for the record.
20 I would just echo the comments you made. I do think Nevada is
21 ahead of the curve on what we are seeing nationally. Thanks you
22 to you guys for keeping it that way, too. Thank you.

23 MR. SHERLOCK: "Thanks Sheriff"

24 CHAIRMAN SOTO: Any other comments from anybody?

25 COMMISSIONER TROUTEN: Yeah.

1 CHAIRMAN SOTO: One second, Tim. Go ahead, Ty.

2 COMMISSIONER TROUTEN: I just want to say thank
3 you how we rely on the POST academy to get our recruits trained
4 up and back out to us and the job being performed with respect
5 to code. Really appreciate that. Appreciate all your diligence
6 in that area.

7 MR. SHERLOCK: Thanks, Chief.

8 CHAIRMAN SOTO: Go ahead, Tim.

9 COMMISSIONER SHEA: Yes, again, I really
10 appreciate the understanding when it comes to our training and
11 looking for innovative ways to accomplish some of the training
12 goals. I'm a big believer in the training. I am also a big
13 believer in letting legislature know that when they do give us
14 mandates that unfunded mandates are a real burden on us, and if
15 they keep piling unfunded mandates on us, they become very
16 problematic. So when I look at these bills and they say -- no
17 fiscal impact -- it's not true in the training sense, because we
18 have to figure out a way to buy this training because it's not
19 organic to our organizations. So there are fiscal impacts of
20 these things. And I would hope that in the future, we would try
21 to make those very clear -- that these bills with no financial
22 impacts are in fact recognized as no financial impacts, and when
23 they are not that way, that that discrepancy is pointed out.
24 And when it comes to the hands-on training, we do have to get
25 innovative. I can't really speak for Henderson. I don't have

1 all the facts, but they had to quarantine 13 officers from a
2 defensive tactics session. So I can't afford to quarantine 13
3 officers. So we do have to be innovative, and we have to watch
4 what we're doing. I don't know about the academy for POST, but
5 I do know that Henderson also had an academy issue. The
6 Southern Desert Regional had to shut down, and we had to do
7 distance learning because of an exposure. So it is a real
8 problem for us down here, and we have to be very careful what
9 we're doing, and I appreciate some understanding for the entire
10 Commission on what we're facing with this very unique and
11 special set of circumstances that we're all doing. Doesn't give
12 us an excuse not to do the training. It's just that we do have
13 to be innovative and recognize when people are trying to get
14 through this and get things accomplished that it's going to be a
15 little bit different than the norm.

16 CHAIRMAN SOTO: Thank you, Tim. Good points,
17 too, especially on the fiscal impact piece. I think that there
18 is a fiscal impact on a lot of this. This is coming out of
19 legislation, and we need to take a look at that and make sure
20 that we stay in conversation with these electives and help them
21 understand what it is that we have to do on the financial side
22 of things, cause it does cost money. Any other comments from
23 any of our Commissioners? Okay. Since we don't have any, I'm
24 going to move on to Item Number 3. And Item Number 3 -- the
25 Commission to decide whether to continue the rule-making

1 process, to amend NAC 289.200, Subsection (4)(b), to clarify
2 when the officer must pass the state physical fitness
3 examination. If the officer is eligible for certification
4 pursuant to Subsection 2, no sooner than 30 days prior to being
5 hired as a peace officer and not later than 16 weeks after the
6 date on which the officer was hired or if the officer is a
7 reserve officer, the date of activation of his or her reserve
8 status. I'm going to turn it over to Mr. Sherlock for an
9 explanation.

10 MR. SHERLOCK: Thank you. Mike Sherlock for the
11 record again. Yeah, as stated in the workshop, we're looking
12 for a motion or what the desire of the Commission is in terms of
13 extending that period of time that the PPFT would be of record
14 for reciprocity applicants. And Staff would recommend that we
15 move forward with that.

16 CHAIRMAN SOTO: Any comments from any of our
17 Commissioners? Any public comments?

18 COMMISSIONER SHEA: Yeah. Tim Shea here. Is it
19 proper to ask for an amendment on the time or is that not
20 allowable at this stage?

21 CHAIRMAN SOTO: Go ahead, Mike.

22 MR. JENSEN: This is Mike Jensen for the record.
23 Actually, at this point, we're early in the process. There
24 isn't actually any language that's been drafted yet or set to
25 LCB, so any suggestions that you have or comments on that would

1 be appropriate at this point could be taken into consideration
2 when the language is drafted.

3 COMMISSIONER SHEA: Well, I just thought that if
4 from the hire date, if you have 16 weeks to pass, why could not
5 the time element before hire mirror the time element after hire?
6 If you can pass within 16 weeks of getting hired, what about 16
7 weeks prior to the hire date or some period between 30 days and
8 16 weeks that's palatable to the Commission?

9 MR. SHERLOCK: Mike Sherlock for the record.
10 Just to give you kind of a background and understanding that our
11 PT test is a validated, work-related physical test, and the
12 reason for the 16 weeks is in the validation, the data indicated
13 that if someone was unable to pass the PPFT in a 16-week
14 academy, they would be able to pass it in that timeframe. So
15 the reason that you see this in the reciprocity is -- the
16 thought was at the time -- and I'm guessing here, but based on
17 the validation -- that if you hired someone on Day 1 and they
18 failed the PPFT, you would have 16 weeks as an agency to get
19 them to the level where they would pass the PPFT. Now, if you
20 move that back 16 weeks that's outside of that study in any way,
21 if they failed it 16 weeks prior to the date of hire, I suppose
22 the hiring agency could track them and then test them again, but
23 I just wanted to give you a background into what that 16 weeks
24 and why that was put in there originally.

1 COMMISSIONER SHEA: Okay. Thanks, Mike. So I
2 was just -- it's just a thought that occurred to me.

3 CHAIRMAN SOTO: Any other comments from any of
4 our Commissioners (inaudible)? Any public comment on this?
5 Okay. So what I'm looking for is a motion to continue or not
6 the rule-making process for this regulation. So actually, I'm
7 looking for a motion to continue.

8 COMMISSIONER ALLEN: Mike Allen (inaudible).

9 COMMISSIONER SHEA: Tim Shea. I'll make a
10 motion to continue.

11 CHAIRMAN SOTO: Okay. I have a motion and a
12 second from Chief Allen. All those in favor, say aye.

13 (All Commissioners say Aye.)

14 CHAIRMAN SOTO: Motion carries unanimously.
15 Item Number 4, the Commission to decide whether to continue the
16 rule-making process to amend NAC 289.110, Subsection (1)(d), to
17 clarify -- when a person has successfully completed the 12th
18 grade or has been certified by an appropriate authority as
19 having an equivalent education for purposes of meeting the
20 minimum standards for appointment as a peace officer in the
21 context of home schooling programs. Turn it over to Mr.
22 Sherlock for an explanation.

23 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
24 Sherlock for the record. Again, everybody heard the workshop.
25 So Staff would really be looking at whether or not there's an

1 appetite to continue looking at cleaning up the language in this
2 particular regulation in terms of defining what an appropriate
3 authority is as it relates to that 12th-grade education.

4 CHAIRMAN SOTO: Okay. Any comments from any of
5 our Commissioners?

6 COMMISSIONER McKINNEY: Kevin McKinney for the
7 record. I would like echo Commissioner Trouten's comments
8 during the workshop. I believe we need to remove the ambiguity
9 of this, as it's going to become important in the near future.

10 CHAIRMAN SOTO: Okay. Any other comments from
11 any of our other Commissioners? Any public comments? So I'm
12 looking for a motion to continue the rule-making process
13 regarding this regulation.

14 COMMISSIONER TROUTEN: Ty Trouten for the
15 record. So moved.

16 CHAIRMAN SOTO: So I have a motion. Can I get a
17 second?

18 COMMISSIONER McKINNEY: I'll second.

19 CHAIRMAN SOTO: I have a motion and a second.
20 All those in favor, say aye.

21 (All Commissioners say Aye.)

22 CHAIRMAN SOTO: Opposed? Motion carries
23 unanimously. Item Number 5, the Commission to discuss and take
24 possible action to adopt, amend, or repeal their regulation as
25 follows. A, LCB file R112-19, amend NAC 289.200, Subsection 9,

1 which allows the executive director at the employing agency's
2 request to return the Basic Certificate Category 1 and 2 to
3 active status once the peace officer meets minimum standards of
4 appointment, successfully completes requirements set forth in
5 Paragraphs D, E, and F of Subsection 2, and within five
6 consecutive years of his/her termination of employment as a
7 Category 1 or 2 peace officer, become a full-time employee of
8 the Commission or full-time law enforcement officer of a federal
9 law enforcement agency approved by the Commission, and
10 subsequently, within five consecutive years of his/her
11 termination of employment with the Commission or federal law
12 enforcement agency became employed as a peace officer in the
13 same category of a peace officer he/she held immediately prior
14 to his or her employment with the Commission or federal law
15 enforcement agency. I'm going to turn it over to Mr. Sherlock
16 again for an explanation.

17 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
18 Sherlock for the record. Yeah, once again, I would remind the
19 Commissioners that that actual language is in the Commission
20 book if you want to look at that again. Again, this is the
21 language that we had in the Public Comment Hearing and deals
22 with recognizing those Nevada peace officers who opt to work in
23 a federal law enforcement capacity and then return to Nevada.
24 So we would be looking for the Commission to adopt that amended
25 regulation.

1 CHAIRMAN SOTO: Okay. Any comments from any of
2 our Commissioners on this?

3 COMMISSIONER McKINNEY: Kevin McKinney for the
4 record. Actually, I just noticed this just now, and I have a
5 question. Why does this not apply to Category 3 as well?

6 MR. SHERLOCK: Mike Sherlock for the record. So
7 currently under our regulations and statutes, Category 3 is not
8 eligible for reciprocity. And so there's no direct route to be
9 able to do that. So we currently don't have Category 3s from
10 out of state coming into our state. And so it left us with
11 amending our current reciprocity regulation, which deals with
12 Category 1 primarily, but does allow for Category 2.

13 CHAIRMAN SOTO: Any other comments?

14 COMMISSIONER McKINNEY: Kevin McKinney. But my
15 understanding of reciprocity -- this is returning the basic
16 certificate of a Nevada certified officer.

17 MR. SHERLOCK: Mike Sherlock for the record.
18 Again, though, it falls under reciprocity in terms of the
19 regulatory scheme because they're outside of the five years, and
20 so it forces that into either no consideration for their time or
21 the Category 1 or 2. I'm not sure how to explain that, but once
22 you're outside the 60 months, they're true. You're right.
23 There is no reciprocity for anyone unless they're in these
24 certain specific capacities.

1 CHAIRMAN SOTO: Okay. Any other questions or
2 comments from Commissioners? Any public comments? With that,
3 I'm looking for a motion to adopt the proposed regulation as
4 introduced.

5 COMMISSIONER ALLEN: Mike Allen. I'll make the
6 motion to adopt the regulation as follows.

7 CHAIRMAN SOTO: I have a motion. Looking for a
8 second.

9 COMMISSIONER TROUTEN: Ty Trouten. Second.

10 CHAIRMAN SOTO: I have a motion and a second.
11 All those in favor, say aye.
12 (All Commissioners say Aye.)

13 CHAIRMAN SOTO: Motion carries unanimously. All
14 right. Item Number 5, Section B, LCB file R025-20, amend
15 NAC289.230 to require all peace officers to annually complete 12
16 hours of in-service training and (1) racial profiling, (2)
17 mental health, (3) the wellbeing of officers, (4) implicit bias
18 recognition, (5) deescalation, (6) human trafficking, and (7)
19 firearms. Turn it over to Mr. Sherlock for an explanation.

20 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
21 Sherlock for the record. Once again, this is in response to AB
22 478, making sure that our regulations conform with the statute.
23 I will add -- and I didn't say this with the other Public
24 Comment Hearings or workshops -- we did not receive any written
25 request or comments to be added to the record on it -- just for

1 the record. But this, again, looking to adopt the changes to
2 the regulation to conform with AB 478.

3 CHAIRMAN SOTO: Okay. Any comments from any of
4 our Commission? Any public comment? All right. I'm looking
5 for a motion to adopt this regulation as introduced.

6 COMMISSIONER McKINNEY: Kevin McKinney.

7 COMMISSIONER SHEA: Tim Shea. I'll make a
8 motion to adopt the regulation as introduced.

9 CHAIRMAN SOTO: Okay. I have a motion from Tim
10 Shea, and I have a second from Kevin McKinney. All those in
11 favor, say aye.

12 (All Commissioners say Aye.)

13 CHAIRMAN SOTO: Motion carries unanimously.
14 Item Number 6, discussion, public comment, and for possible
15 action hearing pursuant to NAC 289.290, Subsection (1)(g) on the
16 revocation of Rachel E. Sorkow, formerly of the Las Vegas
17 Metropolitan Police Department, certification based upon a
18 guilty plea for misconduct of a public officer a Category E
19 felony in violation of NRS 197.110. I will now turn the hearing
20 over to Mike Jensen from the Attorney General's Office.

21 MR. JENSEN: Thank you, Mr. Chairman. Mike
22 Jensen for the record. This is the first of three revocation
23 hearings for this morning. I'll try to keep these brief. All
24 three are uncontested. So the purpose of the hearings this
25 morning would be to put the information on the record for your

1 consideration on any action to be taken on each of those cases.
2 With regards to Rachel Sorkow and all three of these hearings
3 this morning, they're being held pursuant to NRS 289510 that
4 allows for the Commission to adopt regulations establishing
5 minimum standards for certification and decertification of
6 officers. Specifically, this hearing falls under one of the
7 grounds for revocation in NAC 289.290, Section (1)(g), which
8 mandates that a certificate shall be revoked upon conviction or
9 entry of a plea of guilty, guilty but mentally ill, or nolo
10 contendere to a felony. The exhibits that are being presented
11 and which I would request be admitted to the record as part of
12 any action the Commission may take this morning -- we'd start
13 with Exhibit A, which is a certified copy of the notice of
14 intent to revoke, which we do in each of these cases to inform
15 the individual of their due process rights, if the Commission
16 intends to take action against their basic certificate, and the
17 laws being relied on to do so, the specific conviction or entry
18 of plea that's the basis for any action that the Commission
19 would take. The legal requirement that they inform the
20 Commission within 15 days if they intend to appear to contest
21 and the scope of the hearing, which this morning is whether or
22 not Miss Sorkow's certificate should be revoked for a guilty
23 plea to a felony. Uh, Exhibit B is the declaration of service,
24 which shows that Miss Sorkow was served with this notice through
25 her attorney on July 23rd, which makes the notice compliant with

1 both Chapter 289 and 241 of the NRS. Exhibit C is the personnel
2 action report, which shows that Miss Sorkow's employment was
3 terminated effective November 5th of 2019. Exhibit D is her
4 Category 1 basic certificate from POST. Beginning with Exhibit
5 E are the court documents that are the basis for any action that
6 would be taken this morning. Beginning with the charging
7 document, the information which is Exhibit E -- it shows that
8 Miss Sorkow was charged with misconduct of a public officer, a
9 Category E felony, and violation of NRS 197.110 for conduct that
10 occurred on or between February 27th, 2017, and May 16th of
11 2018. Exhibit F is the guilty plea agreement that shows that
12 she agreed to plead guilty to that charge of misconduct of a
13 public officer in violation of those same sections of statute.
14 Through that plea agreement, the parties had agreed to stay the
15 adjudication in this case, to have her complete a period of
16 informal probation not to exceed 18 months under certain
17 conditions, including resigning from Las Vegas Metro Police
18 Department and not contesting any suspension or termination and
19 to stay out of trouble essentially. If she successfully
20 completes those conditions, she'll be allowed to withdraw her
21 plea of guilty and plead guilty to obstructing a public officer,
22 which is a misdemeanor, with credit for time served. If she
23 fails to comply with those conditions, then she would be
24 sentenced pursuant to the felony statutes that apply. Exhibit G
25 are the court minutes that show that the guilty plea was

1 entered, which satisfies the requirements of your regulations
2 that upon entry of a plea of guilty to a felony that an
3 individual's POST certification will be revoked. Based on the
4 evidence in those court documents and the seriousness of the
5 conduct involved in this case and your specific regulation that
6 provides for a revocation upon entry of plea to a felony, I
7 would ask that Exhibit A through G be admitted as part of the
8 record, and we would recommend that Miss Sorkow's POST
9 certificate be revoked.

10 CHAIRMAN SOTO: Okay. Thank you. Do we have
11 any comment for Miss Sorkow? Do we have any public comments?
12 We have any comments from the Commission? All right. So I'm
13 looking for a motion on a certificate revocation of Rachel E.
14 Sorkow.

15 COMMISSIONER FREEMAN: Michele Freeman, motion
16 to revoke.

17 CHAIRMAN SOTO: I have a motion. I have a
18 second. All those in favor, say aye.

19 (All Commissioners say Aye.)

20 CHAIRMAN SOTO: Opposed? Motion carries
21 unanimously. Item Number 7, discussion, public comment, and for
22 possible action, hearing pursuant to NAC 289.290, Subsection
23 (1)(h), on the revocation of Stephen M. Bryan, formerly of the
24 Henderson Police Department, certification based upon a
25 conviction for harassment, misdemeanor. The agency has

1 requested to revoke the basic certificate based upon court
2 documents and conviction for harassment, first offense, a
3 misdemeanor in violation of NRS 200.571 on February 17th of
4 2020. The Commission heard a blind review of the facts of this
5 case and motion to move forward with the hearing. And I'm going
6 to turn this Mike Jensen from the Attorney General's Office.

7 MR. JENSEN: Thank you, Mr. Chairman. As was
8 just pointed out, this is a case where the Commission had moved
9 to move forward with a hearing based on a misdemeanor. If you
10 recall from that, that Commission meeting -- the documents that
11 were presented to the Commission were essentially the charging
12 document, which was a complaint with multiple misdemeanor
13 charges in a trespass, and other charges -- stalking and other
14 charges. This action today would not be based on the charging
15 document, but instead is based on what the individual was
16 convicted for, and so I would point that out just so you'll know
17 what you're looking at in terms of any action today. Again,
18 this hearing's being held under the same authority that was
19 pointed out in the last hearing, the NRS 289510 and 289290. The
20 difference in this case is -- this is a misdemeanor, which comes
21 under Section (1)(g) of 289290 (inaudible) Commission can take
22 action if the recommendation is made by the agency that the
23 certificate be revoked. I would ask that the following exhibits
24 that I'm going to present be admitted into evidence and made
25 part of the record to support any action that the Commission

1 would take this morning. Essentially, the same types of
2 documents, and we'll go through them real quickly. The notice
3 of intent is Exhibit A, again, pointing out the due process
4 rights, informing the individual of the time and place of the
5 hearings, and statutes that are supporting the hearing, and the
6 right to appear and contest. Additionally, the scope of the
7 issues in this hearing -- Exhibit B is the declaration of
8 service showing that Mr. Bryan was personally served on July
9 23rd, which complies with both NRS 289 and NRS 241. Exhibit C
10 is the personnel action report showing that Mr. Bryan's peace
11 officer employment was terminated in November of 2019. Also
12 showing that the Henderson Police Department recommended
13 revocation of Mr. Bryan's POST certificate, satisfying that part
14 of POST regulation. Exhibit D is a certified copy of Mr.
15 Bryan's Category 1 certificate exhibit. Exhibit E is where we
16 get into the charging documents that I mentioned just briefly
17 before. The first is the first charging document, which was a
18 criminal complaint charging Mr. Bryan was stalking, first
19 offense, and harassment, first offense. Exhibit F is a
20 certified copy of an amended complaint with additional charges
21 that were added, including trespass, injuring, and tampering
22 with a vehicle, and requesting and obtaining criminal history
23 records under false pretense. Uh, Exhibit G is the certified
24 copy of the guilty plea agreement through which Mr. Bryan agreed
25 to plead no contest to harassment, first offense, misdemeanor,

1 and violation of NRS 200571 as alleged in the amended complaint.
2 The factual basis, which I think is important especially in
3 these misdemeanor cases for that charge, is as follows. Mr.
4 Bryan did on or about August 28th, 2019, unlawfully and
5 knowingly threaten to cause bodily injury in the future to the
6 person threatened or to any other person to wit. He did
7 threaten -- and they use initials here to protect the individual
8 -- BW by informing her of words to the effect of -- if I lose my
9 job, I have nothing to lose. After Henderson Police Department
10 personnel contacted him for an interview and did in fact place
11 BW in fear that the threat would be carried out. Exhibit H is a
12 certified copy of the Henderson Municipal Court sentencing order
13 showing that Mr. Bryan was convicted of harassment, first
14 offense, which is a misdemeanor in violation of NRS200571, as
15 alleged in that amended complaint with the factual basis that I
16 just pointed out. He was then sentenced to probation with
17 indirect supervision, required to do multiple things, including
18 anger management, Level 1, continuing no contact with BW, jail
19 of 180 days that was suspended, and no further arrest. And the
20 supervision was to expire for him on November 24th of 2020.
21 Exhibit I is the court's conditions of release order. You'll
22 see there are three of those. Those are there just for your
23 information to show that when he was released, there were
24 conditions that he not make contact with this individual and
25 that he initially wear a GPS device while he was on house

1 arrest. In this case, the evidence shows a conviction for that
2 first offense, misdemeanor harassment or threatening, this
3 individual in a manner that caused them to be placed in fear
4 that the threat would be carried out. Certainly the type of
5 conduct for which he has been convicted is serious conduct and
6 can implicate his ability in the future to be trusted to be a
7 police officer or a peace officer. Shows conduct inconsistent
8 with the kind of judgement and demeanor that you would require
9 and ask of a person serving in one of those positions. Would
10 ask that Exhibits A through H be admitted into evidence and
11 would leave to the Commission what you believe is appropriate
12 action in this case.

13 CHAIRMAN SOTO: Okay. Do we have any comment
14 from Mr. Bryan? Any public comment? Any comments from any of
15 our Commissioners? Hearing none, I'm looking for a motion on
16 certificate revocation of Mr. Bryan.

17 COMMISSIONER TROUTEN: I have one question.
18 You've asked us now to admit the items into the record. Is that
19 required formal action from us or from the Chair?

20 MR. JENSEN: Usually, the Chairman is -- all
21 that's required is for the Chairman to (inaudible).

22 CHAIRMAN SOTO: We have a motion?

23 COMMISSIONER TROUTEN: I'll make that motion.

24 CHAIRMAN SOTO: We have a motion. Looking for a
25 second?

1 COMMISSIONER McKINNEY: I'll second.

2 CHAIRMAN SOTO: Okay. We have a motion and a
3 second. All those in favor, say aye.

4 (All Commissioners say Aye.)

5 CHAIRMAN SOTO: Any opposed? Motion carries
6 unanimously. Item Number 8, discussion, public comment, and
7 possible action hearing pursuant to NAC 289.290, Subsection
8 (1)(g), on the revocation of Raynaldo J. Ramos, formerly of the
9 Nevada Department of Corrections. Certification based on a
10 guilty plea of attempt performance of act and willful or wanton
11 disregard of safety of persons or property resulting in death, a
12 Category D felony/gross misdemeanor in violation of NRS 202.595,
13 Subsection 2, and NRS 193.330. I will now turn this over to Mr.
14 Jensen again from the Attorney General's Office.

15 MR. JENSEN: Thank you, Mr. Chairman. Final of
16 the three contested hearings for this morning. This is the
17 hearing for Raynaldo Ramos. The authority is the same as the
18 previous with the specific authority for this hearing this
19 morning being Section (1)(g) of NAC 289290, which mandates that
20 a certificate shall be revoked upon conviction or entry of plea
21 of guilty, guilty but mentally ill, or nolo contendere to a
22 felony. The exhibits that are being presented I would request
23 be admitted and made part of the record in support of the
24 action. Any action the Commission may be taking are as follows.
25 Exhibit A, again, the notice of intent. You can look at that

1 and see it provides notice and due process to the individual
2 with regard to the hearing this morning with an opportunity to
3 appear if they so chose and to inform the Commission that they
4 were going to do so, the date and time of this hearing, and it's
5 my understanding that that Mr. Ramos has not requested to appear
6 morning to contest the revocation. Exhibit B is the declaration
7 of service showing that Mr. Ramos was personally served with the
8 notice on July 29th, 2020, again, complying with all the
9 statutory requirements for notice. Exhibit C is personnel
10 action report showing a termination -- if I'm reading correctly
11 -- of April 11th, 2015. Exhibit D is a certified copy of Mr.
12 Ramos's Category 3 certificate. And we begin with the court
13 documents, which is -- Exhibit E is the guilty plea agreement.
14 Mr. Ramos agreed to plead guilty pursuant to North Carolina
15 versus Alford to an attempt performance of an act or neglect of
16 duty and willful or wanton disregard of the safety of person or
17 property resulting in death, which is a Category D felony/gross
18 misdemeanor. It's one of those crimes that can be treated as
19 either a felony or a gross misdemeanor in violation of NRS
20 202.595 (inaudible) and NRS 193.300. This is another situation
21 where the parties had agreed as part of that plea agreement to
22 stay adjudication in the case and sentencing for a period of two
23 years with certain conditions. If he complies with the
24 condition, he would then have a conviction entered for the same
25 crime, but under the gross misdemeanor. If he failed to comply,

1 he would have the entry of the conviction for the felony and
2 would be sentenced according to the statutes related thereto.
3 Exhibit F is the amended information showing the factual basis
4 for that crimes. It alleges that on or about November 12th of
5 2014, defendant Raynaldo Ramos then and there willfully and
6 unlawfully attempted to perform acts and willful and wanton
7 disregard for the safety of person or property which resulted in
8 the death of Carlos Perez, a human being to wit, by shooting
9 Carlos Perez with a firearm. Exhibit G are the court minutes
10 which show that the entry of a plea did occur to satisfy the
11 POST requirement that there be an entry of plea to either a
12 felony or a gross misdemeanor. The evidence in this case based
13 on the entry of the plea to the felony and gross misdemeanor and
14 the seriousness of the conduct involved in this case -- the
15 recommendation would be that Mr. Ramos's POST certificate be
16 revoked, and I would ask that those Exhibits A through G be
17 admitted into the record.

18 CHAIRMAN SOTO: So moved. Okay. I'm going to
19 now ask for any comment from Mr. Ramos. Any public comment?
20 And any comments from the Commission? Seeing none, I'm looking
21 for a motion on the revocation of the certificate for Mr. Ramos.

22 COMMISSIONER ALLEN: Michael Allen.

23 COMMISSIONER SHEA: Tim Shea. I'll make a
24 motion to revoke the certificate.

1 CHAIRMAN SOTO: I have a motion from Mr. Allen
2 and a second by Tim Shea. All those in favor, say aye.

3 (All Commissioners say Aye.)

4 CHAIRMAN SOTO: Opposed? Motion carries
5 unanimously. Item Number 9, discussion, public comment, and for
6 possible action. A request from the Mineral County Sheriff's
7 Office requesting a six-month extension pursuant to NRS289.550
8 for their employee Alexander Hart to meet certification
9 requirements. The request would extend the time period to
10 November 5th -- no, I'm sorry -- November 25th, 2020, in order
11 to meet certification (inaudible). Turn it over to Mr.
12 Sherlock.

13 MR. SHERLOCK: Mike Sherlock for the record. I
14 don't want to speak for Mineral County. Are you guys?

15 UNIDENTIFIED SPEAKER: Winnemucca.

16 MR. SHERLOCK: I wanted to make sure. I wasn't
17 sure. I did speak to Mineral County on the phone. They do have
18 a serious shortage in terms of personnel. They did have one
19 person in our academy who separated from our academy, which put
20 even more of a bind on them, so we understand that. I'm not
21 sure the dates are correct. We looked again this morning. I
22 think the extension would get them very close to the next start
23 date of our January academy, but in either case, Staff would
24 recommend the extension.

1 CHAIRMAN SOTO: Okay. Do we have anyone from
2 Mineral County who wishes to speak? Any public comment? Any
3 comments from the Commission? All right. So I will be looking
4 for a motion to offer a six-month extension for Alexander Hart.
5 Can I get a motion?

6 COMMISSIONER TROUTEN: I'll make that motion.

7 CHAIRMAN SOTO: I have a motion. Can I get a
8 second?

9 COMMISSIONER ALLEN: Mike Allen. Second.

10 CHAIRMAN SOTO: I have a motion and a second.

11 All those in favor, say aye.

12 (All Commissioners say Aye.)

13 CHAIRMAN SOTO: Opposed? Motion carries
14 unanimously. Item Number 10, discussion, public comment, and
15 for possible action. Request from the Washoe County Sheriff's
16 Office for their employee, Undersheriff Wayne A. Yarbrough, for
17 an executive certificate. Turn it over to Mr. Sherlock.

18 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
19 Sherlock for the record. The application for an executive
20 certificate for Undersheriff Yarbrough was received from the
21 Washoe County Sheriff's Department. The documentation shows the
22 undersheriff meets the position, training, and responsibility
23 requirements of the certificate, and Staff would recommend the
24 issuance of the executive certificate to Undersheriff Yarbrough.

1 CHAIRMAN SOTO: Okay. Do we have anyone from
2 Washoe County who wishes to speak? Any public comment? And any
3 comments from the Commissioners? Seeing as there's none, I'm
4 looking for a motion for an executive certificate for
5 Undersheriff Wayne Yarbrough. Can I get a motion?

6 COMMISSIONER FREEMAN: Michele Freeman. I make
7 the motion.

8 COMMISSIONER ALLEN: I second.

9 CHAIRMAN SOTO: (Inaudible) Michele Freeman and
10 second from Sheriff Allen. All those in favor, say aye.
11 (All Commissioners say Aye.)

12 CHAIRMAN SOTO: Opposed? Motion carries
13 unanimously. Item Number 11, discussion, public comment, and
14 for possible action, request from the Henderson Police
15 Department for their employee, Deputy Chief Michael Denning, for
16 an executive certificate. Turn it over to Mr. Sherlock.

17 MR. SHERLOCK: Mike Sherlock for the record
18 again. Thank you, Mr. Chairman. POST received an application
19 for the executive certificate for Deputy Chief Denning from the
20 Henderson Police Department. Uh, the documentation shows that
21 the chief meets the position, training, and responsibility
22 requirements of that executive certificate, and Staff recommends
23 the issuance of the executive certificate to Deputy Chief
24 Denning.

1 CHAIRMAN SOTO: Okay. Thank you. Do we have
2 anyone from Henderson who would wish to speak? Any public
3 comment? Or any comments from the Commission? Seeing as though
4 there's none, I'm looking for a motion for an executive
5 certificate for DC Michael Denning.

6 COMMISSIONER FREEMAN: This is Michele Freeman
7 again. I'll make the motion to move forward.

8 CHAIRMAN SOTO: Michele Freeman. Can I get a
9 second?

10 COMMISSIONER TROUTEN: Second.

11 COMMISSIONER SHEA: Tim Shea. I'll second.

12 CHAIRMAN SOTO: I have a motion and second. All
13 those in favor, say aye.

14 (All Commissioners say Aye.)

15 CHAIRMAN SOTO: Opposed? Motion carries
16 unanimously. Item Number 12, discussion, public comment, and
17 for possible action. Request from the Las Vegas Metro Police
18 Department for their employee, Captain Jeffrey Coday, for an
19 executive certificate. Turn it over to Mr. Sherlock.

20 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
21 Sherlock for the record once again. POST received an
22 application for an executive certificate for Captain Coday from
23 the Las Vegas Metropolitan Police Department. The documentation
24 shows that the captain meets the position, training, and
25 responsibility requirements of the executive certificate, and

1 Staff recommends the issuance of the executive certificate for
2 Captain Coday.

3 CHAIRMAN SOTO: Thank you. Do we have anyone
4 from the Las Vegas Metro who wishes to speak? Any public
5 comment? Or any comments from the Commission? All right. I'm
6 looking for a motion for an executive certificate for Captain
7 Jeffrey Coday.

8 COMMISSIONER SHEA: Tim Shea. I'll make a
9 motion for issue of the certificate.

10 CHAIRMAN SOTO: I have a motion from Tim Shea.
11 Can I get a second?

12 COMMISSIONER ALLEN: Mike Allen. Second.

13 CHAIRMAN SOTO: Second from Mike Allen. All
14 those in favor, say aye.

15 (All Commissioners say Aye.)

16 CHAIRMAN SOTO: Motion carries unanimously.
17 Item Number 13, discussion, public comment, and for possible
18 action. Request from the Las Vegas Metro Police Department for
19 their employee, Captain Nicholas Farese for an executive
20 certificate. Over to Mr. Sherlock.

21 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
22 Sherlock for the record. As you'll see, I saved the difficult
23 names for the last two here. POST received an application --
24 and I hope I don't butcher it -- either of them -- POST received
25 an application for an executive certificate for Captain Farese

1 from the Las Vegas Metropolitan Police Department. The
2 documentation shows that the captain meets the position,
3 training, and responsibility requirements of the executive
4 certificate, and Staff recommends issuance of the executive
5 certificate to Captain Farese.

6 CHAIRMAN SOTO: Okay. Did we have anyone from
7 Metro who wishes to speak on this item? Any public comment?
8 Any comments from the Commission? Seeing as though there's
9 none, I'm looking for a motion for an executive certificate for
10 Captain Nicholas Farese.

11 COMMISSIONER MCKINNEY: I so move.

12 COMMISSIONER SHEA: Tim Shea. I'll make a
13 motion to issue the executive certificate.

14 CHAIRMAN SOTO: I have a motion and a second.
15 All those in favor, say aye.

16 (All Commissioners say Aye.)

17 CHAIRMAN SOTO: Motion carries unanimously.
18 Item Number 14, discussion, public comment, and for possible
19 action. Request from the Department of Public Safety, Parole,
20 and Probation for their employee, Captain Martin A. Mleczko,
21 Jr., for an executive certificate.

22 CHAIRMAN SOTO: Turn it over to Mr. Sherlock.

23 MR. SHERLOCK: Thank you Mr. Chairman. Mike
24 Sherlock for the record, and I wanted to wait to see how to
25 pronounce it. I tried to reach out to him, but I'll go with

1 that. POST received an application for an executive certificate
2 for Captain Mleczko from the Department of Public Safety,
3 Parole, and Probation. The documentation shows that the captain
4 meets the position, training, and responsibility requirements of
5 the executive certificate, and Staff recommends issuance of the
6 executive certificate to Captain Mleczko, Jr.

7 CHAIRMAN SOTO: Okay. Thank you. Do we have
8 anyone from Parole and Probation who wishes to speak? Any
9 public comment? Any comments from any of our Commission?
10 Seeing as though there's none, I'm looking for a motion for an
11 executive certificate for Captain Martin Mleczko.

12 COMMISSIONER TROUTEN: So moved. Ty Trouten.

13 CHAIRMAN SOTO: I have a motion. Can I get a
14 second.

15 COMMISSIONER ALLEN: Mike Allen. Second.

16 CHAIRMAN SOTO: I have a motion and second. All
17 those in favor, say aye.

18 (All Commissioners say Aye.)

19 CHAIRMAN SOTO: Opposed? Motion carries
20 unanimously. Item Number 15, public comments. The Commission
21 may not take action on any matter considered under this item
22 until the matter is specifically included on an agenda as an
23 action item. Do we have anyone in the public who would like to
24 make a comment? Thank you. We have no public comment. Item
25 Number 16, discussion, public comment, and for possible action,

1 scheduling an upcoming Commission meeting. Turning it over to
2 Mr. Sherlock.

3 MR. SHERLOCK: Thank you, Mr. Chairman. Mike
4 Sherlock for the record. We've been working with the Nevada
5 sheriffs and chiefs trying to coordinate our next meeting to
6 have that in conjunction with the annual conference in Las Vegas
7 in November. So at this point, it looks like we will have the
8 meeting November 9th at 4 p.m. at the South Point Hotel.
9 Obviously, if there's any changes, Staff will reach out to you.
10 But we are optimistic that we'll be able to have that meeting in
11 November down in Las Vegas.

12 CHAIRMAN SOTO: Okay. Thank you. I am looking
13 for a motion to accept the next meeting date of November 9th at
14 4 p.m. South Point Hotel. Can I get a motion?

15 COMMISSIONER ALLEN: Mike Allen. So moved.

16 COMMISSIONER SHEA: Tim Shea. I'll make a
17 motion.

18 CHAIRMAN SOTO: I have a motion and a second.
19 All those in favor, say aye.
20 (All Commissioners say Aye.)

21 CHAIRMAN SOTO: Opposed? Motion carries
22 unanimously. Finally, Item Number 17, adjournment. I'm looking
23 for a motion to adjourn.

24 COMMISSIONER ALLEN: So moved.

25 COMMISSIONER McKINNEY: So moved.

1 CHAIRMAN SOTO: All right. Thank you,
2 everybody, for being here. I appreciate it. It is nice to get
3 back together, and we got a lot of our business taken care of.

4 MR. SHERLOCK: Yeah. Thank you, guys. Thank
5 you for calling in down south, guys. Appreciate it.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

2. INFORMATION Executive Director's Report

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

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

The Commission to decide whether to continue the rulemaking process to amend NAC289.140, Minimum Standards of Training for Category I Peace Officers, to add “The DWI Detection and Standardized Field Sobriety Testing and Advanced Roadside Impaired Driving Enforcement courses approved by the National Highway Traffic Safety Administration.”

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Gary R. Erickson, formally of the Mesquite Police Department, certifications based upon a felony conviction.



EXHIBIT A

STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

October 7, 2020

Gary Erickson

[REDACTED]
Big Springs, TX 79720

Dear Mr. Erickson,

POST PIN #: 17233

Based upon documentation received by the Nevada Peace Officer Standards and Training Commission (the 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(s) 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 peace officer certificate(s) may be revoked pursuant to **NAC 289.290(1)(g) based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The plea agreement which has led to this action is as follows:

Count I: Felony, 18 U.S.C & 2423(b) (Travel with intent to Engage in Illicit Sexual Contact)

Case#: DUTX 4:19-CR-00045-001 DN

Jurisdiction: United States District Court, District of Utah

You have the right to appear before the Commission to contest the revocation of your Nevada peace officer certificate(s) by providing written notice to the Commission within fifteen (15) days of the date of the hearing.

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.

Written requests can be made to:

Nevada Commission on Peace Officer Standards and Training
ATTN: Director Sherlock
5587 Wa Pai Shone Ave.
Carson City, NV 89701

The Commission will determine whether your Nevada peace officer certification(s) should be revoked at the meeting listed below:

Date: November 17, 2020

Time: 10:00am

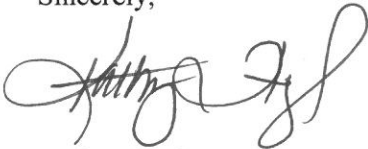
Location: Commission on Peace Officer Standards and Training
5587 Wa Pai Shone Ave.
Carson City, NV 89701

The hearing will cover the following: **NAC 289.290 (1)(g) Revocation of certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

If you need additional information concerning this matter, contact Kathy Floyd at (775) 687-7678, ext. 3335.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Floyd', with a stylized flourish at the end.

Kathy Floyd
Chief of Standards Division
Nevada Commission on Peace
Officer Standards and Training

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

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:

- (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.

(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)

EXHIBIT B



STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

5587 Wa Pai Shone Avenue
CARSON CITY, NEVADA 89701
(775) 687-7678 FAX (775) 687-4911

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, ROBERT ESPARZA, served the foregoing Notice of Intent to Suspend
Print name of the person serving this document

to Individual's Name: **Gary Erickson**

at [REDACTED] on this
(location)

20th day of OCTOBER, 2020.
Day Month Year

I declare under penalty of perjury that the forgoing is true and correct.

Executed on this 20th day of OCTOBER, 2020.
Day Month Year

[Signature]
Signature of person serving the Notice

ROBERT ESPARZA
Printed name of person serving the Notice

****RETURN THE SIGNED ORIGINAL OF THIS FORM TO POST WITHIN 15 DAYS****

State of Nevada - POST

UPDATE - Personnel Action Report (PAR)

Post ID Number: 17233

Last Name: Erickson

First Name: Gary

MI: E Suffix: /

☐ Name Change?

Last Name: Erickson

First Name: Gary

MI: E Suffix:

☐ Address Change?

Street Address: [REDACTED]

City: Bunkerville State: NV Zip Code: 89007

County: Clark 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:

Gary Erickson was arrested on four counts of sexual exploitation of a minor in Utah. At the time of this form completion there may be additional charges pending.

Effective Date: 09/19/2018

Submitters Name: Taylor Bundy

Submitters Phone: (702) 346-5262

Submitters E-Mail:

tbundy@mesquitenv.gov

EXHIBIT D

STATE OF NEVADA

Commission On Peace Officers' Standards And Training

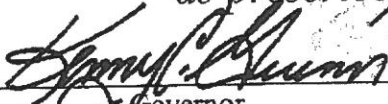
Hereby Awards the

Basic Certificate

To

GARY E. ERICKSON
CATEGORY I

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


Governor


Executive Director

18th November 05
Issuance Date

STATE OF NEVADA

Commission On Peace Officers' Standards And Training

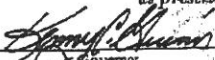
Hereby Awards the

Basic Certificate

To

GARY E. ERICKSON
CATEGORY I

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


Governor


Executive Director

18th November 05
Issuance Date

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

Name: GARY E. ERICKSON POST ID No: 17233

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

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

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

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

INSTRUCTIONS

This is your POST Basic Certificate and Identification Card.

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

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

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

EXHIBIT E

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the


Basic Certificate

GARY E. ERICKSON

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 16th day of May, 2003

EXHIBIT F

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

Basic Certificate


To

GARY E. ERICKSON

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

CATEGORY III


Governor


Executive Director, Commission on Peace Officers'
Standards and Training

Presented this 22nd day of April, 2002

EXHIBIT G



Troy T. Tanner
Chief of Police

NV POST Executive Director Mike Sherlock
5587 Wa Pai Shone Avenue
Carson City, NV 89701

September 24, 2018

Dear Director Sherlock,

As per NAC 289.290 (3), I am notifying you and the Commission that Gary Erickson, who was terminated on September 19, 2018, a former Police Officer with the Mesquite Police Department, has been charged with a crime. Gary Erickson has been charged with 3 counts of Sexual Exploitation of a minor (second degree felonies), one count of Dealing in Harmful Material to a Minor (third degree felony), one count Sexual Abuse of a Minor (class A misdemeanor) These charges were made in the Fifth District Court, Washington County, State of Utah.

I have attached the Motion For Arrest Warrant and other documents pertaining to his offenses.

Best Regards,

A handwritten signature of Troy T. Tanner in black ink.

Chief Troy Tanner

695 Mayan Circle
Mesquite, NV 89027
Phone: 702.346.2840
Fax: 702.346.5537

JOHN W. HUBER, United States Attorney (#7226)
JAY T. WINWARD, Assistant United States Attorney (#11806)
Attorneys for the United States of America
20 North Main Street, Suite 208
St. George, Utah 84770
Telephone: (435) 634-4263
jay.winward@usdoj.gov

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH
MAY 13 2016
BY D. MARK JONES, CLERK
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY ERICKSON,

Defendant.

FELONY INFORMATION

VIOLATION:

4:19-cr-00045-DN

COUNT I: 18 U.S.C. § 2423(b),
Travel with Intent to Engage in Illicit Sexual
Conduct.

The United States Attorney charges:

COUNT I

18 U.S.C. § 2423(b)

(Travel with Intent to Engage in Illicit Sexual Conduct)

On or about August 3, 2018, in the Central Division of the District of Utah,

GARY ERICKSON,

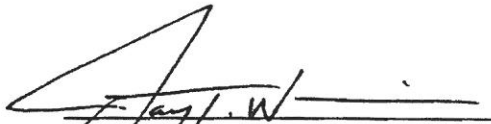
defendant herein, did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct as defined in Title 18, United States Code, Section 2423(f), with another person, to wit: a

EXHIBIT H

fifteen year old male; all in violation of 18 U.S.C. § 2423(b).

DATED this 13th day of May, 2019.

JOHN W. HUBER
United States Attorney




JAY T. WINWARD
Assistant United States Attorney

I hereby certify that the annexed is a true and correct copy of a document or an electronic docket entry on file at the United States District court for the District of Utah.

of pages 2

Date: 6-16-2020

D. MARK JONES, Clerk

By: 
Deputy Clerk

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

JUN 10 2016

D. MARK JONES, CLERK
BY _____
DEPUTY CLERK

JOHN W. HUBER, United States Attorney (#7226)
PAUL KOHLER, Assistant United States Attorney (#8224)
Attorneys for the United States of America
Office of the United States Attorney
20 North Main Street, #208
St. George, Utah 84770
Telephone: #(435) 634-4263

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARY ERICKSON,

Defendant.

Case No. 4:19-cr-00045-DN

STATEMENT BY DEFENDANT IN
ADVANCE OF PLEA OF GUILTY
AND PLEA AGREEMENT PURSUANT
TO FED. R. CRIM. P. 11(c)(1)(C)

Judge David Nuffer

I hereby acknowledge and certify that I have been advised of and that I understand the following facts and rights, and that I have had the assistance of counsel in reviewing, explaining, and entering into this agreement:

1. As part of this agreement with the United States of America ("United States"), I intend to plead guilty to Count I of the Information. My attorney has explained the nature of the charge against me, and I have had an opportunity to discuss the nature of the charge with my attorney. I understand the charge and what the United States is required to prove in order to convict me. The elements of Count I, Travel with Intent to Engage in Illicit Sexual Conduct, are:

- Defendant traveled in interstate commerce; and
- Defendant did so for the purpose of engaging in any illicit sexual conduct with another person.

2. I know that the maximum possible penalty provided by law for Count I of the Information, a violation of 18 U.S.C. § 2423(b), is a term of imprisonment of 30 years, a fine of \$250,000, a term of supervised release of life, and any applicable

EXHIBIT I

forfeiture. I understand that if I violate a term or condition of supervised release, I can be returned to prison for the length of time provided in 18 U.S.C. § 3583(e)(3).

a. Additionally, I know the Court is required to impose an assessment in the amount of \$100 for each offense of conviction, pursuant to 18 U.S.C. § 3013. Furthermore, restitution to the victim of my offense may be ordered.

b. I understand that, if I am not a United States citizen, I may be removed from the United States, denied citizenship, and denied admission to the United States in the future.

3. I know that the sentencing procedures in this case and the ultimate sentence will be determined pursuant to 18 U.S.C. § 3553(a), and that the Court must consider, but is not bound by, the United States Sentencing Guidelines, in determining my sentence. I have discussed these procedures with my attorney. I also know that the final calculation of my sentence by the Court may differ from any calculation the United States, my attorney, or I may have made, and I will not be able to withdraw my plea if this occurs. However, because my plea of guilty is being entered pursuant to Rule 11(c)(1)(C), as explained below, I know that I will be able to withdraw my plea if the Court does not accept the terms of this agreement.

4. I know that I can be represented by an attorney at every stage of the proceeding, and I know that if I cannot afford an attorney, one will be appointed to represent me.

5. I know that I have a right to plead "Not Guilty" or maintain my earlier plea of "Not Guilty" and can have a trial on the charges against me.

6. I know that I have a right to a trial by jury, and I know that if I stand trial by a jury:

a. I have a right to the assistance of counsel at every stage of the proceeding.

b. I have a right to see and observe the witnesses who testify against me.

c. My attorney can cross-examine all witnesses who testify against me.

d. I can call witnesses to testify at trial, and I can obtain subpoenas to require the attendance and testimony of those witnesses. If I cannot afford to pay for the appearance of a witness and mileage fees, the United States will pay them.

e. I cannot be forced to incriminate myself, and I do not have to testify at any trial.

f. If I do not want to testify, the jury will be told that no inference adverse to me may be drawn from my election not to testify.

g. The United States must prove each and every element of the offense charged against me beyond a reasonable doubt.

h. It requires a unanimous verdict of a jury to convict me.

i. If I were to be convicted, I could appeal, and if I could not afford to appeal, the United States would pay the costs of the appeal, including the services of appointed counsel.

7. If I plead guilty, I will not have a trial of any kind.

8. I know that 18 U.S.C. § 3742(a) sets forth the circumstances under which I may appeal my sentence. However, fully understanding my right to appeal my sentence, and in consideration of the concessions and/or commitments made by the United States in this plea agreement, I knowingly, voluntarily and expressly waive my right to appeal as set forth in paragraph 12 below.

9. I know that 18 U.S.C. § 3742(b) sets forth the circumstances under which the United States may appeal my sentence.

10. I know that under a plea of guilty the judge may ask me questions under oath about the offense. The questions, if asked on the record and in the presence of counsel, must be answered truthfully and, if I give false answers, I can be prosecuted for perjury.

11. I stipulate and agree that the following facts accurately describe my conduct. These facts provide a basis for the Court to accept my guilty plea:

On August 3, 2018, I traveled in interstate commerce for the purpose of engaging in illicit sexual conduct with another person. That is, I drove a vehicle from Nevada to the Central Division of the District of Utah to engage in sexual activity with a 15 year old boy. My conduct violates 18 U.S.C. § 2423(b).

12. The only terms and conditions pertaining to this plea agreement between me and the United States are as follows:

a. **Guilty Plea.** I will plead guilty to Count I of the Information.

a. **Stipulated Sentence.** Pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, the sentence imposed by the Court will be 60 months' imprisonment,

which I agree is a reasonable sentence. The Court shall also impose a term of supervised release for life, which I agree is a reasonable term.

(1) I understand that this agreement, including my plea, the agreed upon sentence, and all other terms referenced herein, are subject to the approval of, and acceptance by the Court. I further understand that the Court will likely order the preparation of a Presentence Report to assist in the determination of whether this plea and the agreement are appropriate, and I agree to fully cooperate in the preparation of the Presentence Report.

(2) If, after receiving all relevant information, the Court rejects the plea agreement and determines that a sentence different from the agreed upon sentence of 60 months will be imposed, I will have the right to withdraw the plea of guilty and the terms of this agreement will become null and void. Likewise, if the Court rejects the plea agreement and determines that the sentence should be less than 60 months, I understand that the United States will have the right to move to vacate this agreement, and all terms of this agreement will become null and void.

b. **Other charges.** The United States agrees to not seek charges under 18 U.S.C. § 2422(b) for the same conduct that was charged in this case.

c. **Appeal Waiver.**

(1) Fully understanding my limited right to appeal my sentence, as explained above in paragraph 8, and in consideration of the concessions and/or commitments made by the United States in this plea agreement, I knowingly, voluntarily, and expressly waive my right to appeal any sentence imposed upon me, and the manner in which the sentence is determined, on any of the grounds set forth in 18 U.S.C. § 3742 or on any ground whatever, except I do not waive my right to appeal (1) a sentence above the maximum penalty provided in the statute of conviction as set forth in paragraph 2 above; and (2) a sentence above the high-end of the guideline range as determined by the district court at sentencing, or, in the event that no such determination is made by the district court, a sentence above the high-end of the guideline range as set forth in the final presentence report.

(2) I also knowingly, voluntarily, and expressly waive my right to challenge my sentence, and the manner in which the sentence is determined, in any collateral review motion, writ or other procedure, including but not limited to a motion brought under 28 U.S.C. § 2255, except on the issue of ineffective assistance of counsel.

(3) I understand that this waiver of my appeal and collateral review rights concerning my sentence shall not affect the United States' right to appeal my sentence pursuant to 18 U.S.C. § 3742(b). However, I understand that the United States agrees that if it appeals my sentence, I am released from my waiver.

(4) I further understand and agree that the word "sentence" appearing throughout this waiver provision is being used broadly and applies to all aspects of the Court's sentencing authority, including, but not limited to: (1) sentencing determinations; (2) the imposition of imprisonment, fines, supervised release, probation, and any specific terms and conditions thereof; and (3) any orders of restitution.

d. Rule 410 Waiver. If the Court finds that I failed to fulfill my obligations under this plea agreement, or if I withdraw my plea of guilty, I agree that this agreement, my statements pursuant to this agreement, or any leads derived therefrom, shall be admissible at any trial, hearing, or other proceeding.

e. Presentence Report and Financial Information. I agree to provide truthful and complete information, including financial information, as requested by the probation office for the preparation of my presentence report and for determination of the conditions of my supervised release. I also consent to allowing the United States Attorney's Office to run a credit check on me. I consent to being placed on the Treasury Offset Program and State Finder.

f. Restitution.

(1) I understand that the United States may request and that the Court may order that I pay restitution.

(2) I understand that the amount of restitution and the schedule of payments will be determined as a part of the sentencing proceedings in accordance with the provisions of 18 U.S.C. § 3664. I agree to pay all restitution as ordered by the Court. I agree that the payment and enforcement of my restitution order is governed by 18 U.S.C. § 3664, and my lawyer has explained the consequences of an order of restitution.

(3) I understand and agree that payment of any restitution owed, pursuant to the schedule set by the Court at sentencing, should be a condition of any term of probation or supervised release imposed upon me. I know that if I fail to pay restitution as ordered, the failure can be considered a violation of probation or supervised release and, pursuant to 18 U.S.C. § 3614, the Court can resentence me to any sentence which might originally have been imposed in my case.

g. Waiver of Interest. The United States agrees to recommend that the Court waive interest for fines and restitution assessed against me.

h. Forfeiture.

(1) I agree to forfeit all property acquired from or traceable to my offense and all property that was used to facilitate my offense, including, but not limited to, the following specific property:

(2) I acknowledge that all property covered by this agreement is subject to forfeiture as property involved in illegal conduct giving rise to forfeiture.

(3) I agree that all such property may be forfeited in either an administrative, civil and/or criminal judicial proceeding. I agree that I will not make a claim to the property or otherwise oppose forfeiture in any such proceedings, and I will not help anyone else do so. If I have already made such a claim, I hereby withdraw it. I further agree that I will sign any necessary documents to ensure that clear title to the forfeited assets passes to the United States, and that I will testify truthfully in any judicial forfeiture proceeding. In addition, I agree that I will not make any claim to property forfeited by any other defendant in this case.

(4) I hereby waive any claims I may have against the United States regarding the seizure and forfeiture of the property covered by this agreement.

(5) I hereby waive the requirements regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment.

(6) I hereby waive any constitutional or statutory challenges to the forfeiture covered by this agreement, including that the forfeiture is an excessive fine or punishment.

13. I understand and agree that this plea agreement is solely between me and the United States Attorney for the District of Utah and does not bind any other federal, state, or local prosecuting, administrative, or regulatory authorities.

14. I understand that I have a right to ask the Court any questions I wish to ask concerning my rights about these proceedings and the plea.

* * * *

I make the following representations to the Court:

1. I am 38 years of age. My education consists of 16th.
I can [can/cannot] read and understand English.

2. This Statement in Advance contains all terms of the agreements between me and the United States; if there are exceptions, the Court will be specifically advised, on the record, at the time of my guilty plea of the additional terms. I understand the United States and I cannot have terms of this plea agreement that are not disclosed to the Court.

3. No one has made threats, promises, or representations to me that have caused me to plead guilty, other than the provisions set forth in this agreement.

4. Neither my attorney nor the United States has promised me that I would receive probation or any other form of leniency because of my plea.

5. I have discussed this case and this plea with my lawyer as much as I wish, and I have no additional questions.


6. I am satisfied with my lawyer.

7. My decision to enter this plea was made after full and careful thought; with the advice of counsel; and with a full understanding of my rights, the facts and circumstances of the case and the consequences of the plea. I was not under the influence of any drugs, medication, or intoxicants when I made the decision to enter the plea, and I am not now under the influence of any drugs, medication, or intoxicants.

8. I have no mental reservations concerning the plea.

9. I understand and agree to all of the above. I know that I am free to change or delete anything contained in this statement. I do not wish to make changes to this agreement because I agree with the terms and all of the statements are correct.

DATED this 10th day of June, 2019


GARY ERICKSON
Defendant

I certify that I have discussed this plea agreement with the defendant, that I have fully explained his rights to him, and that I have assisted him in completing this written agreement. I believe that he is knowingly and voluntarily entering the plea with full knowledge of his legal rights and that there is a factual basis for the plea.

DATED this 10th day of June, 2019

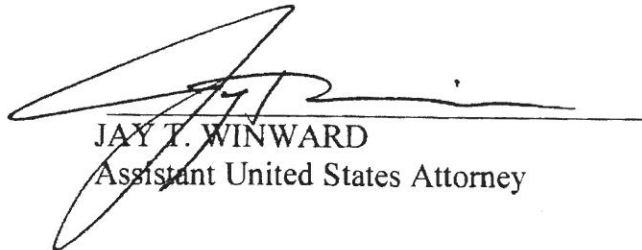


RYAN STOUT
Attorney for Defendant

I represent that all terms of the plea agreement between the defendant and the United States have been, or will be at the plea hearing, disclosed to the Court, and there are no undisclosed agreements between the defendant and the United States.

DATED this 10 day of June, 2019.

JOHN W. HUBER
United States Attorney



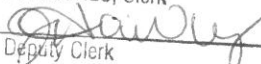
JAY T. WINWARD
Assistant United States Attorney

I hereby certify that the annexed is a true and correct copy of a document or an electronic docket entry on file at the United States District court for the District of Utah.

of pages 8

Date: 6-16-2020

D. MARK JONES, Clerk

By: 
Deputy Clerk

UNITED STATES DISTRICT COURT

District of Utah

UNITED STATES OF AMERICA

v.

GARY ERICKSON

JUDGMENT IN A CRIMINAL CASE

Case Number: DUTX 4:19-CR-00045-001 DN

USM Number: 26758-081

Ryan Stout

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Felony Information☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

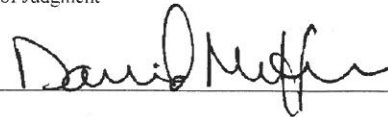
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
<u>18 U.S.C. § 2423(b)</u>	Travel with Intent to Engage in Illicit Sexual Contact		1

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

5/15/2020

Date of Imposition of Judgment



Signature of Judge

David Nuffer, U.S. District Judge

Name and Title of Judge

5/15/2020

Date

I hereby certify that the annexed is a true and correct copy of a document or an electronic docket entry on file at the United States District court for the District of Utah.

of pages 7Date: 6-16-2020

D. MARK JONES, Clerk

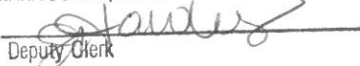
By: 
Deputy Clerk

EXHIBIT J

DEFENDANT: GARY ERICKSON

CASE NUMBER: DUTX 4:19-CR-00045-001 DN

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

60 months.

☒ The court makes the following recommendations to the Bureau of Prisons:

Defendant be designated and housed at the BOP facility located in Mendota, CA to facilitate family visitation. In the alternative, Englewood, CO to facilitate family visitation. Defendant to participate in sex offender treatment.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: GARY ERICKSON

CASE NUMBER: DUTX 4:19-CR-00045-001 DN

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

240 months, with understanding that defendant may petition for early termination of supervised release after 10 years.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☒ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: GARY ERICKSON

CASE NUMBER: DUTX 4:19-CR-00045-001 DN

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.
14. You must submit your person, residence, office or vehicle to search, conducted by the probation office at a reasonable time and in a reasonable manner based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; you must warn any other residents that the premises may be subject to searches pursuant to this condition.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: GARY ERICKSON

CASE NUMBER: DUTX 4:19-CR-00045-001 DN

SPECIAL CONDITIONS OF SUPERVISION

1. You must participate in and successfully complete a mental-health evaluation and/or treatment program, under a copayment plan, as directed by the U.S. Probation Office, take any mental-health medications as prescribed, and not possess or consume alcohol, nor frequent businesses where alcohol is the chief item of order, during the course of treatment or medication.
2. You must cooperate with the United States Probation and Pretrial Services Computer and Internet Monitoring program; Appendix A, Computer and Internet use (Not Applicable to Third Party Employment). Cooperation shall include, but not be limited to, identifying computer systems (as identified in 18 USC 1030 (e)(1)), internet capable devices, networks (routers/modems), and/or similar electronic devices (external hard drives, flash drives, etc.) to which you have access. All devices are subject to random inspection/search, configuration, and the installation of monitoring software and/or hardware at your expense.
3. You must inform all parties who access approved computer(s) or similar electronic device(s) that the device(s) is subject to search and monitoring. You may be limited to possessing only one personal computer and/or internet capable device to facilitate the ability to effectively monitor your internet-related activities.
4. You must report any and all electronic communications service accounts (as defined in 18 USC 2510 (15)(17)) used for user communications, dissemination, and/or storage of digital media files (i.e. audio, video, images, documents, device backups) to the U.S. Probation Office. This includes, but is not limited to, email accounts, social media accounts, and cloud storage accounts. You shall provide each account identifier and password and shall report the creation of new accounts. Changes in identifiers and/or passwords, transfer, suspension and/or deletion of any account shall be reported within five days of such action. You must permit the U.S. Probation Office to access and search any account(s) using your credentials pursuant to this condition.
5. The Court orders that the presentence report may be released to the state sex offender registration agency if required for purposes of sex-offender registration.
6. You must participate in and successfully complete sex-offender treatment, to include a risk assessment and physiological testing, at a program approved by the U.S. Probation Office. You must abide by the rules, requirements, conditions, policies, and procedures of the program. You must submit to periodic polygraph testing as directed by the U.S. Probation Office or treatment provider as a means to ensure your compliance with the requirements of your supervision or treatment program. You must contribute to the cost of services rendered in an amount to be determined by the U.S. Probation Office, based on your ability to pay.
7. You are restricted from contact with individuals who are under 18 years of age without adult supervision, as approved by the U.S. Probation Office.
8. You must abide by the following occupational restrictions: Any employment shall be approved by the U.S. Probation Office. In addition, if third-party risks are identified, the U.S. Probation Office is authorized to inform your employer of your supervision status.
9. You must not view, access, or possess sexually explicit material in any format.
10. You must submit to periodic polygraph testing as directed by the U.S. Probation Office or treatment provider as means to ensure your compliance with the requirements of your supervision or treatment program. You must contribute to the cost of services rendered in an amount to be determined by the U.S. Probation Officer based on your ability to pay.

DEFENDANT: GARY ERICKSON

CASE NUMBER: DUTX 4:19-CR-00045-001 DN

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 100.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	0.00	\$ _____	0.00
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: GARY ERICKSON

CASE NUMBER: DUTX 4:19-CR-00045-001 DN

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than _____, or
- ☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number
Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several
Amount

Corresponding Payee,
if appropriate

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Aaron M. Winder, formally of the Department of Health and Human Services Division of Public Behavioral Health, certification based upon felony convictions



EXHIBIT A

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

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

October 7, 2020

Aaron M. Winder
[REDACTED]

Dear Mr. Winder,

POST PIN #: 33542

Based upon documentation received by the Nevada Peace Officer Standards and Training Commission (the 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(s) 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 peace officer certificate(s) may be revoked pursuant to **NAC 289.290(1)(g) based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The plea agreement which has led to this action is as follows:

Count: 2 Counts Child Abuse, Neglect, or Endangerment (Category B Felony-NRS200.508.1)

Case#: C-18-332421-1

Dept No: XVIII

Jurisdiction: District Court Clark County, Nevada

You have the right to appear before the Commission to contest the revocation of your Nevada peace officer certificate(s) by providing written notice to the Commission within fifteen (15) days of the date of the hearing.

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.

Written requests can be made to:

Nevada Commission on Peace Officer Standards and Training
ATTN: Director Sherlock
5587 Wa Pai Shone Ave.
Carson City, NV 89701

The Commission will determine whether your Nevada peace officer certification(s) should be revoked at the meeting listed below:

Date: November 17, 2020

Time: 10:00am

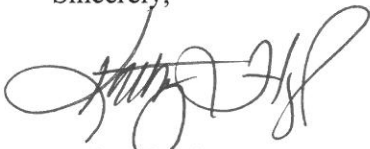
Location: Commission on Peace Officer Standards and Training
5587 WaPai Shone Ave.
Carson City, NV 89701

The hearing will cover the following: **NAC 289.290 (1)(g) Revocation of a peace officer certification based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

If you need additional information concerning this matter, contact Kathy Floyd at (775) 687-7678, ext. 3335.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Floyd', with a stylized flourish at the end.

Kathy Floyd
Chief of Standards Division
Nevada Commission on Peace
Officer Standards and Training

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

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:

- (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.

(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)

EXHIBIT B



STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

5587 Wa Pai Shone Avenue
CARSON CITY, NEVADA 89701
(775) 687-7678 FAX (775) 687-4911

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, Joseph McGovern, served the foregoing Notice of Intent to Revoke
Print name of the person serving this document

to Individual's Name: **AARON M. WINDER**

at [REDACTED] on this
(location)

13 day of October, 2020.
Day Month Year

I declare under penalty of perjury that the forgoing is true and correct.

Executed on this 13 day of October, 2020.
Day Month Year

[Signature]
Signature of person serving the Notice

Joseph McGovern
Printed name of person serving the Notice

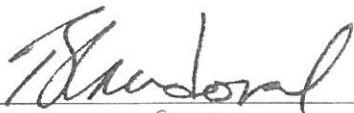
****RETURN THE SIGNED ORIGINAL OF THIS FORM TO POST WITHIN 15 DAYS****

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Hereby Awards the
Category III
Basic Certificate

To
Aaron M. Winder

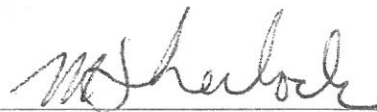
*For having fulfilled all the requirements for Basic Certification
as prescribed by Nevada Administrative Code.*



Governor

33542

POST ID No.



Executive Director

November 4, 2016

Date

State of Nevada - POST

UPDATE - Personnel Action Report (PAR)

Post ID Number: 33542

Last Name: Winder

First Name: Aaron

MI: M

Suffix:

☐ Name Change?

Last Name: Winder

First Name: Aaron

MI: M

Suffix:

☐ Address Change?

Street Address:

City: N. Las Vegas

State: NV

Zip Code: 89031

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:

Voluntary Resigned to continue schooling. Last day worked 11/6/18

Effective Date:

11/06/2018

Submitters E-Mail:

mlandfair@health.nv.gov

Submitters Name:

marcus landfair

Submitters Phone:

(702) 486-9683

EXHIBIT E

Jackie Arellano

From: Jackie Arellano
Sent: Friday, August 3, 2018 4:43 PM
To: Michael D. Sherlock
Cc: Scott Johnston
Subject: Secure Email - Notification of Charges - WINDER POST# 33542
Attachments: Notification of Charges - WINDER.pdf

Importance: High
Sensitivity: Confidential

CONFIDENTIAL

Greetings Mr. Sherlock,

In accordance with NAC 289.290, section 3, attached is a Notification of Charges for Aaron Winder, POST #33542.



Jackie L. Arellano
Personnel Officer II
Nevada Department of Health and Human Services
Division of Public & Behavioral Health | SNAMHS Human Resources
1321 S. Jones Blvd., Las Vegas, NV 89146
T: (702) 486-0444 | F: (702) 486-8070 | E: email address
jarellano@health.nv.gov
www.dhhs.nv.gov | <http://dpbh.nv.gov>

Improving quality of life

Find help 24/7 by dialing 2-1-1; texting 898-211; or visiting www.nevada211.org

NOTICE: This message and accompanying documents are covered by the electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, may be covered by the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and may contain confidential information or Protected Health Information intended for the specified individual(s) only. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. Violations may result in administrative, civil, or criminal penalties. If you have received this communication in error, please notify sender immediately by e-mail, and delete the message.

STATE OF NEVADA

BRIAN SANDOVAL
Governor

RICHARD WHITLEY, MS
Director, DHHS



JULIE KOTCHEVAR Ph.D
Administrator, DPBH

IHSAN AZZAM, Ph.D, MD
Chief Medical Officer

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

Southern Nevada Adult Mental Health Services

6161 W. Charleston Blvd., Las Vegas, NV 89146

Tel: (702) 486-7077 Fax: 702-486-8070

August 3, 2018

POST Commission

Mike Sherlock, POST Executive Director

5587 Wa Pai Shone Ave.

Carson City, NV 89701

Re: Aaron Winder – POST ID# 33542

In accordance with NAC 289.290, section 3, this letter serves as notification that on 8/2/18, Southern Nevada Adult Mental Health Services (SNAMHS), became aware that Aaron Winder has been charged with twenty-three (23) felony counts of child abuse, neglect, or endangerment.

Mr. Winder has worked at the Stein Forensic Facility since 12/21/15 and he currently holds the position of Forensic Specialist IV. Mr. Winder was placed on Administrative Leave on 8/2/18, and effective 8/6/18, Mr. Winder is reassigned to work in non-patient care areas, pending investigation.

Court records indicate that Mr. Winder was arrested on 10/22/17 and was released on bail on 10/24/17. Mr. Winder's case was moved from North Las Vegas Justice Court (Case# 17-PCN002105105-0000 and Case# 17-CRN002448-001) on 5/24/18 to the Clark County Eighth Judicial Court (Case# C-18-332421-1). Mr. Winder was arraigned on 6/4/18 and a Jury Trial is scheduled for 10/22/18.

Respectfully,

A handwritten signature in black ink, appearing to read "Stanley Cornell".

Stanley Cornell
Clinical Program Manager III
Stein Forensic Facility Administrator

NOTICE OF TRANSFER OR RESIGNATION

This is the prescribed form for a State of Nevada Executive Branch employee to give notice of transfer to another State agency or resignation from State service.

Name: Aam Winder Employee I.D.#: 52197

Current Agency: 406/3161 SNAMHS

Last Date with Current Agency: Nov 6 2018 at: 5 pm (designate a.m. or p.m.)
If no last date is indicated above, a standard two weeks' notice from the date the notice was submitted will be assumed unless the appointing authority or designee waives the requirement and completes the box at the bottom of this form. Additionally, if the appointing authority or designee waives the requirement, he or she will input the employee's last date with current agency above.

Transferring Employees

☐ I am transferring to another State agency.

Agency Transferring To: _____

New Position Title: _____

First Date with New Agency: _____

Important Note for Transferring Employees: If you are a classified employee transferring to an unclassified position, you will no longer have rights as a classified employee including any right to be restored to your former position.

Initials _____

If you are transferring to the Legislative Counsel Bureau (LCB) or the Nevada System of Higher Education (NSHE), you will be considered a transfer even though your ESMT-A will indicate a termination code.

Resigning Employees

☒ I am resigning from State service.

Reason for Resignation: Leaving to school

Mailing Address: _____

By initialing, I understand that if my last day, as indicated above, is less than two weeks' notice, such a termination code could be used on my separation paperwork if it is not waived.

GW
Initials

RESIGNATION INFORMATION ONLY: You are hereby advised that in accordance with NRS 284.381, once your written resignation from State service is accepted by your appointing authority, you may not revoke the resignation regardless of the effective date set forth if 3 or more working days have elapsed since its acceptance unless your appointing authority approves the revocation.

Employee Signature: [Signature] Date: 10/23/18

Acceptance by Appointing Authority or Designee (e.g. Supervisor)

☐ Two weeks' notice requirement waived.

Name: MARCUS CARPENT Title: PERSONNEL TECH II

Signature: [Signature] Date/Time: 10/23/2018 10:15



INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
DENA RINETTI
Chief Deputy District Attorney
Nevada Bar #009897
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

I.A. 06-04-2018
10:00 A.M.
D. WINDER

THE STATE OF NEVADA,
Plaintiff,

CASE NO: **C-18-332421-1**

-vs-

DEPT NO: **IX**

AARON MATTHEW WINDER,
#6019348

Defendant.

INFORMATION

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That **AARON MATTHEW WINDER**, the Defendant above named, having committed the crime of **CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508.1 - NOC 55226)**, on or about the 20th day of October, 2017, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,
COUNT 1 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature, and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable

1 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
2 non-accidental nature, by striking the said B.R. about the right buttock(s) with a belt and/or
3 hand(s) and/or unknown object and/or by manner and means unknown.

4 COUNT 2 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

5 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
6 wit: B.R., being approximately 10 year(s) of age, to suffer unjustifiable physical pain or mental
7 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
8 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
9 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
10 non-accidental nature, by striking the said B.R. about the right buttock(s) with a belt and/or
11 hand(s) and/or unknown object and/or by manner and means unknown.

12 COUNT 3 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

13 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
14 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
15 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
16 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
17 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
18 non-accidental nature, by striking the said B.R. about the left buttock(s) with a belt and/or
19 hand(s) and/or unknown object and/or by manner and means unknown.

20 COUNT 4 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

21 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
22 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
23 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
24 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
25 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
26 non-accidental nature, by striking the said B.R. about the left buttock(s) with a belt and/or
27 hand(s) and/or unknown object and/or by manner and means unknown.

28 ///

1 COUNT 5 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

2 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
3 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
4 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
5 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
6 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
7 non-accidental nature, by striking the said B.R. about the back of the right leg with a belt
8 and/or hand(s) and/or unknown object and/or by manner and means unknown.

9 COUNT 6 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

10 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
11 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
12 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
13 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
14 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
15 non-accidental nature, by striking the said B.R. about the back of the right leg with a belt
16 and/or hand(s) and/or unknown object and/or by manner and means unknown.

17 COUNT 7 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

18 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
19 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
20 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
21 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
22 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
23 non-accidental nature, by striking the said B.R. about the front of the right leg with a belt
24 and/or hand(s) and/or unknown object and/or by manner and means unknown.

25 COUNT 8 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

26 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
27 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
28 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,

1 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
2 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
3 non-accidental nature, by striking the said B.R. about the back of the left leg with a belt and/or
4 hand(s) and/or unknown object and/or by manner and means unknown.

5 COUNT 9 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

6 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
7 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
8 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
9 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
10 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
11 non-accidental nature, by striking the said B.R. about the back of the left leg with a belt and/or
12 hand(s) and/or unknown object and/or by manner and means unknown.

13 COUNT 10 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

14 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
15 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
16 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
17 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
18 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
19 non-accidental nature, by striking the said B.R. about the front of the left leg with a belt and/or
20 hand(s) and/or unknown object and/or by manner and means unknown.

21 COUNT 11 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

22 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
23 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
24 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
25 and/or cause B.R. to be placed in a situation where he or she might have suffered unjustifiable
26 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
27 non-accidental nature, by striking the said B.R. about the scrotum with a belt and/or hand(s)
28 and/or unknown object and/or by manner and means unknown.

1 COUNT 12 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

2 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
3 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
4 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
5 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
6 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
7 non-accidental nature, by striking the said D.M. about the right buttock with a belt and/or
8 hand(s) and/or unknown object and/or by manner and means unknown.

9 COUNT 13 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

10 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
11 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
12 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
13 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
14 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
15 non-accidental nature, by striking the said D.M. about the right buttock with a belt and/or
16 hand(s) and/or unknown object and/or by manner and means unknown.

17 COUNT 14 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

18 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
19 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
20 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
21 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
22 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
23 non-accidental nature, by striking the said D.M. about the left buttock with a belt and/or
24 hand(s) and/or unknown object and/or by manner and means unknown.

25 COUNT 15 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

26 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
27 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
28 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,

1 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
2 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
3 non-accidental nature, by striking the said D.M. about the left buttock with a belt and/or
4 hand(s) and/or unknown object and/or by manner and means unknown.

5 COUNT 16 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

6 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
7 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
8 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
9 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
10 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
11 non-accidental nature, by striking the said D.M. about the right leg with a belt and/or hand(s)
12 and/or unknown object and/or by manner and means unknown.

13 COUNT 17 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

14 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
15 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
16 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
17 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
18 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
19 non-accidental nature, by striking the said D.M. about the right leg with a belt and/or hand(s)
20 and/or unknown object and/or by manner and means unknown.

21 COUNT 18 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

22 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
23 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
24 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
25 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
26 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
27 non-accidental nature, by striking the said D.M. about the left leg with a belt and/or hand(s)
28 and/or unknown object and/or by manner and means unknown.

1 COUNT 19 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

2 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
3 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
4 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
5 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
6 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
7 non-accidental nature, by striking the said D.M. about the left leg with a belt and/or hand(s)
8 and/or unknown object and/or by manner and means unknown.

9 COUNT 20 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

10 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
11 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
12 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
13 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
14 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
15 non-accidental nature, by striking the said D.M. about the arm(s) with a belt and/or hand(s)
16 and/or unknown object and/or by manner and means unknown.

17 COUNT 21 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

18 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
19 wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental
20 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature,
21 and/or cause D.M. to be placed in a situation where he or she might have suffered unjustifiable
22 physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a
23 non-accidental nature, by striking the said D.M. about the arm(s) with a belt and/or hand(s)
24 and/or unknown object and/or by manner and means unknown.

25 COUNT 22 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

26 Defendant and [REDACTED] did willfully, unlawfully, and
27 feloniously cause a child under the age of 18 years, to wit: D.M., being approximately 7 years
28 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,

1 to wit: negligent treatment or maltreatment, and/or cause D.M. to be placed in a situation where
2 he or she might have suffered unjustifiable physical pain or mental suffering as a result of
3 abuse or neglect, to wit: negligent treatment or maltreatment, by placing firearm(s) at the
4 residence and/or vehicle that were readily accessible to D.M.

5 COUNT 23 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

6 Defendant and [REDACTED] did willfully, unlawfully, and
7 feloniously cause a child under the age of 18 years, to wit: B.R., being approximately 7 years
8 of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect,
9 to wit: negligent treatment or maltreatment, and/or cause B.R. to be placed in a situation where
10 he or she might have suffered unjustifiable physical pain or mental suffering as a result of
11 abuse or neglect, to wit: negligent treatment or maltreatment, by placing firearm(s) at the
12 residence and/or vehicle that were readily accessible to B.R.

13 STEVEN B. WOLFSON
14 Clark County District Attorney
Nevada Bar #001565

15 BY /s/ Dena Rinetti
16 DENA RINETTI
17 Chief Deputy District Attorney
Nevada Bar #009897

18
19 Names of witnesses known to the District Attorney's Office at the time of filing this
20 Information are as follows:

21 ASHENFELTER, DEBBIE; CCDA Investigations

22 B.R.; c/o CCDA – VWAC/SVU

23 BARNES, EARL; 701 N. Pecos Rd., LVN

24 CETL, DR. SANDRA; 3186 S. Maryland Pkwy., LVN

25 CUSTODIAN OF RECORDS – Sunrise Hospital

26 CUSTODIAN OF RECORDS; CCDC

27 CUSTODIAN OF RECORDS; CPS/DFS

28 CUSTODIAN OF RECORDS; NLVPD Communications

1 CUSTODIAN OF RECORDS; NLVPD Records
2 D.M.; c/o CCDA – VWAC/SVU
3 FERNANDO, ANGELA; 701 N. Pecos Rd., LVN
4 FRABBIELE, TIMOTHY; NLVPD #1920
5 GROSS, KEITH; CCDA Investigations
6 HINTON, MICHELLE; 4847 Merrill Cir., LVN
7 KNEPP, ELAINE; CCDA Investigations
8 LUBKING, MICHAEL; NLVPD #1984
9 O'CONNER, DR. MARC; 3186 S. Maryland Pkwy., LVN
10 SCHWANITZ, IAN; NLVPD #1237
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27 17FN2226A/jg/SVU
28 NLVPD EV#1718414
(TK2)

Aaron B. Windler

JUN 2 2020

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

ORIGINAL

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

AUG 06 2019

BY,

Dara Yorke
DARA YORKE, DEPUTY

C-18-332421-1
AINF
Amended Information
4864099



DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

AARON MATTHEW WINDER,
#6019348

Defendant.

CASE NO. **C-18-332421-1**

DEPT NO. **XVIII**

AMENDED
INFORMATION

STATE OF NEVADA }
COUNTY OF CLARK } ss:

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That **AARON MATTHEW WINDER**, the Defendant above named, having committed the crime of **CHILD ABUSE, NEGLECT, OR ENDANGERMENT (Category B Felony - NRS 200.508.1 - NOC 55226)**, on or about the 20th day of October, 2017, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,
COUNT 1 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to wit: D.M., being approximately 7 years of age, to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature and/or negligent treatment or maltreatment, and/or cause D.M. to be placed in a situation

EXHIBIT G

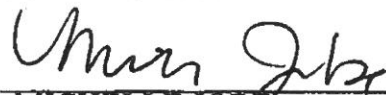
1 where he or she might have suffered unjustifiable physical pain or mental suffering as a result
2 of abuse or neglect, to wit: physical injury of a non-accidental nature and/or negligent
3 treatment or maltreatment, by hitting and/or striking D.M. with a belt and/or by leaving
4 unsecured firearms where they were readily accessible to D.M.

5 COUNT 2 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT

6 did willfully, unlawfully, and feloniously cause a child under the age of 18 years, to
7 wit: B.R., being approximately 10 years of age, to suffer unjustifiable physical pain or mental
8 suffering as a result of abuse or neglect, to wit: physical injury of a non-accidental nature
9 and/or negligent treatment or maltreatment, and/or cause B.R. to be placed in a situation where
10 he or she might have suffered unjustifiable physical pain or mental suffering as a result of
11 abuse or neglect, to wit: physical injury of a non-accidental nature and/or negligent treatment
12 or maltreatment, by hitting and/or striking B.R. with a belt and/or by leaving unsecured
13 firearms where they were readily accessible to B.R.

14 STEVEN B. WOLFSON
15 Clark County District Attorney
16 Nevada Bar #001565

17 BY



18 MICHELLE JOBE
19 Chief Deputy District Attorney
20 Nevada Bar #010575

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27 DA#17FN2226A/jg/SVU
28 NLVPD EV#1718414
(TK2)



JUN 2 2020
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

EXHIBIT H

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

AUG 06 2019

BY, Dara Yorke
DARA YORKE, DEPUTY

1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MICHELLE JOBE
6 Chief Deputy District Attorney
7 Nevada Bar #010575
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

C-18-332421-1
GPA
Guilty Plea Agreement
4854100



9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 AARON MATTHEW WINDER,
13 #6019348

14 Defendant.

CASE NO: C-18-332421-1

DEPT NO: XVIII

15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **TWO (2) COUNTS of CHILD ABUSE, NEGLECT,**
17 **OR ENDANGERMENT (Category B Felony - NRS 200.508.1 - NOC 55226),** as more fully
18 alleged in the charging document attached hereto as Exhibit "1".

19 My decision to plead guilty is based upon the plea agreement in this case, which is as
20 follows:

21 The State has no opposition to probation if Defendant is not a high risk to reoffend, but
22 otherwise retains the right to argue the terms and conditions of probation. Further, the State
23 has no opposition to concurrent time between counts.

24 I agree to the forfeiture of any and all weapons or any interest in any weapons seized
25 and/or impounded in connection with the instant case and/or any other case negotiated in
26 whole or in part in conjunction with this plea agreement.

27 I understand and agree that if I fail to obtain an assessment of my risk to reoffend before
28 my scheduled sentencing date, fail to interview with the Department of Parole and Probation

1 (P&P), fail to appear at any subsequent hearings in this case, or an independent magistrate, by
2 affidavit review, confirms probable cause against me for new criminal charges including
3 reckless driving or DUI, but excluding minor traffic violations, the State will have the
4 unqualified right to argue for any legal sentence and term of confinement allowable for the
5 crimes to which I am pleading guilty, including the use of any prior convictions I may have to
6 increase my sentence as an habitual criminal to five (5) to twenty (20) years, Life without the
7 possibility of parole, Life with the possibility of parole after ten (10) years, or a definite twenty-
8 five (25) year term with the possibility of parole after ten (10) years.

9 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
10 plea agreement.

11 CONSEQUENCES OF THE PLEA

12 I understand that by pleading guilty I admit the facts which support all the elements of
13 the offenses to which I now plead as set forth in Exhibit "1".

14 As to COUNT 1 – I understand that as a consequence of my plea of guilty the Court
15 must sentence me to imprisonment in the Nevada Department of Corrections for a minimum
16 term of not less than ONE (1) year and a maximum term of not more than SIX (6) years. The
17 minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of
18 imprisonment.

19 As to COUNT 2 – I understand that as a consequence of my plea of guilty the Court
20 must sentence me to imprisonment in the Nevada Department of Corrections for a minimum
21 term of not less than ONE (1) year and a maximum term of not more than SIX (6) years. The
22 minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of
23 imprisonment.

24 I understand that the law requires me to pay an Administrative Assessment Fee.

25 I understand that, if appropriate, I will be ordered to make restitution to the victim of
26 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
27 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
28 reimburse the State of Nevada for any expenses related to my extradition, if any.

1 I understand that I am not eligible for probation pursuant to NRS 176A.110 unless a
2 psychologist licensed to practice in this State who is trained to conduct psychosexual
3 evaluations or a psychiatrist licensed to practice medicine in this State who is certified by the
4 American Board of Psychiatry and Neurology, Inc., and is trained to conduct psychosexual
5 evaluations certifies in a written report to the court that I do not represent a high risk to reoffend
6 based upon a currently accepted standard of assessment. I understand that, except as otherwise
7 provided by statute, the question of whether I receive probation is in the discretion of the
8 sentencing judge. I understand that my attorney is responsible for obtaining this psychological
9 evaluation and providing it to the Court and the assigned Deputy District Attorney prior to my
10 sentencing.

11 I understand that I must submit to blood and/or saliva tests under the Direction of the
12 Division of Parole and Probation to determine genetic markers and/or secretor status.

13 I understand that if more than one sentence of imprisonment is imposed and I am
14 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
15 the sentences served concurrently or consecutively.

16 I understand that information regarding charges not filed, dismissed charges, or charges
17 to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

18 I have not been promised or guaranteed any particular sentence by anyone. I know that
19 my sentence is to be determined by the Court within the limits prescribed by statute.

20 I understand that if my attorney or the State of Nevada or both recommend any specific
21 punishment to the Court, the Court is not obligated to accept the recommendation.

22 I understand that if the offense(s) to which I am pleading guilty was committed while I
23 was incarcerated on another charge or while I was on probation or parole that I am not eligible
24 for credit for time served toward the instant offense(s).

25 I understand that if I am not a United States citizen, any criminal conviction will likely
26 result in serious negative immigration consequences including but not limited to:

- 27 1. The removal from the United States through deportation;
- 28 2. An inability to reenter the United States;

3. The inability to gain United States citizenship or legal residency;
4. An inability to renew and/or retain any legal residency status; and/or
5. An indeterminate term of confinement, with the United States Federal Government based on my conviction and immigration status.

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

I understand that the Division of Parole and Probation will prepare a report for the sentencing judge prior to sentencing. This report will include matters relevant to the issue of sentencing, including my criminal history. This report may contain hearsay information regarding my background and criminal history. My attorney and I will each have the opportunity to comment on the information contained in the report at the time of sentencing. Unless the District Attorney has specifically agreed otherwise, the District Attorney may also comment on this report.

WAIVER OF RIGHTS

By entering my plea of guilty, I understand that I am waiving and forever giving up the following rights and privileges:

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this conviction,

1 including any challenge based upon reasonable constitutional,
2 jurisdictional or other grounds that challenge the legality of the
3 proceedings as stated in NRS 177.015(4). However, I remain free to
4 challenge my conviction through other post-conviction remedies
5 including a habeas corpus petition pursuant to NRS Chapter 34.

6 VOLUNTARINESS OF PLEA

7 I have discussed the elements of all of the original charges against me with my attorney
8 and I understand the nature of the charges against me.

9 I understand that the State would have to prove each element of the charges against me
10 at trial.

11 I have discussed with my attorney any possible defenses, defense strategies and
12 circumstances which might be in my favor.

13 All of the foregoing elements, consequences, rights, and waiver of rights have been
14 thoroughly explained to me by my attorney.

15 I believe that pleading guilty and accepting this plea bargain is in my best interest, and
16 that a trial would be contrary to my best interest.

17 I am signing this agreement voluntarily, after consultation with my attorney, and I am
18 not acting under duress or coercion or by virtue of any promises of leniency, except for those
19 set forth in this agreement.


20 I am not now under the influence of any intoxicating liquor, a controlled substance or
21 other drug which would in any manner impair my ability to comprehend or understand this
22 agreement or the proceedings surrounding my entry of this plea.

23 My attorney has answered all my questions regarding this guilty plea agreement and its
24 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

25 DATED this 5 day of August, 2019.

26 
27 AARON MATTHEW WINDER
28 Defendant

25 AGREED TO BY:

26 
27 MICHELLE JOBE
28 Chief Deputy District Attorney
Nevada Bar #010575

1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
charge(s) to which guilty pleas are being entered.
- 5 2. I have advised the Defendant of the penalties for each charge and the restitution
6 that the Defendant may be ordered to pay.
- 7 3. I have inquired of Defendant facts concerning Defendant's immigration status
and explained to Defendant that if Defendant is not a United States citizen any
8 criminal conviction will most likely result in serious negative immigration
consequences including but not limited to:
- 9 a. The removal from the United States through deportation;
- 10 b. An inability to reenter the United States;
- 11 c. The inability to gain United States citizenship or legal residency;
- 12 d. An inability to renew and/or retain any legal residency status; and/or
- 13 e. An indeterminate term of confinement, by with United States Federal
Government based on the conviction and immigration status.

14 Moreover, I have explained that regardless of what Defendant may have been
15 told by any attorney, no one can promise Defendant that this conviction will not
16 result in negative immigration consequences and/or impact Defendant's ability
to become a United States citizen and/or legal resident.

- 17 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
18 consistent with the facts known to me and are made with my advice to the
Defendant.
- 19 5. To the best of my knowledge and belief, the Defendant:
- 20 a. Is competent and understands the charges and the consequences of
21 pleading guilty as provided in this agreement,
- 22 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and
- 23 c. Was not under the influence of intoxicating liquor, a controlled
24 substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

25 Dated: This 6th day of August, 2019.

26 
27 DAN WINDER, ESQ.

28 jg/SVU

EXHIBIT I

DISTRICT COURT CLARK COUNTY, NEVADA

**Felony/Gross
Misdemeanor**

COURT MINUTES

June 04, 2018

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

June 04, 2018

10:00 AM

Initial Arraignment

PARTIES

PRESENT:

Winder, Aaron	Defendant
Matthew	
Winder, Dan M	Attorney

JOURNAL ENTRIES

- Deputized Law Clerk, Ann Dunn appearing for the State.

DEFT. WINDER ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. FURTHER ORDERED, Deft's request for discovery and State's request for reciprocal discovery is GRANTED pursuant to Statute and State law.

BOND

10/11/18 9:00 AM CALENDAR CALL (DEPT. 9)

10/22/18 10:30 AM JURY TRIAL (DEPT. 9)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

August 28, 2018

C-18-332421-1	State of Nevada
	vs
	Aaron Winder

August 28, 2018

9:00 AM

Motion

PARTIES

PRESENT:	Rinetti, Dena I.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- Defendant not present.

COURT ORDERED, Defendant's appearance WAIVED. COURT FURTHER ORDERED, matter CONTINUED to review the opposition filed late yesterday. COURT FURTHER ORDERED, Defendant's appearance WAIVED at continuance date.

NIC

CONTINUED TO: 9/11/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

September 11, 2018

C-18-332421-1	State of Nevada
	vs
	Aaron Winder

September 11, 2018 9:00 AM Motion

PARTIES

PRESENT:	Dorman, Scott C	Attorney
	Rinetti, Dena I.	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Defendant not present.

COURT ORDERED, Defendant's appearance WAIVED. Upon Court's inquiry, Mr. Dorman advised they have not done a file review. COURT ORDERED, matter CONTINUED for a file review.

NIC

CONTINUED TO: 9/18/18 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

**Felony/Gross
Misdemeanor**

COURT MINUTES

September 18, 2018

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

September 18, 2018 9:00 AM Motion

PARTIES

PRESENT: Dorman, Scott C Attorney
 Rinetti, Dena I. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

COURT ORDERED, Defendant's presence WAIVED. Upon Court's inquiry, Mr. Dorman advised the file review was done. State advised it is waiting on medical and CPS records. COURT ORDERED, CPS records to be turned over. As to Defendant's Motion for Trial Phase Discovery, COURT ORDERED, rulings as FOLLOWS:

1. COURT ORDERED, motion GRANTED; State must disclose to the Court for an in camera review.
2. COURT ORDERED, motion GRANTED.
3. COURT ORDERED, motion GRANTED.
4. COURT ORDERED, motion GRANTED.
5. COURT ORDERED, motion GRANTED.
6. COURT ORDERED, motion GRANTED as to the property report.
7. COURT ORDERED, motion GRANTED.
8. COURT ORDERED, motion DENIED as MOOT.
9. COURT ORDERED, motion GRANTED.

Upon Court's inquiry, Mr. Dorman advised they will be calling ready. State advised an offer has been conveyed. Court requested counsel be prepared to discuss the offer at calendar call. Mr. Dorman requested an oral statements. State advised they have turned over all statements they are aware of.

NIC

DISTRICT COURT
CLARK COUNTY, NEVADA

**Felony/Gross
Misdemeanor**

COURT MINUTES

October 11, 2018

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

October 11, 2018

9:00 AM

Calendar Call

PARTIES

PRESENT:

Jobe, Michelle Y.	Attorney
State of Nevada	Plaintiff
Weinstock, Arnold	Attorney
Winder, Aaron	Defendant
Matthew	

JOURNAL ENTRIES

- Mr. Weinstock advised he is not ready for trial and the State has no opposition to the continuance. Upon Court's inquiry, Mr. Weinstock advised he did not file a motion. Upon Court's inquiry, Mr. Weinstock advised the Defendant is working with CPS to be reunified with his children. CONFERENCE AT THE BENCH. COURT ORDERED, trial date VACATED and RESET.

NIC

1/3/19 9:00 AM CALENDAR CALL

1/14/19 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

January 03, 2019

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

January 03, 2019 9:00 AM Calendar Call

PARTIES

PRESENT: Jobe, Michelle Y. Attorney
 State of Nevada Plaintiff
 Weinstock, Arnold Attorney
 Winder, Aaron Defendant
 Matthew

JOURNAL ENTRIES

- Mr. Weinstock requested a continuance, noting the co-defendant is set for trial 3/18/19, noting he would like the cases consolidated. State advised both defendants have the same case number, noting one waived up and the other had a preliminary hearing. COURT ORDERED, trial date VACATED and RESET.

NIC

3/7/19 9:00 AM CALENDAR CALL

3/18/19 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

March 12, 2019

C-18-332421-1	State of Nevada
	vs
	Aaron Winder

March 12, 2019

9:00 AM

Calendar Call

PARTIES

PRESENT:

Cole, Madilyn M.	Attorney
State of Nevada	Plaintiff
Weinstock, Arnold	Attorney
Winder, Aaron	Defendant
Matthew	

JOURNAL ENTRIES

- Ms. Walkenshaw noted she was present on behalf of Ms. Phenix whom was out of the jurisdiction; therefore, was requesting trial be continued. Ms. Cole advised counsel for the Co-Def. was not present. Court indicated it would contact other counsel. MATTER TRAILED.

MATTER RECALLED: Mr. Weinstock now present. Mr. Weinstock requested to vacate trial and reset. Ms. Cole had no opposition. COURT ORDERED, trial be VACATED and RESET.

NIC

8/6/19 9:00 AM CALENDAR CALL

8/12/19 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

July 30, 2019

C-18-332421-1	State of Nevada
	vs
	Aaron Winder

July 30, 2019

9:00 AM

Motion in Limine

PARTIES

PRESENT:	Albritton, Alicia A.	Attorney
	Jobe, Michelle Y.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- Talia Walkenshaw, Esq. present on behalf of Co-Deft. [REDACTED].

Defts not present. Ms. Albritton indicated the instant case belonged to Ms. Jobe. Court inquired if parties had an opposition to the instant Motion; which Mr. Weinstock indicated they were fine with the instant Motion, and Ms. Walkenshaw noted she was standing in for Ms. Phenix and she wasn't aware of Motion. Court noted if Mr. Weinstock was all right with Motion it would be granted. Following colloquy, Mr. Weinstock indicated they were trying to avoid going to trial; however, he could file opposition. MATTER TRAILED for Ms. Jobe to be present.

MATTER RECALLED. Ms. Jobe present. Ms. Jobe inquired if they were going to trial; further mentioned they could avoid going to trial, so she would keep the calendar call date and add Motion to August 6, 2019. COURT SO ORDERED.

NIC

8/6/19 9:00 AM CONTINUED: STATE'S MOTION IN LIMINE TO ALLOW DR.

PRINT DATE: 06/24/2020 Page 10 of 20 Minutes Date: June 04, 2018

SANDRA CETL TO APPEAR BY SIMULTANEOUS AUDIOVISUAL
TRANSMISSION EQUIPMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

August 06, 2019

C-18-332421-1

State of Nevada

vs

Aaron Winder

August 06, 2019

9:00 AM

Calendar Call

**PARTIES
PRESENT:**

JOURNAL ENTRIES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

August 06, 2019

C-18-332421-1

State of Nevada

vs

Aaron Winder

August 06, 2019

9:00 AM

Motion in Limine

**PARTIES
PRESENT:**

JOURNAL ENTRIES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

August 06, 2019

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

August 06, 2019

9:00 AM

All Pending Motions

PARTIES

PRESENT:

Jobe, Michelle Y.	Attorney
Lexis, Chad N.	Attorney
State of Nevada	Plaintiff
Weinstock, Arnold	Attorney
Winder, Aaron	Defendant
Matthew	

JOURNAL ENTRIES

- Arlene Heshmati, Esq. present on behalf of Co-Deft. [REDACTED]

Amended Information FILED IN OPEN COURT.

Co-Deft. [REDACTED] not present. Mr. Lexis noted Ms. Jobe was coming up to handle the instant case. Statments by Mr. Weinstock. Upon Court's inquiry, Ms. Heshmati indicated she was standing in for Ms. Phenix. Additionally, Ms. Heshmati noted Ms. Phenix was working on trying to resolve the instant case for Co-Deft. [REDACTED]; further requesting Deft.'s presence be waived due to her being at work. Ms. Heshmati requested matter be continued until August 13, 2019. Parties indicated the instant case belonged to Ms. Jobe; therefore, Court indicated MATTER TRAILED, to wait for Ms. Jobe to be present.

MATTER RECALLED. Ms. Jobe present, and previous parties present. Ms. Jobe noted Deft. Winder was resolved; however, Co-Deft. [REDACTED] was not. Ms. Jobe requested the Co-Deft. [REDACTED] be set for status check,

negotiations on August 13, 2019. COURT SO ORDERED. Following colloquy, NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFENDANT WINDER ARRAIGNED AND PLED GUILTY to COUNT 1 and 2- CHILD ABUSE (F). Court ACCEPTED plea, referred matter to the Division of Parole and Probation (P&P) for a Pre-sentence Investigation Report and ORDERED, matter SET for sentencing. COURT DIRECTED Deft. to report to P&P immediately. COURT FURTHER ORDERED, trial VACATED.

NIC

8/13/19 9:00 AM STATUS CHECK: NEGOTIATIONS (CO-DEFT. [REDACTED]
[REDACTED])

12/3/19 9:00 AM SENTENCING (DEFT. WINDER)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

December 03, 2019

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

December 03, 2019 9:00 AM Sentencing

PARTIES

PRESENT: Jones, Jr., John T. Attorney
 State of Nevada Plaintiff
 Weinstock, Arnold Attorney
 Winder, Aaron Defendant
 Matthew

JOURNAL ENTRIES

- Mr. Weinstock requested matter be continued for 60 days for the psycho sexual evaluation; however, Court informed Mr. Weinstock it would be the danger evaluation that the Deft. would need. Following colloquy, COURT ORDERED, matter CONTINUED. COURT DIRECTED Deft. to stay out of trouble.

NIC

2/4/20 9:00 AM CONTINUED: SENTENCING

DISTRICT COURT
CLARK COUNTY, NEVADA

**Felony/Gross
Misdemeanor**

COURT MINUTES

February 04, 2020

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

February 04, 2020 9:00 AM Sentencing

PARTIES

PRESENT: Jobe, Michelle Y. Attorney
 State of Nevada Plaintiff
 Weinstock, Arnold Attorney

JOURNAL ENTRIES

- Deft. not present. Mr. Weinstock noted Deft. was not present and he didn't get risk assessment; therefore, Mr. Weinstock requested 45 days for evaluation. Arguments by Ms. Jobe noting it had never taken this long. Colloquy between parties. Court noted it wasn't thrilled with Deft.; further noting, he was not showing up or handling what he was supposed to be. Mr. Weinstock requested matter be continued for 45 days. Following colloquy, COURT ORDERED, matter CONTINUED 30 days. Court noted regardless of what is going on, Deft. needed to be present at the next court date, and if nothing was done Deft. would be remanded. Court advised this was the last time.

NIC

3/3/20 9:00 AM CONTINUED: SENTENCING

DISTRICT COURT
CLARK COUNTY, NEVADA

**Felony/Gross
Misdemeanor**

COURT MINUTES

March 03, 2020

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

March 03, 2020

9:00 AM

Sentencing

PARTIES

PRESENT:

Jobe, Michelle Y.	Attorney
State of Nevada	Plaintiff
Thomson, Megan	Attorney
Weinstock, Arnold	Attorney
Winder, Aaron	Defendant
Matthew	

JOURNAL ENTRIES

- Ms. Thomson requested that parties wait for Ms. Jobe to be present. Mr. Weinstock advised the Court he did have the danger psych evaluation. CONFERENCE AT BENCH. MATTER TRAILED for Ms. Jobe to be present.

MATTER RECALLED. Ms. Jobe present. Mr. Weinstock indicated based on colloquy at the bench, he requested a one to two week continuance to provide the Court with a sentencing memorandum. Further statements by Mr. Weinstock. CONFERENCE AT BENCH. Exhibits presented FILED UNDER SEAL (see worksheet). Upon Court's inquiry, Mr. Weinstock indicated he would prefer to have a two week continuance to file to sentencing memorandum. Court reminded Mr. Weinstock it was inclined to remand Deft. at the instant hearing. Mr. Weinstock requested that Deft. not be remanded; however, be ordered by the Court to appear for sentencing. Colloquy between parties. Following colloquy, COURT ORDERED, matter CONTINUED for two weeks. Court informed Deft. his attorney would explain the reality to him in regards to him serving a minimum of 90 days flat time in the Clark County Detention Center (CCDC);

additionally, Court advised Deft. if he failed to appear for sentencing he would be sent to prison. COURT DIRECTED Deft. to get his affairs in order.

NIC

3/17/20 9:00 AM CONTINUED: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Felony/Gross
Misdemeanor**

COURT MINUTES

March 17, 2020

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

March 17, 2020

9:00 AM

Sentencing

PARTIES

PRESENT:

Jobe, Michelle Y.	Attorney
State of Nevada	Plaintiff
Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- Deft. not present. Mr. Weinstock indicated Deft. was not present due to being told to not appear; further requested for sentencing to be continued. Mr. Weinstock noted he submitted the sentencing memorandum and would make sure the State received a copy. COURT ORDERED, matter CONTINUED.

NIC

4/14/20 9:00 AM CONTINUED: SENTENCING

Aaron A. Spivak
JUN 2 2020
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 03, 2019

C-18-332421-1 State of Nevada
vs
Aaron Winder

December 03, 2019 9:00 AM Sentencing

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Jones, Jr., John T.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney
	Winder, Aaron Matthew	Defendant

JOURNAL ENTRIES

- Mr. Weinstock requested matter be continued for 60 days for the psycho sexual evaluation; however, Court informed Mr. Weinstock it would be the danger evaluation that the Deft. would need. Following colloquy, COURT ORDERED, matter CONTINUED. COURT DIRECTED Deft. to stay out of trouble.

NIC

2/4/20 9:00 AM CONTINUED: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****February 04, 2020**

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

February 04, 2020 9:00 AM Sentencing

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Jobe, Michelle Y.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- Deft. not present. Mr. Weinstock noted Deft. was not present and he didn't get risk assessment; therefore, Mr. Weinstock requested 45 days for evaluation. Arguments by Ms. Jobe noting it had never taken this long. Colloquy between parties. Court noted it wasn't thrilled with Deft.; further noting, he was not showing up or handling what he was supposed to be. Mr. Weinstock requested matter be continued for 45 days. Following colloquy, COURT ORDERED, matter CONTINUED 30 days. Court noted regardless of what is going on, Deft. needed to be present at the next court date, and if nothing was done Deft. would be remanded. Court advised this was the last time.

NIC

3/3/20 9:00 AM CONTINUED: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 2020

C-18-332421-1 State of Nevada
vs
Aaron Winder

March 03, 2020 9:00 AM Sentencing

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Jobe, Michelle Y.	Attorney
	State of Nevada	Plaintiff
	Thomson, Megan	Attorney
	Weinstock, Arnold	Attorney
	Winder, Aaron Matthew	Defendant

JOURNAL ENTRIES

- Ms. Thomson requested that parties wait for Ms. Jobe to be present. Mr. Weinstock advised the Court he did have the danger psych evaluation. CONFERENCE AT BENCH. MATTER TRAILED for Ms. Jobe to be present.

MATTER RECALLED. Ms. Jobe present. Mr. Weinstock indicated based on colloquy at the bench, he requested a one to two week continuance to provide the Court with a sentencing memorandum. Further statements by Mr. Weinstock. CONFERENCE AT BENCH. Exhibits presented FILED UNDER SEAL (see worksheet). Upon Court's inquiry, Mr. Weinstock indicated he would prefer to have a two week continuance to file to sentencing memorandum. Court reminded Mr. Weinstock it was inclined to remand Deft. at the instant hearing. Mr. Weinstock requested that Deft. not be remanded; however, be ordered by the Court to appear for sentencing. Colloquy between parties. Following colloquy, COURT ORDERED, matter CONTINUED for two weeks. Court informed Deft. his attorney would explain the reality to him in regards to him serving a minimum of 90 days flat time in the Clark County Detention Center (CCDC); additionally, Court advised Deft. if he failed to

appear for sentencing he would be sent to prison. COURT DIRECTED Deft. to get his affairs in order.

NIC

3/17/20 9:00 AM CONTINUED: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****March 17, 2020**

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

March 17, 2020 9:00 AM Sentencing

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Jobe, Michelle Y.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney

JOURNAL ENTRIES

- Deft. not present. Mr. Weinstock indicated Deft. was not present due to being told to not appear; further requested for sentencing to be continued. Mr. Weinstock noted he submitted the sentencing memorandum and would make sure the State received a copy. COURT ORDERED, matter CONTINUED.

NIC

4/14/20 9:00 AM CONTINUED: SENTENCING

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 04, 2020**

C-18-332421-1 State of Nevada
 vs
 Aaron Winder

August 04, 2020 10:15 AM Sentencing

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Jobe, Michelle Y.	Attorney
	State of Nevada	Plaintiff
	Weinstock, Arnold	Attorney
	Winder, Aaron Matthew	Defendant

JOURNAL ENTRIES

- Michelle Jobe, Esq. and Arnold Weinstock, Esq. present via Bluejeans video conference; Deft. present out of custody via Bluejeans video conference.

Upon Court's inquiry, statements by Ms. Jobe. Statements by Deft. Court noted it would go along with the deal; however, would increase the underlying sentence. Mr. Weinstock submitted. By virtue of Defendant's plea of guilty and by Order of the Court, DEFT WINDER ADJUDGED GUILTY of COUNT 1 AND 2- CHILD ABUSE NEGLECT OR ENDANGERMENT (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$3.00 DNA Collection fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, Deft. SENTENCED as to:

COUNT 1- a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); and

COUNT 2- a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC); to run CONSECUTIVE to COUNT 1;

SUSPENDED; placed on PROBATION for a FIXED term of FIVE (5) YEARS.

STANDARD CONDITIONS:

1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.
2. Residence: You shall not change your place of residence without first obtaining permission from P&P, in each instance.
3. Intoxicants: You shall not consume any alcoholic beverages whatsoever. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.
4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit to drug testing as required by the Division or its agent.
5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon.
6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent.
7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution.
8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision.
9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.
10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P.
11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division.
12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge.

SPECIAL CONDITIONS:

1. Deft. shall submit digital storage media or any digital storage media that you have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent.
2. Submit to substance abuse, impulse control or mental health evaluations as deemed necessary by Parole and Probation and complete any recommended care plan, treatment or counseling program based on those evaluations.

3. No contact with victims or victims' family.
4. No unauthorized contact with minor children without consent of Parole and Probation (P&P).
5. Maintain full-time employment, schooling or 16 hours of community service a month.
6. 240 hours of community service.


Mr. Weinstock inquired about minor children, which the Court indicated it would leave that up to Parole and Probation.

BOND, if any, EXONERATED.

NIC

CLERK'S NOTE: Minutes updated to indicate COUNT 2 to run CONSECUTIVE to COUNT 1. //8-31-20/ dy

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE


CLERK OF THE COURT

SEP 17 2020

CLARK COUNTY COURTS
EIGHTH JUDICIAL DISTRICT COURT

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FLOOR
LAS VEGAS, NEVADA 89101

Steven D. Grierson
Clerk of the Court

August 26, 2020

Dear Sir or Madam:

Your copy request cannot be completed for the following reason(s):

☐ Case file is not available at this time.

☐ Incorrect case number was provided.

☐ Copy requests must be paid for in advance. See attached price list.

☐ Document(s) requested are not available.

☐ Request is not legible.

☐ Insufficient information was provided.

☒ Other: Unfortunately, there is no Judgment of Conviction document for case #: C-18-332421-

1. The Court Minutes enclosed contains the most recent sentencing report for Aaron Matthew Winder. The case is closed and there are no future events listed for the case.


Wendy Swinton, Deputy Clerk

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Request from the City of Las Vegas Department of Public Safety, for their employee Deputy Chief Rhonda Adams for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

Officer's Name

POST ID#

15126

Adams Rhonda M

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:

Angela Nua

Submitters Phone:

(702) 229-1864

Submitters E-Mail:

anua@lasvegasnevada.gov

Submission number: 168581

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

Education

Credit Hours

Date Achieved

//

Approved By:

Comments:

Certification Date:

//

City of Las Vegas

Department of
Public Safety



Chief

Michele Freeman

Deputy Chief

Rhonda Adams

Deputy Chief

Robert Straube

Administrative Offices
3300 Stewart Avenue
Las Vegas, NV 89101

Field Services
416 N. 7th Street
Las Vegas, NV 89101

Detention Services
3200 Stewart Avenue
Las Vegas, NV 89101

Animal Control
2824 E. Charleston Boulevard
Las Vegas, NV 89104

702-229-6444



www.lasvegasnevada.gov

August 12, 2020

Mike Sherlock
Executive Director
Nevada Post Officers Standards and Training
5587 Wa-Pai-Shone Avenue
Carson City, NV 89701

RE: Executive Professional Certificate – Deputy Chief Rhonda Adams

Dear Mr. Sherlock,

Please accept this letter as formal confirmation that Deputy Chief Rhonda Adams meets the required qualifications to obtain her Executive Professional Certificate. Deputy Chief Adams started with the Department of Public Safety on January 27, 1999, and was promoted to Deputy Chief on April 7, 2019.

Please see the attached Organizational Chart, which confirms that she has supervised four (4) Lieutenants while serving as Deputy Chief. Her FBI National Academy Certificate of Completion is also included with this packet to verify that she has obtained over 200 hours of Advanced Management Training.

Please reach out to our Training Administrative Support Assistant, Angela Nua, at 702-229-1864 or anua@lasvegasnevada.gov if you have any questions or concerns.

Thank you in advance for your assistance in processing this request.

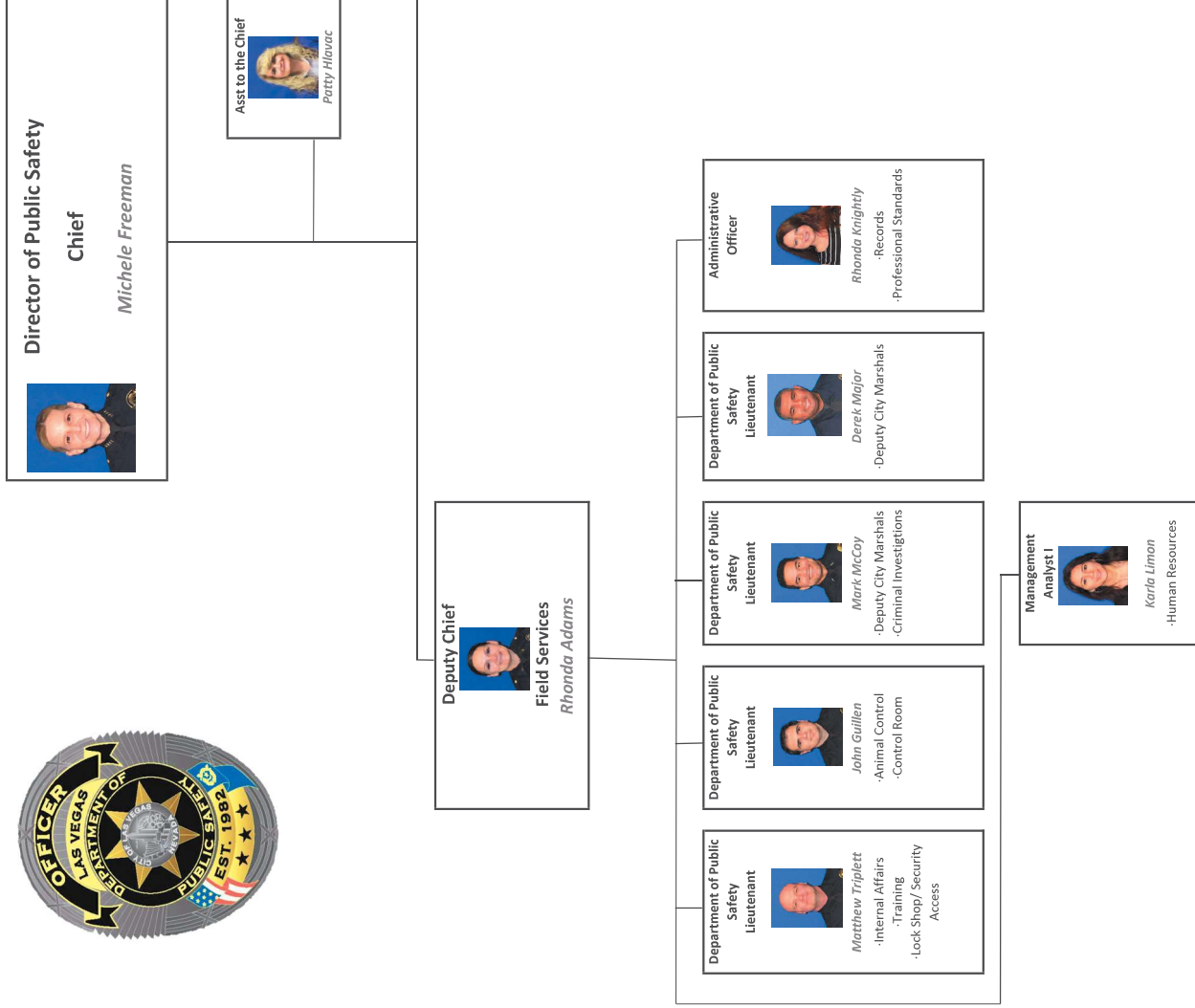
Respectfully,

A handwritten signature in black ink, appearing to read "Michele Freeman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michele Freeman
Chief



CITY OF LAS VEGAS DEPARTMENT OF PUBLIC SAFETY



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



Issues this award thereby certifying that

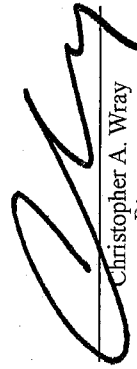
Rhonda M. Adams

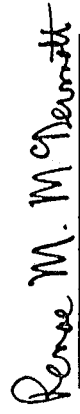
City of Las Vegas Department of Public Safety, Las Vegas, NV

has completed a general course of instruction afforded by the

FBI National Academy

*at Quantico in the state of Virginia for a period of ten weeks
ending the twentieth day of December in the year of two thousand and nineteen.*


Christopher A. Wray
Director
Federal Bureau of Investigation


Renae M. McDermott
Assistant Director
Training Division

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Request from the Las Vegas Metropolitan Police Department, for their employee Assistant Sheriff Christopher C. Jones for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

Officer's Name

POST ID#

15869

Jones Christopher 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:

Org chart, Sheriff's recommend letter and FBI National Academy cert attached

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

Submitters Name:

J.Brambila

Submitters Phone:

(702) 828-3507

Submitters E-Mail:

j12875b@lvmpd.com

Submission number: 174417

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

Education

Credit Hours

Date Achieved

Approved By:

Comments:

Certification Date:



October 28, 2020

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

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

Reference: Executive Certificate for Assistant Sheriff Christopher C. Jones.

Dear Mr. Sherlock,

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

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

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

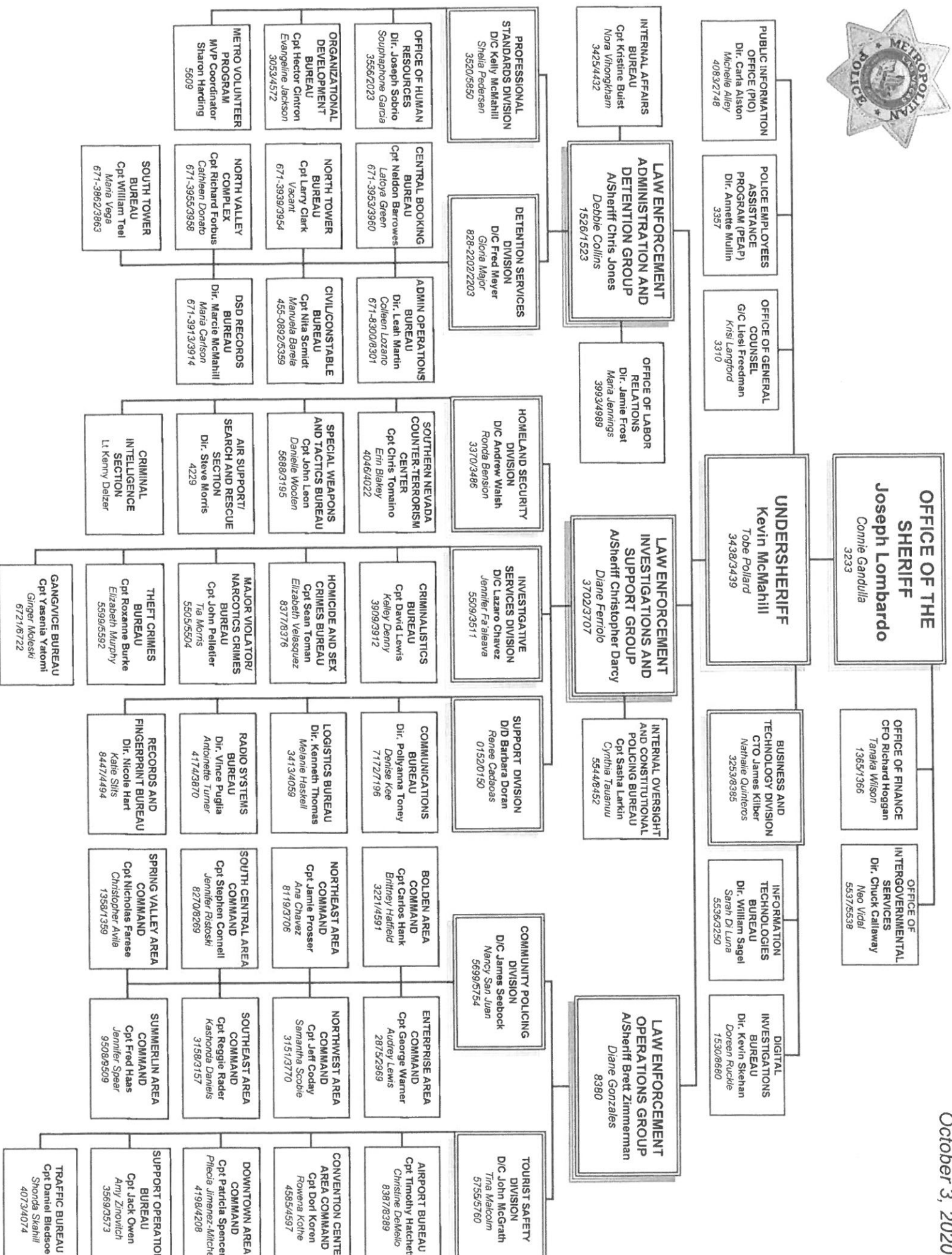
Respectfully,

A handwritten signature in black ink, appearing to read "J. Lombardo", with a long horizontal stroke extending to the right.

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



October 3, 2020



FEDERAL BUREAU OF INVESTIGATION UNITED STATES DEPARTMENT OF JUSTICE



Issues this award thereby certifying that

Christopher Carl Jones

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

FBI National Academy

United States Department of Justice

at Quantico in the State of Virginia for a period of ten weeks ending this the twenty-first day of September in the year of our Lord two thousand and twelve and by these presents is entitled to such professional standing as a law enforcement officer as may be properly accorded by reason of the completion of such course of instruction

Eric H. Stalder
Attorney General

Robert S. McQuinn
Director

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Request from the Nye County Sheriff's Office, for their employee Captain David Boruchowitz for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

Officer's Name

POST ID#

25270

Boruchowitz David E

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

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

Meets the following requirements:

☐ Intermediate (NAC 289.240)

Has an Intermediate Certificate and meets the following requirements:

☐ Advanced (NAC 289.250)

Meets the following requirements:

☐ Supervisor (NAC 289.255)

Has Advanced and Supervisor Certificates and meets the following:

☐ Management (NAC 289.260)

Has a Management Certificate and meets the following:

☒ Executive (NAC 289.270)

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

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- > 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:

Adam Tippetts

Submitters Phone:

(775) 751-7014

Submitters E-Mail:

atippetts@co.nye.nv.us

Submission number: 168385

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

Education

Credit Hours

Date Achieved

Approved By:

Comments:

Certification Date:



NYE COUNTY SHERIFF'S OFFICE

Sharon Wehrly, *Sheriff*
Michael Eisenloffel, *Undersheriff*

August 5th, 2020

David Boruchowitz is a Captain with the Nye County Sheriff's Office and has been in that capacity over 1 year. In that capacity he supervises 9 Lieutenants.

Captain Boruchowitz has completed approximately 2,500 hours of training in advance management. As Captain some of his responsibilities are to write policy, evaluate legal grievances, develop and provide training in civil and criminal law, develop and provide training in a variety of legal subjects and ensure that the agency is operating soundly within the confines of applicable state and federal law.

In order to further his management skills Captain Boruchowitz enrolled in legal studies at Mitchell Hamline Law School. Since August of 2018 he has taken 62 credit hours of schooling. A copy of his transcript is attached. Mitchell Hamline identifies that a credit hour is an amount of training that is 50 minutes of classroom instruction and 60 minutes of additional student work per week for fifteen weeks. He has provided the Mitchell Hamline manual identifying this which is attached. This equates to approximately 2,500 hours of training that he has received to assist with his current executive position.

Captain Boruchowitz already has his basic, intermediate, advanced, supervisory and management certificate.



Sharon Wehrly, Sheriff

08/05/2020

775-751-7000

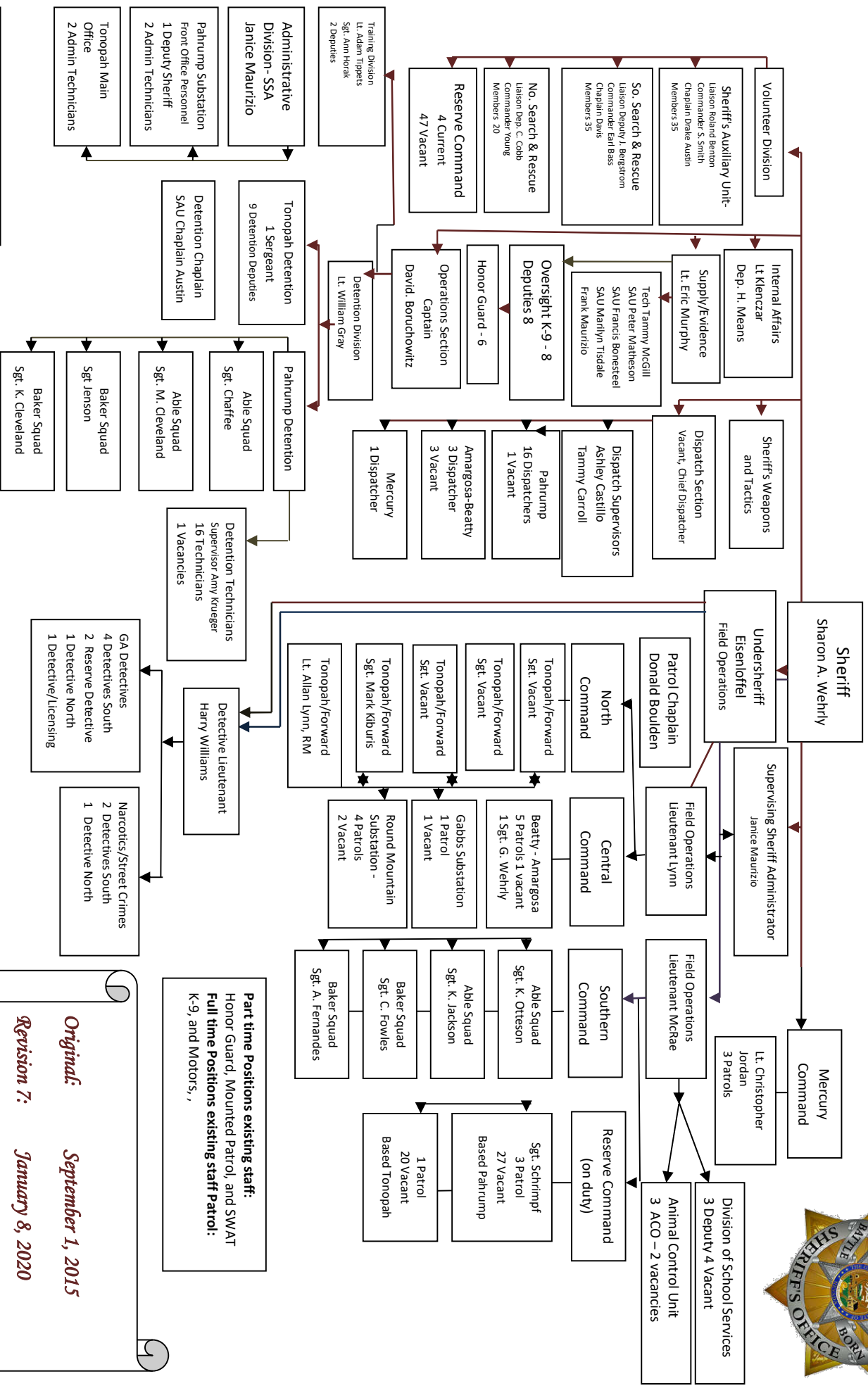
<http://www.nyecountysheriffsoffice.com>

SOUTHERN AREA COMMAND
1520 E BASIN AVENUE
PAHRUMP, NEVADA 89060

CENTRAL AREA COMMAND
P.O. BOX 805
BEATTY, NEVADA 89003

NORTHERN AREA COMMAND
P.O. BOX 831
TONOPAH, NEVADA 89049

NYE COUNTY SHERIFF'S OFFICE ORGANIZATION CHART



Part time Positions existing staff:
Honor Guard, Mounted Patrol, and SWAT
Full time Positions existing staff Patrol:
K-9, and Motor's,,

Original:

September 1, 2015

Revision 7:

January 8, 2020

Sharon A. Wehrly, Nye County Sheriff

Academy:
Carson City –
Silver State –
NCSO-

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from the Rural Justice Courts for a 6-month extension pursuant to NRS 289.550 for their employee Aaron Starns to meet certification requirements.

Rural Justice Courts

**Boulder City, Bunkerville, Goodsprings, Laughlin,
Mesquite, Moapa, Moapa Valley, Searchlight**

Karen M. Powell

Rural Court Administrator

330 S. Third St. #1020B
Las Vegas, NV 89155
(702) 455-4147 • Fax (702) 382-5999

September 24, 2020

Peace Officer's Standard Training
5587 Wa Pai Shone Avenue
Carson City, NV 89701

Dear Director Mike Sherlock,

The Rural Justice Courts and the Rural Justices' of the Peace of Clark County request a 6 month extension for Bailiff Aaron Starns currently employed by our courts with the start date of December 30, 2019.

Bailiff Starns is enrolled to attend Silver State Academy POST Category I. The Rural Justice Courts made payment to the academy for his certification. Due to COVID19, the Silver State Academy has been postponed a number of times during the spring/summer of 2020. The most current start date was September 26, 2020 but now the academy is postponed for another two or three weeks.

Please let me know if you need additional information or documents to place this request on the next agenda.

Sincerely



Karen M. Powell
Rural Court Administrator
702-455-4147

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from Carson City Sheriff's Office for a 6-month extension pursuant to NRS 289.550 for their employee Bethany Wurster to meet certification requirements.



Ken Furlong
Sheriff

911 E. Musser St.
Carson City, NV 89701

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

September 17, 2020

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

Dear Executive Director Sherlock,

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

Deputy Wurster's date of hire was December 20, 2019, and to be grant a 6-month extension would extend her time to June 20, 2021. She will be scheduled to attend the January 2021 Basic Academy at POST.

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

Thank you for your consideration.

Regards,



Ken Furlong, Sheriff
Carson City Sheriff's Office

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from Carson City Sheriff's Office for a 6-month extension pursuant to NRS 289.550 for their employee Kendall Murphy to meet certification requirements.



Ken Furlong
Sheriff

911 E. Musser St.
Carson City, NV 89701

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

September 17, 2020

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

Dear Executive Director Sherlock,

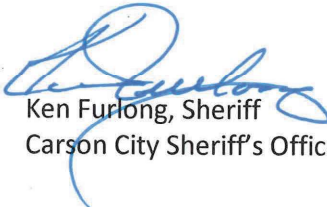
I am requesting to be placed on the POST Commission meeting agenda for a 6-month extension for my employee Deputy Kendall Murphy. Due to staffing issues within the agency, Deputy Murphy was unable to attend an academy within the one-year time requirement.

Deputy Murphy's date of hire was October 25, 2019, and to be grant a 6-month extension would extend his time to April 25, 2021. He will be scheduled to attend the January 2021 Basic Academy at POST.

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

Thank you for your consideration.

Regards,



Ken Furlong, Sheriff
Carson City Sheriff's Office

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Ghade Brooks to meet certification requirements.



DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Division of Public and Behavioral Health
Helping people. It's who we are and what we do.



October 21, 2020

Executive Director, Michael Sherlock,

The Southern Nevada Adult Mental Health Services (SNAMHS), Stein Forensic Facility, is requesting a 6-month extension for the following Forensic Specialists:

Ghade Brooks	08/26/2019
Jeannette Cabagua	10/07/2019
Miranda Barnes	10/21/2019
Juan A Molina	11/18/2019

These Forensic Specialist have exceeded or reaching their 1-year anniversary without completing the Category III. P.O.S.T. Academy and becoming certified peace officers in Nevada. Stein Forensic Facility has been challenged with the COVID-19 Pandemic.

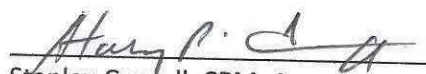
SNAMHS, Stein Forensic Facility has an agreement with the Nevada Dept. of Corrections (NDOC) to facilitate the P.O.S.T. required Category III academies for our Forensic Specialist. Due to the COVID-19 pandemic the NDOC was forced to downsize the academy capacity as per the orders of, Governor Steve Sisolak, for social distancing and smaller gatherings. With the downsizing of the academies the NDOC was unable to facilitate the training for the Forensic Specialist. The NDOC also experienced a COVID-19 outbreak which ultimately shut down the academies.

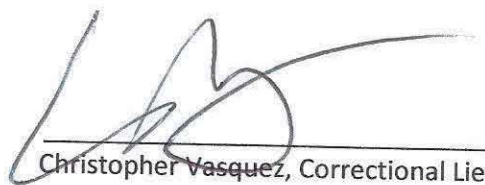
On September 18, 2020, the NDOC was generous enough to offer 6 seats for the upcoming academy that started on September 28, 2020. We filled those seats with Forensic Specialist that had also exceeded or reaching their 1-year anniversary. The NDOC training staff informed me that the September 28th academy was going to be the last class in 2020. Leaving 3 SNAMHS, Forensic Specialist, unable to complete required training.

These Forensic Specialists are vital to the operations of Stein Forensics Facility, as the powers of a peace officer are needed for daily operations. They work directly work with inmates in our custody, they perform searches (clothed, unclothed) apply mechanical restraints, transport in the public, and maintain safety for non-custody staff. Maintaining their peace officer status is vital to the daily operations of the facility.

The next academy is tentatively set for January 2021, and the NDOC has offered seats to our 3 Forensic Specialists. Correctional Lieutenant Christopher Vasquez will be in attendance at the next commission meeting and will be able to answer any questions needed.

Thank you for the time and consideration.


Stanley Cornell, CPM, Agency Manager


Christopher Vasquez, Correctional Lieutenant

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Jeannette Cabagua to meet certification requirements.



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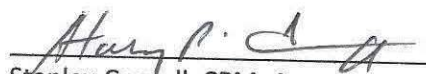
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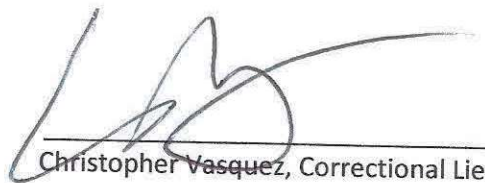
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Thank you for the time and consideration.


Stanley Cornell, CPM, Agency Manager


Christopher Vasquez, Correctional Lieutenant

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Miranda Barnes to meet certification requirements.



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October 21, 2020

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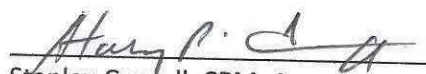
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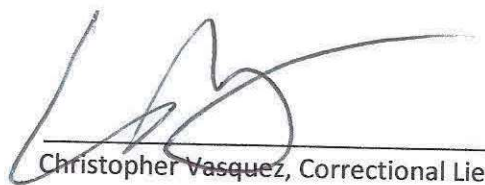
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Thank you for the time and consideration.


Stanley Cornell, CPM, Agency Manager


Christopher Vasquez, Correctional Lieutenant

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

A request from Southern Nevada Adult Mental Health Services for a 6-month extension pursuant to NRS 289.550 for their employee Juan A. Molina to meet certification requirements.



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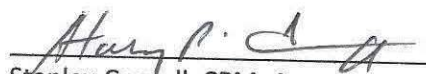
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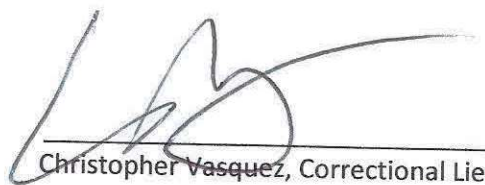
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Stanley Cornell, CPM, Agency Manager


Christopher Vasquez, Correctional Lieutenant

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

16. PUBLIC COMMENTS

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

17 & 18. DISCUSSION, PUBLIC COMMENT AND FOR POSSIBLE ACTION

Schedule upcoming Commission Meeting and Adjournment