



Nevada Commission on Peace Officer
Standards and Training

POST COMMISSION MEETING
THURSDAY MAY 2, 2019 – 10:00 AM

NEVADA COMMISSION ON POST
5587 WA PAI SHONE AVE,
CARSON CITY, NEVADA



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

A workshop has been scheduled for 10:00 a.m., on May 2, 2019, at the Commission on Peace Officer Standards and Training, 5587 Wa Pai Shone Avenue, Carson City, Nevada.

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

TOPIC

NAC REGULATION

- A. The Commission to consider whether to add a provision that provides **289.290**
for revocation of a peace officer's certification based on a conviction
for an offense constituting a Misdemeanor Crime of Domestic
Violence without a requirement to first obtain a recommendation for
revocation from the employing agency.

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

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

POST Administrative Office, Carson City
Nevada State Capitol, Carson City
Blasdel State Building, Carson City
Nevada State Library and Archives, Carson City
Grant Sawyer Building, Las Vegas
Carson City Sheriff's Office
White Pine County Sheriff's Office
<http://post.nv.gov>
<http://notice.nv.gov>

Electronically Posted pursuant to NRS 241.020(4)

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



STATE OF NEVADA
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NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT 10:00 A.M. ON THURSDAY, MAY 2, 2019 THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A WORKSHOP AND REGULARLY SCHEDULED MEETING AT THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, CLASSROOM "2", 5587 WA PAI SHONE AVE. CARSON CITY, NEVADA.

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

I. WORKSHOP

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

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

TOPIC

NAC REGULATION

- A. The Commission to consider whether to add a provision that provides for revocation of a peace officer's certification based on a conviction for an offense constituting a Misdemeanor Crime of Domestic Violence without a requirement to first obtain a recommendation for revocation from the employing agency. **289.290**

3. PUBLIC COMMENTS

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Approval of minutes from the February 5, 2019 regularly scheduled POST Commission Meeting.

2. **INFORMATION.** Executive Director's report.
 - a. Training Division
 - b. Standards Division
 - c. Administration
3. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to consider continuing the rule making process and start developing final language for adoption to NAC 289.290. The language is to provide for the revocation of POST certification for a conviction constituting a Misdemeanor Crime of Domestic Violence without a request from the agency.
4. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

The Commission to consider starting the rule making process to change the Nevada Administrative Code 289. The change would allow a Nevada certified Category I peace officer to leave employment with a Nevada agency and go to a Federal law enforcement agency as federal officer within Nevada or a Nevada law enforcement academy certified by the Commission on Peace Officer Standards and Training without their Nevada peace officer certification expiring while employed.
5. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Hearing pursuant to NAC 289.290 (1) (g) on the revocation of Steven Daryl Miller, formerly of the Clark County Juvenile Justice Services, certification based on a conviction for a felony. The Commission will decide whether to revoke Mr. Miller's Category II Basic Certificate.
6. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Request from the Las Vegas Metropolitan Police Department, for their employee Deputy Chief Christopher Darcy, for an Executive Certificate.
7. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Request from the Las Vegas Metropolitan Police Department, for their employee Captain William Scott, for an Executive Certificate.
8. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Request from the Elko Police Department, for their employee Captain Tyler Trouten, for an Executive Certificate.
9. **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.
10. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Schedule upcoming Commission Meeting.
11. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

Adjournment.

POSTED AT THE FOLLOWING LOCATIONS:

POST Administrative Office, Carson City
Nevada State Capitol, Carson City
Blasdel State Building, Carson City
Nevada State Library and Archives, Carson City
Grant Sawyer Building, Las Vegas
Carson City Sheriff's Office
White Pine County Sheriff's Office
<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, at (775) 687-3335, 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 Scott Johnston at (775) 687-7678, Ext. 3335, no later than 2 working days prior to the meeting.

I. WORKSHOP

1. Call to order
2. Roll call of Commission Members
 - A. Workshop
3. Public Comments

A. **WORKSHOP**

The Commission to consider whether to add a provision that provides for revocation of a peace officer's certification based on a conviction for an offense constituting a Misdemeanor Crime of Domestic Violence without a requirement to first obtain a recommendation for revocation from the employing agency.

WORKSHOP CONCEPT LANGUAGE

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) The Commission may take action without the employing agency's recommendation to suspend or revoke a peace officer's certificate based upon a misdemeanor conviction for an offense constituting a misdemeanor crime of domestic violence as defined by 18 U.S.C. 921(33)(A).

~~(h)~~(i) 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.

3. PUBLIC COMMENTS

II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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

Approval of minutes from the February 5, 2019 regularly scheduled POST Commission Meeting.

In the Matter Of:
Commission on POST

Meeting
February 05, 2019



3200 COBB GALLERIA PARKWAY
SUITE 265
ATLANTA, GA 30339

1 COMMISSION ON PEACE OFFICER STANDARDS
2 AND TRAINING REGULARLY SCHEDULED MEETING
3

4 STATE OF NEVADA COMMISSION ON
5 PEACE OFFICER STANDARDS AND TRAINING
6 5587 Wa Pai Shone Avenue
7 Carson City, Nevada
8

9 Tuesday, February 5, 2019

10 10:12 a.m.
11

12 Commissioners:

13 JAMES SOTO, Chief, Reno PD (Chairman)
14 JAMES KETSAA, Clark County SD PD
15 KEVIN MCKINNEY, Elko County SO
16 JOHN MCGRATH, Las Vegas Metropolitan PD
17 MICHAEL ALLEN, Humboldt County SO
18

19 Staff Present:

20 SCOTT JOHNSTON, POST
21 MIKE JENSEN, AG OFFICE
22 MIKE SHERLOCK, POST
23
24
25

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1 PROCEEDINGS

2 (10:12 a.m.)

3 CHAIRMAN SOTO: Call this meeting to
4 order. Good morning. Item number one, call to
5 order.

6 I call to order the POST Commission
7 meeting, it is February 5th, 2019, 1011 hours.

8 Let's start this off real quick. I
9 wanted to thank real quick on the record Troy
10 Tanner and Jim Wright for their time on the
11 board, we really appreciate all the work that
12 they have done for the Commission over the
13 years.

14 At this time I'm going to throw it
15 over to Scott Johnston for information on the
16 legal postings and opening meeting minutes.

17 MR. JOHNSTON: Thank you, Scott
18 Johnston for the record. The notice of this
19 meeting was posted at the POST administrative
20 office in Carson City, Nevada State Capitol in
21 Carson City, Blasdel State Building in Carson
22 City, Nevada State Library and Archives in
23 Carson City, Grant Sawyer Building in Las
24 Vegas, the Carson City Sheriff's Office, the
25 White Pine County Sheriff's Office, POST

1 website at post.nv.gov, and the notice website
2 at notice.nv.gov, and electronically pursuant
3 to NRS 241.020(4).

4 CHAIRMAN SOTO: We'll go to item
5 number two, roll call. I guess I'll start with
6 myself, Jason Soto, Reno Police Department, and
7 then we'll move around the table starting with
8 you, Chief.

9 COMMISSIONER KETSAA: Jim Ketsaa.

10 COMMISSIONER MCKINNEY: Kevin
11 McKinney, Elko County Sheriff's Office.

12 COMMISSIONER MCGRATH: John McGrath,
13 Las Vegas Metro.

14 COMMISSIONER ALLEN: Mike Allen,
15 Humboldt County Sheriff.

16 MR. JENSEN: Mike Jensen, Office of
17 the Attorney General.

18 MR. SHERLOCK: Mike Sherlock from
19 POST.

20 MR. JOHNSTON: Scott Johnston from
21 POST.

22 CHAIRMAN SOTO: Moving on to item
23 number three, discussion, public comment and
24 for possible action, the Commission to discuss
25 and take possible action pursuant to NRS

1 289.510(1)(a), to elect by a majority vote of
2 the members a new chairperson for the
3 Commission.

4 And I'm going to, again, throw this
5 over to Mike Sherlock.

6 MR. SHERLOCK: Thank you. Mike
7 Sherlock for the record.

8 Just to kind of lay the foundation for
9 this, normally we would have a chairperson
10 still here to pass the gavel along, but I just
11 want to explain exactly what the statutes say
12 as to how we deal with this. So again, as
13 Chief mentioned, Troy Tanner has retired; as
14 such, he can no longer serve as a chairperson
15 or a commissioner for that matter. With that
16 vacancy, it created obviously an opening in the
17 chairperson seat. So the Commission must elect
18 by a majority vote a new chairperson.

19 Just to try to explain that, we have
20 five of you here today. Essentially we would
21 need five votes for whoever that person may be
22 to reach that majority, so we're hoping for
23 that today as we move forward, so it needs to
24 be unanimous. But it is my understanding, you
25 know, really after browbeating each of you and

1 some manipulation, that we're left with one
2 person who's willing to put up with us, and
3 from that perspective and considering those
4 parameters, and that's Chief Soto.

5 I will say that there is an advantage
6 to staff in having the chairperson relatively
7 close to our office, but that said, Chief
8 Tanner was down in Mesquite and we operated
9 just fine, so having said that, clearly anybody
10 that's interested should say so, but that's
11 where we're at now, we've asked Chief Soto to,
12 based on his interest, to kind of run the
13 meeting today so we can get this matter taken
14 care of.

15 So at this point, what I would do is
16 again, give it back to Chief Soto. We would be
17 looking for public comment, anybody who is
18 interested, identify yourself, and then we
19 vote, I believe. Is that how it will work?

20 MR. JENSEN: Yeah. Mike Jensen for
21 the record. The only guidance you have is in
22 the statute it says a majority vote of the
23 Commission, so the process would be pretty much
24 up to you guys to decide how you want to go
25 forward, but that seems reasonable. Usually

1 I've seen people be nominated, other members
2 nominating folks to do that, but that's already
3 been taken care to narrow it down already to
4 one, but I would say that I would open it up to
5 nominate someone to be the chairperson and then
6 have a discussion and public comment on that,
7 and discussion, and then vote.

8 COMMISSIONER ALLEN: Mike Allen for
9 the record. I would nominate Chief Soto for
10 chairman.

11 CHAIRMAN SOTO: I truly appreciate
12 that, Sheriff.

13 COMMISSIONER McKINNEY: I have a
14 quick question. So if Chief Soto changes his
15 mind and votes no, are we not going to have a
16 majority, is that --

17 MR. JENSEN: That would be a problem,
18 I believe, for us at that point, but we're
19 hoping that we have a consensus and everyone
20 agrees at this point.

21 COMMISSIONER KETSAA: I'll second the
22 motion of Sheriff Allen.

23 CHAIRMAN SOTO: All in favor?

24 (Chorus of ayes.)

25 CHAIRMAN SOTO: Opposed?

1 All right.

2 MR. JENSEN: Well, I was going to say,
3 we usually have public comment, but there is no
4 public here to comment, so I think we're good.

5 CHAIRMAN SOTO: All right, then, we
6 will move on to item number four, for
7 discussion, public comment and for possible
8 action, approving of minutes from the
9 November 15th, 2018 regularly scheduled POST
10 Commission meeting.

11 Do the commissioners have any
12 corrections or additions to the minutes? If
13 not, looking for a motion to approve the
14 November 15th 2018 meeting minutes.
15 Discussion?

16 Then looking for a motion to approve.

17 COMMISSIONER MCGRATH: Motion to
18 approve the minutes from the November 15th
19 meeting.

20 COMMISSIONER MCKINNEY: I second.

21 CHAIRMAN SOTO: All in favor?

22 (Chorus of ayes.)

23 CHAIRMAN SOTO: Opposed? Motion
24 carries.

25 Item number five, this will be

1 information and the executive director's
2 report, so I turn this back to Mike Sherlock
3 for discussion. Once the report's been
4 published, the Commission may have questions.

5 MR. SHERLOCK: Thank you. Mike
6 Sherlock for the record. You know, I know I
7 get long on these. It's really the only time
8 that we can advise the Commission of what we're
9 doing here at the POST, so I apologize for
10 that. We really appreciate the opportunity to
11 highlight some of the things we're doing over
12 here, we're kind of hidden out her. So I'll go
13 through each of our divisions real quick, I
14 will try to make it as quick as possible.

15 So from the training division, in the
16 academy itself we had our academy commander,
17 Brian Maier (phonetic), retire recently. Just
18 so everybody understands, Brian did a great job
19 or updating and cleaning up kind of the
20 academic side of our academy, the educational
21 side. He had extensive experience as a
22 teacher, frankly.

23 But as we moved forward, we brought in
24 Greg Binelak (phonetic) as the new academy
25 commander. As some of you may know, Greg has

1 been around for a long time, over 30 years in
2 policing, he has good command experience, he
3 has a master's degree, he has some PT and
4 training background. We now want to move that
5 academic portion of our academy, integrate it
6 into the training side, and we believe that's
7 reasonable from that perspective.

8 You know, we continue to kind of shore
9 up our structure and discipline in the academy.
10 You know, I can say that studies continue to
11 support a challenging training environment for
12 policing is by far the best in terms of
13 outcomes. I know the rurals sometimes get a
14 little nervous when they think we're running a
15 stress academy and that kind of thing, but I
16 hope people understand that what some call
17 stress academy or modified stress academy,
18 generally does a better job by having fewer
19 cadets fail out who if there had been more
20 time, could have been successful in that
21 previous academy. In other words, we should
22 see fewer people that have the capacity to be
23 police officers actually make it through the
24 academy which, we're kind of seeing that
25 already with our new environment. So again,

1 you know, our goal in the end is to have our
2 training officers that train in command
3 presence, integrity, officer safety and
4 leadership, and let our paid instructors teach
5 specific stuff, subjects. So that's what we're
6 shooting for now. We want to be able to test
7 these cadets and make sure that they can make
8 legal, ethical, moral decisions under stress,
9 and the place to do that is in basic training.
10 So we're getting there, and I think we want our
11 cadets to be proud of what they accomplish
12 here, and I think it just tends to allow them
13 to retain that training for longer if they're
14 proud of what they accomplished, so we're
15 getting there.

16 Going forward, we want to build some
17 better relationships with and tied to agency
18 field training officers. That's always an
19 issue for basic training, making sure that
20 we're putting people out that the field
21 training officers, you know, the first thing
22 that an FTO says is forget everything you
23 learned in the academy, I'm going to teach you
24 how it is. I want to bring them in to make
25 sure that they buy in to the basic training and

1 integrate that. So we're looking at different
2 ways to involve the FTOs from the agencies that
3 we serve in our basic training program.

4 Over in advanced training we just
5 completed an updated supervisor course, I've
6 been pretty disappointed in our ability to get
7 that thing out. It is done now, we hope to
8 start putting that on more often to give people
9 a chance to attend. It has been updated, we're
10 pretty happy with some of the updates that
11 we've included in that, and hopefully it will
12 be a benefit to all the agencies.

13 Instructor development has been
14 updated, we continue to push that out. The
15 dispatcher course is finally complete. We have
16 feedback from Comm Center supervisors across
17 the state involved, Reno, Metro, you guys over
18 at School Hall participated in testing that.
19 We have input from them now and we're going to
20 implement some of those suggestions that the
21 supervisors wanted in that training, and
22 hopefully that will be out for general use
23 within two weeks, at the latest March 1st, so
24 we're happy to finally get that thing out
25 there.

1 Over in standards, of course we're in
2 compliance season for annual training. This
3 year seems to be doing very well, we've had
4 some of the earliest reporting of compliance by
5 agencies in recent history. We are currently
6 down to about 27 agencies that had an officer
7 that they had not reported in compliance. The
8 total number of officers that have not been
9 reported in compliance is under 50 at this
10 point. So we're pretty happy with that and
11 most agencies have responded, some letters of
12 noncompliance have gone out already and what
13 happens is, it generally spurs the agencies to
14 report that training because our experience is
15 pretty basic, that most officers have received
16 the training, that's not the issue, it's not
17 every case but in most cases, they just haven't
18 reported it to POST yet, so we're working on
19 getting that done and are pretty happy.

20 In terms of audits and inspections we
21 have had some issues come up, mostly here in
22 the north. We have a couple of agencies that
23 are saying that due to some federal rules, they
24 are advising their background investigators not
25 to do credit checks on peace officer

1 applicants. I know Mike Jensen was going to
2 look into that a little bit, I had a chance to
3 look over it, and you know, I'll just leave it
4 at this. The NAC regulations that the
5 Commission has created requires a check into an
6 applicant's financial history as part of the
7 background. I'm sure there's various ways of
8 doing that, but having read the memo that's
9 being referenced and questioned up north, it
10 doesn't on its face to me prohibit getting a
11 credit report from an applicant, but I'm just
12 putting that out there and we'll keep looking
13 at that. Clearly we have a regulation that
14 requires checking an applicant's credit. I
15 know the easiest way to do that is to pull a
16 credit report, so we'll keep monitoring that,
17 and again, Mike's looking at that.

18 Finally, you know, we're in budget
19 season. You know, POST has been essentially
20 under supported for many years, but it's truly
21 coming to a head. Just understand that we have
22 the same budget and staffing levels as we had
23 ten years ago, you know, and frankly, POST was
24 under budgeted then. But I think we all agree
25 that Nevada has grown a little bit since 2008,

1 some of the pressures and requirements, both
2 from a standards perspective and a training
3 perspective have gone, have grown a lot in
4 those ten years. So you know, it's a huge
5 issue for us. It has come to the point that
6 POST can barely meet the status quo, right? We
7 completely lack any resources to advance
8 services. The current governor's, or the
9 current budget recommendation from the
10 governor's office cuts some \$234,000 out of our
11 requested budget.

12 You know, I don't want to beat -- this
13 isn't a political issue, we've been underfunded
14 for years. We are often overlooked because we
15 are such a small footprint in terms of
16 budgeting, but we're never overlooked when it
17 comes to cuts. And so just to give you
18 an idea, if we do lose that 234,000 as
19 recommended, we lose the contract position that
20 we fought real hard to get last go-round. As
21 some of you may remember, we put a lot of man
22 hours into that contract, and the 234,000 cuts
23 that.

24 We lose replacement tablets for our
25 academy. For years the push statewide has been

1 to go paperless, we were on the leading edge of
2 that, paperless in the academy. We have
3 tablets that are used by our cadets that are at
4 the end of their replacement schedule that the
5 state sets, and they cut those out of our
6 budget to replace those, and they're going down
7 as we speak, there's no way they're going to
8 last two years, we're done with the tablets.

9 The other thing they cut out was --
10 again, we're just trying to maintain status
11 quo, this is not asking for anything new. Our
12 dorm furniture is from the 1980s and the dorm
13 has not been replaced since then, it's falling
14 apart, frankly it's a joke in there. We've
15 asked continually to enhance our budget with
16 replacement furniture and that again was, they
17 cut half of that budget out. Well, half, you
18 know, a bed doesn't do much good, or half a
19 dresser just doesn't cut it. So we're pretty
20 concerned, and it's pretty devastating to us as
21 we consider that.

22 That contract position was pretty big
23 for us and really helped us advance some of the
24 basic training to have someone to lean on when
25 an instructor doesn't show up, to have in house

1 a Nevada law enforcement expert on staff. And
2 again, he was brought to us and the agreement
3 was they would give us that position if we
4 agreed to put it in our next budget. We put it
5 in our next budget and they cut it out, so we
6 are really concerned.

7 To give you a little more background,
8 we are the only state that has legalized
9 marijuana that gives no money to POST. Every
10 other state that has recreational marijuana
11 gives substantial amounts to police training,
12 POST, so it just illustrates that we are not in
13 the forefront of it, and whether it's the
14 legislature or the executive side, it's pretty
15 crazy.

16 COMMISSIONER McGRATH: I'm sorry,
17 Mike. Have you proposed to try to get some of
18 that marijuana money from the legislature?

19 MR. SHERLOCK: Mike Sherlock for the
20 record. So as you know, the previous governor,
21 it was, we have made several attempts, the tact
22 at that point was that money will go to the
23 rainy day fund and education only, and there
24 was no movement on that. We are aware of a
25 commissioner committee that's looking at

1 marijuana revenue under the new administration.
2 We're hopeful, we haven't had a chance to speak
3 directly on that. I've made that suggestion to
4 people over there and I hope we don't get
5 overlooked. My fear is without a lot of
6 pressure, we will get overlooked.

7 You know, police training is always
8 put on the back burner, it's not unusual, but
9 if we could get help and some advocates, I
10 believe we may be able to get some inroads from
11 that perspective. I mean if you think about
12 it, we're putting 4.7 million a month into the
13 rainy day fund. Some of the proposals that
14 I've made, if you added 631,000 to our budget,
15 that's, you know, not even a quarter of what's
16 going in every month. And I'm saying with
17 631,000 for the biennium, we could expand and
18 actually move forward greatly here at POST. We
19 would be able to start a reimbursement fund, a
20 lot of the things that other POST entities do,
21 and 631,000 is not, it's just trying to get the
22 voice over there to get, you know, get some
23 traction, at this point we have not been able
24 to do that.

25 And frankly, with the proposed cuts to

1 our budget, I'm sure nobody specifically looked
2 at our budget, they just cut that across the
3 board to a certain extent, but it was extremely
4 frustrating when we received that
5 recommendation based on our request. Again,
6 remember, we are tied to what's called the
7 two-time rule, we are a fee-based agency, we
8 cannot ask for more than two times our base
9 budget in our budget, and there's reason for
10 that, I understand that, it shouldn't apply to
11 us but it does. So we tried to comply with
12 that rule and simply look at replacement things
13 and things that were already in our budget, and
14 even those got cut, so it's been extremely
15 frustrating for us from a budget standpoint.

16 To go even further, last June or July,
17 last summer I testified in front of a
18 legislative subcommittee that's called the
19 sunset committee that looks at boards and
20 commissions. I gave some testimony as to what
21 POST does and one of the things that came up
22 was our budget, and in particular, the CIP
23 project that we originally asked for in 2008
24 and it was approved, it was an EVOC center, it
25 was approved, much of the funding was

1 allocated, the plans were done, we owned the
2 property, and due to the economic turndown, the
3 money was swept from our account, and we have
4 asked to reinstate that project ever since and
5 it's never been funded or approved by public
6 works, who recommends the CIPs. After that
7 legislative testimony, the legislature wrote a
8 letter to the governor recommending that that
9 money be immediately replaced and the EVOC
10 center be built as one of the projects under
11 public works. We just received the list and
12 we're not even on the list, they didn't even
13 consider us. So again, very frustrating, where
14 the legislature actually saw the need. We
15 currently do EVOC in a parking lot. Frankly,
16 it's embarrassing that we don't have a facility
17 here to do that.

18 So again, I think if we had the right
19 advocacy where we know something like that,
20 that we can all agree we need, and the
21 legislature has agreed and even written a
22 letter to the governor on it, we may be able to
23 get some traction on that. I can only say that
24 if we were funded properly, it would be a
25 benefit to all agencies, but would even be a

1 financial benefit, I think, to the agencies,
2 and frankly, with everybody on an even keel
3 across the state, and that's what one of our
4 goals is.

5 Finally, Marsy's law has been an
6 issue, that's part of the reason I'm sure that
7 some of the holding back on budget is
8 occurring. We're still, we do not know what
9 the damages are going to be as a result of
10 Marsy's law. We initially were told to plan
11 for a 20 percent reduction but if we had a 20
12 percent reduction in our small budget, it would
13 be devastating, we would have to close our
14 academy, it would be four positions. There's
15 just no way, we run such a tight budget here
16 that, you know, taking 20 percent just, it just
17 wouldn't work.

18 Now, we do know that the governor has
19 stated that he's going to allocate 15 million
20 to cover the shortfall, I don't know what that
21 means for us. We're a little worried. We have
22 no access to the general fund, so if that 15
23 million, wherever it comes from, is going to
24 the general fund, it still will not help us
25 here, we have to have a different mechanism to

1 get that money. We have repeatedly tried to
2 get into the general fund, by the way, because
3 that would allow us access to the contingency
4 fund for shortfalls you, and we've been
5 repeatedly refused. Simply getting my salary
6 or one small part of our budget into the
7 general fund would allow us access to that
8 contingency fund, which is likely why they
9 don't allow us into the general fund, but it
10 would be a big benefit if we could do that.

11 So, again, I'm hoping from a mission
12 standpoint that we can at least get some
13 advocates there to keep pushing the need for
14 advancing police standards. People criticize
15 policing in general, but when it's time to put
16 money where it should be in terms of training,
17 we're not seeing it, we're just not. I'm
18 hoping that will change.

19 COMMISSIONER MCKINNEY: Kevin
20 McKinney. The 234,000, what was your overall
21 request, was that more or less than the last
22 biennium, do you understand what I'm saying?

23 MR. SHERLOCK: No, we are stuck to the
24 two-times rule. These are enhancements,
25 granted -- well, let me put it this way. The

1 contract instructor is already part of our
2 current budget. We moved money from our
3 reserve fund to fund it with the agreement that
4 we would ask for and get it with the next plan.
5 So that's a cut, from a technical standpoint
6 that is cutting our current budget. So the
7 general answer is no, what we requested last
8 biennium is not more than what we're requesting
9 in general. You know, there's enhancements.

10 COMMISSIONER ALLEN: Now, are
11 you guys independent of DPS?

12 MR. SHERLOCK: Yes.

13 COMMISSIONER McKINNEY: So you're
14 your own entity?

15 MR. SHERLOCK: Yes.

16 COMMISSIONER ALLEN: And then
17 just to kind of, you know, I look up at the
18 table and I'm only seeing I think two of us at
19 the table right now who rely on POST, and it
20 would be devastating for the rurals if you had
21 to cut back POST, we would be totally out of
22 options, especially these days when it's so
23 hard to get law enforcement officers, so I
24 think it's real important that we support you.

25 MR. SHERLOCK: Yeah, I'd appreciate

1 that, and it's very concerning to us, it's
2 gotten to the point of critical, it really has.
3 Now, again, I don't want to be -- you know, I
4 think we do a really good job with the money
5 that we do get, we're extremely efficient, you
6 know, we provide what we can, and with the
7 proposed budget, yes, we'll lose a contract
8 instructor, again, assuming that Marsy's law
9 doesn't hit us any harder, we'll lose a
10 contract instructor, you know, the cadets will
11 sleep on, you know, 60-year-old mattresses and
12 they'll be writing on paper instead of using
13 tablets, but we'll continue to provide the
14 service. But I just want to make sure
15 everybody here's aware, we cannot move forward
16 by giving us the same budget we had in 2008 in
17 the year 2020, I mean, we just can't.

18 CHAIRMAN SOTO: So, Chief Soto for the
19 record. I just had a couple comments I wanted
20 to make on your report. First off in training,
21 I applaud you for looking at some of these
22 stress type of, increasing awareness as opposed
23 to a challenge to our recruits, and the reason
24 for that is the back end, you will see much
25 more of a success rate in terms of them getting

1 through their probation and actually being a
2 working police officer.

3 In terms of the budget, I would
4 challenge our Commission to have some contact
5 with some individuals within the state in terms
6 of bringing awareness to the budget. I think
7 one of the problems with the budget is that
8 nobody knows how critical it really is. I
9 think that's my job and the job of all the
10 commissioners is to do that, because I would
11 agree with Sheriff Allen in terms of how
12 important POST is, not just to the rural
13 agencies, but also to some of the larger
14 agencies in terms of when we need personnel and
15 we need personnel who are trained. I would
16 also say that if we don't change these budget
17 rules we're looking for, in the long run it's
18 going to cost us more money, all agencies
19 throughout the state because of a lack of
20 training, because of the lack of quality. When
21 you start losing things like contract
22 instructors for our police personnel, that's
23 where you start having issues coming into the
24 professionals, so I will certainly make that a
25 priority to contact the governor and some of

1 the people that have some input on the crucial
2 matter of the state in which we're in in terms
3 of getting sufficient funding, not just meeting
4 the status quo, and I would ask the other
5 commissioners to do the same.

6 MR. SHERLOCK: Mike Sherlock for the
7 record. Thank you, Chief. And I want
8 everybody to know, look, Tim and I spend a lot
9 of time with the legislature, we have far less
10 credibility than you, that's just reality, so I
11 would appreciate any help that you guys can
12 give us. It just has a much bigger impact than
13 what I can do.

14 COMMISSIONER SOTO: One last
15 thing for the record, because I did a little
16 bit of research on this prior to this meeting,
17 you know, in terms of our size and what we
18 manage as a whole commission, we have about a
19 half to a third of what our budget really
20 should look like, and you see that in other
21 states. So we have to make a priority, I think
22 it's our responsibility to make sure that we
23 receive some additional funding, or at least
24 make an effort to receive some additional
25 funding. But again, I think it comes down to

1 awareness, and I don't think we've done a good
2 enough job of making people aware that we're at
3 a critical point here, we actually, this is
4 getting to a critical stage.

5 MR. SHERLOCK: Thank you, Chief. Mike
6 Sherlock for the record again. Just one more
7 little stat for you. So, it's hard to compare
8 apples to apples when you're comparing POST
9 entities across the country. I like to use
10 Idaho, it's the closest to us, right? They
11 have jurisdiction over peace officer and
12 corrections officers like we do, they have a
13 voluntary dispatcher program as we do, they run
14 an academy as we do, and they regulate
15 standards and do everything that we do, they're
16 very similar to us, almost the same. The
17 population of Idaho is 890,000, so
18 approximately one-third of what Nevada is.
19 Their budget is more than double ours, their
20 staffing level is more than double ours. Our
21 budget is around 2.6 million, something in that
22 area; their base budget is almost \$6 million.
23 So you know, that just kind of gives you a
24 perspective, and we see that across the
25 country, we are well below what others do.

1 So, that's my crying about the budget.
2 You know, I'm just looking for support and some
3 advocacy, both at the executive branch and the
4 legislative branch, and what you guys do has a
5 big impact, it really does.

6 The last thing I wanted to mention, we
7 did lose two commissioners, Chief Tanner
8 retired, and we wish him great success in his
9 retirement, and also, Jim Wright has retired,
10 so we've lost two positions. Just to give the
11 Commission an understanding of how that works,
12 sometimes people don't understand how the
13 Commission works, it's very specific.

14 So Troy Tanner was the second category
15 one in Clark County. One of the category one
16 representatives must be Metro and the other has
17 to be outside of Metro. After talking to the
18 Sheriffs and Chiefs -- the way the statute
19 reads is the governor must appoint a
20 commissioner who is nominated by the Sheriffs
21 and Chiefs or a similar organization, but it
22 must come from that path. So looking at that,
23 the suggestion was made for Tim Shea, he is the
24 chief of Boulder City, he is a cat one, not
25 only outside of Metro but outside of the

1 metropolitan area of Clark County, which does
2 meet that requirement, and he was in fact
3 nominated by the Sheriffs and Chiefs.

4 We are aware that they have that;
5 however, the governor has yet to appoint a
6 person to run the boards and commissions
7 section, so we're sitting on that right now
8 waiting for them to get that done before they
9 can make an appointment.

10 Jim Wright's position on the
11 Commission was the -- the statute requires a
12 state category one agency to have a position on
13 the Commission, that's obviously a very narrow
14 group, state category ones, I think, are
15 Wildlife and State Parks and the DPS, and
16 that's basically it. I talked to the Sheriffs
17 and Chiefs on our needs for a nomination there,
18 and I don't know that it's done yet, but I
19 believe the new director of DPS, George
20 Togliatti will be the nominee, from what I'm
21 hearing. So hopefully we'll get that done,
22 we're just waiting for, you know, the executive
23 branch to catch up, there's a lot of
24 appointments that have to be made. We start
25 getting concerned when there's only five of you

1 here as we move forward.

2 I know that was long, but that's our
3 update.

4 CHAIRMAN SOTO: Any questions?

5 COMMISSIONER MCKINNEY: I have a
6 question. Would there be any way that we could
7 get budget numbers so we could actually start
8 advocating for, a quarterly report or something
9 that might help us, and we could start getting
10 ahold of the legislators and things?

11 MR. SHERLOCK: Absolutely. Mike
12 Sherlock for the record. So, it's a little bit
13 of a moving target, but we'll definitely, I
14 will get those out to you as we speak,
15 momentarily. I understand it is a moving
16 target. So one, we can't release whatever our
17 budget request was until the governor makes his
18 recommendations, which he's already done, so
19 now it's a public record and we can do that.
20 And we will -- I'll try to get you all the
21 information, what we requested, what the
22 recommendation is, what it cuts from us and
23 that kind of thing, so you have that
24 information, absolutely.

25 COMMISSIONER MCKINNEY: Yeah, I --

1 Kevin McKinney again. I just think with some
2 specifics, we might be able to talk
3 knowledgeably about what we're trying to gain.

4 MR. SHERLOCK: Certainly. Mike
5 Sherlock for the record, and I appreciate that.
6 We will get that.

7 COMMISSIONER KETSAA: Jim Ketsaa for
8 the record. Is there a specific committee or
9 somebody to speak to that handles this? You
10 know, I know you mentioned a couple different
11 groups. Sometimes like, you know, for
12 different organizations, there's a specific
13 committee that handles those type of things.

14 MR. SHERLOCK: So at this point
15 I would say that the executive branch is very
16 important to us. We have in recent years seen
17 better support from the legislature, and I hate
18 to say this publicly but the legislative side
19 has actually added money to our budget where
20 the executive branch has not requested, and I
21 can tell you, it puts -- we're an executive
22 branch entity, so I don't like, you know, it
23 puts us in a tough position sometimes. We do
24 give our budget brief next week to the
25 legislature on the 12th, but I think we're far

1 more concerned with getting help from the
2 governor's side, and it frankly puts me in a
3 bad position, I'm going to have to essentially
4 tell the legislature that our budget is less
5 than what we wanted, which kind of puts me in a
6 bad position, I'm not going to lie, but it's
7 gotten to the point that we are so far outside
8 the radar that we've got to shake things up a
9 little bit. But to answer your question right
10 now, it's the executive branch side that's
11 been -- it never hurts to get ahold of
12 representatives on the legislative side that
13 are in your area of Clark County or whatever,
14 because they do help us, and having them on our
15 side helps the governor's side, no doubt about
16 it. But right now it's the governor's side
17 that ultimately I think would help us in terms
18 of finding new money and that kind of thing.

19 COMMISSIONER MCKINNEY: Thank you.

20 COMMISSIONER SOTO: One last
21 question. You mentioned earlier in your
22 report, Mike, about the general fund and that
23 we do not, right now we're not recognized and
24 if we were, then we could get into some of
25 that. My question would be if we could look at

1 that general fund for, say, your salary or
2 anybody's salary, with the stipulation what we
3 wouldn't touch the contingency. Is that
4 something that's allowable? I don't even know
5 the answer to that, because I know what you
6 said, that they don't want us to do that, but
7 if we can save 200,000, or 100,000 here, or
8 anywhere, I don't know the answer.

9 MR. SHERLOCK: Yeah, Mike Sherlock for
10 the record. A couple things about that. One,
11 I mean, the advantage is having access to
12 financing through the general fund. But number
13 two, you're right, it would save us court
14 assessment money, but I have to be honest,
15 court assessment monies over the last two
16 years, and frankly currently, exceeds our
17 authority, so we don't know what Marsy's law is
18 going to do to that, but frankly we have
19 received more money than we can spend, because
20 the court assessments have been coming in, I
21 mean small amounts, like four or five percent
22 over last year.

23 Understand, we are a fee-based agency
24 but we're bound by general fund rules, so even
25 though we got more money in court assessment,

1 we're stuck with the budget that we have, we
2 don't get to spend that money, it goes back to
3 the state, which is another issue of being a
4 fee-based agency that isn't really fee based.
5 So yes and no, it would help us if court
6 assessment revenue falls below authorization,
7 but if it doesn't, it doesn't help us without
8 access to the contingency.

9 CHAIRMAN SOTO: Further questions?

10 MR. SHERLOCK: Thank you.

11 CHAIRMAN SOTO: Number six,
12 discussion, public comment, and for possible
13 action of the Commission to consider starting
14 the rulemaking process to change NAC 289.290 to
15 provide for the revocation of POST
16 certification for a conviction constituting a
17 misdemeanor crime of domestic violence as
18 defined by 18 USC 922(g)(9). The change would
19 allow the Commission to take action to suspend
20 or revoke a peace officer's POST certification
21 based upon a misdemeanor conviction
22 constituting a crime of domestic violence as
23 defined by 18 USC 922(g)(9) without a request
24 from the agency.

25 Once again, I'm going to pass this to

1 Mike Sherlock and once he's done, I'll ask the
2 commissioners for any questions.

3 MR. SHERLOCK: Mike Sherlock for the
4 record. So, just a quick understanding, so
5 under the current regulations, felony
6 convictions may result in the revocation of a
7 peace officer's certificate, and there's no
8 requirement that the employing agency ask you
9 the Commission to do that, to take action on
10 that certificate when there's a felony
11 conviction. That's not the case with
12 misdemeanors.

13 Our current regulations authorize the
14 Commission to revoke for a misdemeanor only
15 where it is requested by the employing agency.
16 So this, it kind of creates a bit of an issue
17 where there's a conviction for a misdemeanor
18 that by its nature would prohibit that person
19 from exercising some or all of the powers of a
20 peace officer, and yet we can't revoke them
21 without a request from that employing agency.
22 Domestic violence is the big one, and I believe
23 Mr. Jensen has litigated this all the way up in
24 our courts and the courts agreed clearly that
25 we can revoke for a domestic violence

1 conviction because it does prohibit things like
2 carrying a gun, you know, things that fall
3 under police officer powers. So we know that
4 by the nature of the conviction itself, that
5 for domestic violence or any crime that falls
6 under that federal definition of domestic
7 violence, prohibits that person from exercising
8 those powers.

9 So staff is really looking for the
10 possibility of including domestic violence
11 convictions as a required, or as a revocable
12 offense for the Commission without requiring a
13 request from the employing agency to revoke
14 them. So this would, this item would require
15 the Commission to direct staff to begin a
16 rulemaking process to add that to our revokable
17 offenses.

18 With that, I'll ask Mr. Jensen if
19 there's any clarification he would like to
20 make. Am I rambling?

21 MR. JENSEN: No, no, you covered it
22 great. This is Mike Jensen for the record. In
23 terms of just process, I guess from a legal
24 perspective, the thing that we've handled in
25 the past, we did have a case that went to

1 hearing on this, a crime of domestic battery, I
2 think it was out of one of the rural counties,
3 that was a contested case which doesn't happen,
4 as you guys have probably seen in your time,
5 very often. It was, the Commission revoked
6 based on that misdemeanor and it went on appeal
7 to the District Court and was upheld there, and
8 the District Court, the thought that the
9 District Court found was most convincing to it
10 as the basis for revocation of a peace
11 officer's certificate was that federal statute
12 that prohibits firearms possession. My
13 recollection on that hearing was at the time we
14 had the hearing, the Commission was a little
15 bit uncomfortable basing its decision just on
16 that federal statute and wanted to look at
17 other reasons why a misdemeanor domestic
18 battery conviction would disqualify someone,
19 because that's what you guys have to find, is
20 not just that it's a bad thing, but whatever
21 the conviction is, it's something that should
22 disqualify a person from being a peace officer.
23 And so that, when it comes to the legal basis
24 for these particular revocations, this is one
25 of those types of crimes that because it does

1 fall under the federal definition, that makes
2 it pretty clear as a basis for revocation.

3 The other thing I guess I would add
4 from just a background on misdemeanors, this
5 has kind of developed over the years on how the
6 Commission handles misdemeanors. As you guys
7 know, a traffic violation is a misdemeanor in
8 Nevada, so you could have quite a range of
9 seriousness in misdemeanors from traffic
10 violations up to things like domestic battery.
11 And so for several years, the approach of the
12 Commission has been to ask staff to bring after
13 an agency requests it, which is the first
14 protection that you don't get in misdemeanor
15 type cases that are maybe not so serious,
16 coming to the Commission is the agency making a
17 decision that they think that's serious enough
18 for a recommendation to the Commission for
19 revocation.

20 The second hurdle or filter, I guess,
21 that the Commission has had in the past is what
22 we call the blind review, which is essentially,
23 we would bring a misdemeanor in cases where it
24 was questionable whether you guys may or may
25 not want me to go forward on a hearing, we

1 would bring forward basically the charging
2 document, black out the names of the folks
3 involved, and just ask the Commission, is this
4 something you would want to move forward and
5 have a notice sent out and a hearing held on,
6 is it serious enough, we'd get a feel that way.
7 And so we've had some filters in place in the
8 past to kind of protect against being, you
9 know, the traffic or the bar fights or
10 whatever, that might come here for revocation
11 that you may or may not want to look at.

12 That's the purpose of the existing regulation.

13 The reason for the change is as the
14 executive director, Mr. Sherlock pointed out,
15 is this is a good strong basis for it, and it's
16 not unprecedented. I think when we changed the
17 regs the last time to add revocation based on
18 guilty pleas and nolo pleas, as opposed to
19 having always a conviction, my recollection was
20 we found a number of states that this is one of
21 the grounds for revocation in their POST
22 certification statutes, and I think we could
23 probably find another state or multiple states
24 with similar language that we could bring back
25 to the Commission when we start through the

1 rulemaking process, that you guys could take a
2 look at. So that's, I added probably a lot
3 more than I should have, but that's what I
4 would intend.

5 MR. SHERLOCK: Mike Sherlock for the
6 record. Thank you, Mr. Jensen, and I would
7 agree with that. So if the Commission should
8 direct us to begin the rulemaking process, we
9 would in a workshop bring some of that
10 information forward. I'm confident that it's
11 most likely a majority of states that do
12 revoke, in some way include domestic violence,
13 and again, it's a moving target. In some
14 states domestic violence, even for domestic
15 felonies, so you know, there's different
16 things. So at this point what it requires the
17 Commission to do should they decide, is staff
18 would begin the rule making.

19 CHAIRMAN SOTO: Thank you. Does
20 anybody on the Commission have any questions?

21 COMMISSIONER MCKINNEY: A quick
22 question, Kevin McKinney for the record. Will
23 this require changes in the NRS?

24 MR. SHERLOCK: Mike Sherlock for the
25 record. No. Mike, did you have a point?

1 MR. JENSEN: Yeah, Mike Jensen for the
2 record. No, I don't believe it would require
3 any changes in the NRS. The Commission has the
4 authority to establish the grounds for
5 revocation or your regulations, and I don't
6 think there would be any issue at all with you
7 adding this to your regulations. Now that
8 wouldn't be what you would be doing today, it's
9 just directing staff to start the rulemaking
10 process, which has multiple steps in it before
11 it gets to the point where you actually vote on
12 whether or not you want this to be put in
13 place.

14 CHAIRMAN SOTO: For the record, Chief
15 Jason Soto. I do have one question now that
16 I'm thinking through this that you might be
17 able to answer for me. The way I read it, what
18 we are allowing here is for the Commission to
19 request revocation of folks. The question
20 would be, would that have an impact on the
21 agencies. The only reason I ask -- all of the
22 agencies -- the reason I ask that is because we
23 have different bars in terms of what we want to
24 consider a misdemeanor in which we would be
25 looking to revoke someone, so that's a -- does

1 that make sense?

2 MR. SHERLOCK: Yes. Mike Sherlock for
3 the record. Yeah, I agree with that. I think
4 that as you look at this, what we're
5 suggesting, and again, this would come out
6 through the rulemaking process, but I think if
7 it's a conviction for a federally recognized
8 domestic violence, I think we're on, everybody
9 would be fine. I see what you're talking
10 about, where misdemeanors, right now they're
11 specifically talking about domestic batteries
12 or other convictions, I agree, but meet that
13 federal definition, I think you'd be okay
14 there.

15 CHAIRMAN SOTO: Any other questions or
16 comments?

17 COMMISSIONER McGRATH: I think
18 the only question I had was already answered,
19 it was about a conviction, because we have a
20 lot of people get arrested, and then it
21 doesn't, they take a lesser charge or it
22 doesn't actually go to, when you look at like
23 the ones that are filed, they check the box,
24 domestic violence, it's pretty easy. But I
25 don't see a lot like that, I see other types of

1 pleas, and that's where I see the struggle.

2 MR. JENSEN: Mike Jensen for the
3 record. I think that's really common,
4 especially for folks who are employed as peace
5 officers. Their attorneys are going to be
6 pushing hard for them to plead to something
7 that will not constitute a federal prohibitor,
8 and so I think that's real common. And if that
9 were the case, that they pled to something or
10 were convicted of something that wasn't
11 involved, it didn't fall under the federal
12 statute, it wouldn't fall under your regulation
13 either, so again, that wouldn't come inside
14 that group if you decided that.

15 COMMISSIONER MCGRATH: John McGrath
16 for the record. It wouldn't fall under this
17 regulation but it would fall under the
18 misdemeanor.

19 MR. JENSEN: Which would still be in
20 your regulation. I don't think the intent is
21 to remove the existing misdemeanor provisions
22 to add this, which would still require the
23 agency to make the recommendation to the POST
24 Commission before moving forward on a
25 revocation.

1 MR. SHERLOCK: Mike Sherlock for the
2 record. Yeah, I would agree with that. I
3 think, again, we go through the rulemaking
4 process, but I don't see us removing the
5 requirement on those or -- the ability really
6 is what you're saying on your side, to ask the
7 Commission to look at a particular misdemeanor
8 conviction, and absolutely, I don't see us,
9 that's not the intent to get rid of that at
10 all. It's just to move those, that specific
11 conviction that, if you know it results in them
12 being unable to do their job, allowing you guys
13 to look at it without the agency.

14 CHAIRMAN SOTO: Any other questions or
15 comments?

16 COMMISSIONER McKINNEY: Well, I
17 want to go back to the NRS. I was reading NRS
18 289.290 and I am just kind of concerned about a
19 slight conflict, because I believe it says that
20 for misdemeanors, it has to be recommended by
21 the agency.

22 MR. SHERLOCK: Mike Sherlock for the
23 record. But I think what you're looking at is
24 the NAC.

25 COMMISSIONER McKINNEY: Maybe it's

1 the NAC. Oh yes, NAC.

2 MR. SHERLOCK: And as a regulation,
3 it's the function of the Commission to
4 establish what those particular regulations
5 are, so as Mr. Jensen said, I think we're good
6 from that standpoint.

7 COMMISSIONER MCKINNEY: So would we --
8 again, Kevin McKinney. Would we be changing
9 this NAC then?

10 MR. SHERLOCK: That's correct.

11 COMMISSIONER MCKINNEY: Okay, I'm
12 sorry, I was think that was the NRS and it's
13 the NAC. My apologies.

14 CHAIRMAN SOTO: So, I think that --
15 any more discussion or questions?

16 I think what I am looking for is a
17 motion to move directing staff to begin the
18 rulemaking process to update the NAC 289.290.

19 COMMISSIONER MCGRATH: I'll make a
20 motion to have the Nevada POST executive
21 director look at the NAC 289.290 to see if we
22 need to change the code.

23 COMMISSIONER ALLEN: Mike Allen, I'll
24 second it, that motion.

25 MR. SHERLOCK: Real quick,

1 Mr. Chairman, Mike Sherlock for the record. I
2 just want to make sure with Mike Jensen, is
3 that motion sufficient to begin the rulemaking
4 process?

5 MR. JENSEN: That's what I heard,
6 yeah, start the rulemaking process.

7 MR. SHERLOCK: Okay.

8 CHAIRMAN SOTO: So the motion from
9 McGrath, second from Allen, all in favor?

10 (Chorus of ayes.)

11 CHAIRMAN SOTO: Opposed? The motion
12 carries.

13 MR. JENSEN: Mr. Chairman, just for
14 the record, we probably, even though we don't
15 have public comment here, just if someone's
16 listening to this tape later on, we probably
17 should open up for public comment.

18 CHAIRMAN SOTO: So I'll open it up for
19 public comment. No comment. For the record,
20 there is no public comment. All right.

21 Item number seven, discussion, public
22 comment, and possible action, a hearing
23 pursuant to NAC 289.290(1)(h) on the revocation
24 of James R. Briggs, formerly of the Las Vegas
25 Metropolitan Police Department, certification

1 based on a conviction for a misdemeanor. The
2 Commission will decide whether to revoke
3 Mr. Briggs' Category I basic certificate. And
4 we're going to send it over to Mike Jensen.

5 MR. JENSEN: Thank you, Mr. Chairman.
6 Speaking of revocations for misdemeanors, we've
7 got a couple of them in a row here, both for
8 misdemeanor crimes of domestic battery, or
9 battery constituting domestic violence
10 convictions.

11 The first is Mr. James R. Briggs. We
12 talked a little bit about the authority the
13 Commission is acting under this morning. First
14 of all, the NRS is NRS 289.510, that allows the
15 Commission to adopt regulations that establish
16 minimum standards for certification and
17 decertification of officers. NAC 289.290 is
18 the one we've just been talking about, it
19 establishes the causes for the Commission to
20 revoke, refuse or suspend a certificate of an
21 officer, and the specific section we're looking
22 at this morning is (1)(h) that provides as we
23 were just talking about, for revocation based
24 on a conviction for a misdemeanor. Pursuant to
25 that regulation of the Commission, the action

1 of the Commission is triggered by the
2 recommendation of an agency that the employee
3 convicted of a misdemeanor have their POST
4 certificate revoked or suspended.

5 In your package you've got a number of
6 exhibits that I'm going to go through real
7 quick here, and at the end of this ask the
8 chairman if we could admit these to the record
9 to support any action taken by the Commission.
10 I'll just real quickly go through there.

11 Those exhibits, Exhibit A is the
12 notice of intent to revoke, which we sent out
13 on, staff sent out on every case to satisfy
14 both the requirements of the regulation and the
15 open meeting law for notice to an individual
16 before you revoke their license or
17 certification. This is the notice of intent
18 that was sent to Mr. Briggs, indicating to him
19 all of the things that we're supposed to let
20 him know, what the conviction is that the
21 action would be based on, the fact that he has
22 the right to appear and to contest any action
23 taken by the Commission, to call witnesses, and
24 also question witnesses and introduce exhibits.
25 Finally, he's told the scope of the hearing

1 today is on whether or not his certificate
2 should be revoked for a misdemeanor conviction.

3 Staff Exhibit B, to Exhibit B, you'll
4 see that's the proof that service occurred on
5 Mr. Briggs. We've got a letter here from the
6 Guernsey Police Department showing, or
7 transmitting the next, the back of that page or
8 the next page, which is the declaration of
9 service, showing that Mr. Briggs was personally
10 served with this notice of intent to revoke on
11 December 7th of 2018.

12 Exhibit C is the personnel action
13 report indicating that Mr. Briggs' employment
14 as a peace officer was terminated on July 2nd,
15 2018. It also shows that the agency checked
16 the block box yes in terms of whether or not
17 there was an underlying basis for revocation by
18 the Commission that might occur in the future.

19 The next exhibit is the POST
20 certificate for Mr. Briggs, which would be what
21 the Commission would be taking action on today.

22 Exhibit E is the first of the court
23 documents that show what occurred. It is a
24 criminal complaint from the Henderson Municipal
25 Court showing that Mr. Briggs was charged with

1 battery constituting domestic violence in
2 violation of the state statutes that relate to
3 that. It indicates that he willfully and
4 unlawfully used force or violence upon the
5 person of his spouse, former spouse, any person
6 to whom he is related by blood or marriage, a
7 person to whom he has or had a dating
8 relationship, a person with whom he has a child
9 in common, or the minor child of those persons
10 or his minor child. The factual basis for that
11 is that he did push one or more times, or did
12 grab and/or pull her hair and/or dragged her
13 across the floor and did step on her hand,
14 and/or did step on her hand, all of which
15 occurred in the area, and we've redacted out
16 the name of the individual to protect their
17 identity, but that's the name of the alleged
18 victim in this case.

19 Exhibit F is the admonishment of
20 rights for a domestic battery violation that
21 the Municipal Court in Henderson has the
22 defendant and their attorney sign, because of
23 all the consequences of pleading guilty to and
24 being convicted of domestic battery. Included
25 in those are, if you look on the first page of

1 those under the second heading which is, I'm
2 also aware by pleading guilty, I'm admitting
3 the city could factually prove the charge
4 against me and aware the plea of guilty or nolo
5 contendere may have the following consequences.
6 And if you look at number three under there, it
7 sets out that federal statute that we just
8 talked about in the previous item and the
9 consequences of that federal statute in terms
10 of possession of firearms, ammunition, and the
11 requirement that if convicted, the individual
12 would have to surrender their firearms or
13 transfer those firearms.

14 The next document is Exhibit G.
15 That's essentially in Municipal Court the
16 judgment of conviction and sentencing documents
17 for Mr. Briggs. You can look through there and
18 see that he was sentenced to pay a fine, he
19 also had the requirements to attend domestic
20 battery counseling, to 60 days of jail,
21 community service, and other conditions related
22 to the sentencing on that domestic battery.

23 Exhibit H is the order which just
24 shows that he's required to surrender his
25 firearms.

1 Exhibit I is the, are the minutes of
2 the Court. According to that, that's been
3 added just to show that he in fact did plead
4 guilty to and was convicted of a battery
5 constituting domestic violence.

6 And so, Mr. Chairman, I would ask that
7 those exhibits be made a part of the record to
8 support any action taken by the Commission this
9 morning.

10 CHAIRMAN SOTO: So for the record, do
11 you have a recommendation?

12 MR. JENSEN: All right. In this
13 particular case the evidence shows that
14 Mr. Briggs engaged, has been convicted of
15 battery constituting a domestic violence
16 misdemeanor. Certainly the type of conduct
17 described in the criminal complaint is serious
18 conduct, and was committed by him at a time
19 that he was employed as a peace officer. I
20 would argue that it's conduct that's
21 inconsistent with the judgment and demeanor
22 required of a peace officer. And finally,
23 significantly, the conviction constitutes a
24 misdemeanor crime of domestic violence under
25 federal law which will prohibit him from owning

1 or possessing a firearm or ammunition, and it
2 also prohibits persons from transferring
3 firearms or ammunition to him, which would mean
4 his agency would violate federal law if they
5 provided him with guns or ammunition. So based
6 on that, I would argue that he has disqualified
7 himself from the position of peace officer and
8 recommend that his POST certification be
9 revoked based on those exhibits.

10 CHAIRMAN SOTO: Thank you. For the
11 record, Chief Jason Soto. Any comments from
12 the Commission?

13 COMMISSIONER MCGRATH: I have a
14 question. Is Exhibit C from our department,
15 Las Vegas Metro? This is Chief McGrath, sorry,
16 for the record. Is that considered a
17 recommendation or a notification that someone
18 has violated, or potentially violated, because
19 they're retiring with court cases pending and
20 we don't know what the results would be.

21 MR. JENSEN: That is a notification,
22 it is not a recommendation.

23 COMMISSIONER MCGRATH: Okay. So, I
24 don't see a recommendation in there, and this
25 kind of went roundabout to me of should we do a

1 recommendation or not, and the problem with
2 that is I would have not had a problem with it
3 if it didn't go through our legal. We're not
4 going to make a recommendation. They're
5 looking at, you know, they don't want to be on
6 the record recommending that we do this, which
7 would be eliminated if we changed the NAC in a
8 few months, so --

9 MR. SHERLOCK: Chief, I would agree
10 with you. Mike Sherlock for the record. I
11 would agree with you. You know, Scott's
12 statement on this is on our form, the
13 referenced NAC is, does he fall under this
14 misdemeanor that, you know, requires a
15 recommendation, and I think that's how we got
16 there, you know, as far as I know. But we deal
17 with this a lot, your legal side never, they're
18 not going to want a recommendation coming up,
19 without a doubt, just based on any agreements
20 they've made.

21 COMMISSIONER MCGRATH: Can I just
22 say -- this is John McGrath for the record --
23 that I didn't know until I got called by the
24 people in legal saying do you know about this,
25 because their history of domestic violence was

1 discussed because this was before this came up,
2 it was discussed that these two people, two
3 officers that were convicted of domestic
4 violence, so they said they would prefer our
5 agency does not make a recommendation, but they
6 were okay with the board taking away their
7 POST.

8 MR. SHERLOCK: Mike Sherlock again.
9 I'll let Mike Jensen make a determination of
10 where we go on how we view this particular one,
11 whether or not there is a recommendation, and
12 do we have to have that once we are made privy
13 to it?

14 MR. JENSEN: A couple of just
15 observations, I guess. I have been doing this
16 for several years, and we have not normally had
17 a problem with agencies providing
18 recommendations, that's not the usual course
19 for our agencies. And that's not any hit on or
20 knock on your attorneys, I'm not saying they're
21 not making good decisions. I think what we're
22 running against in these situations is you have
23 individuals who left the agency and then
24 they're convicted after the fact essentially,
25 and you're kind of being asked after the fact,

1 after they've left your agency, to make a
2 recommendation. I get that, why a lawyer would
3 say I don't want to make a recommendation, that
4 didn't happen before he left. The act may have
5 happened, but the conviction didn't happen, so
6 I get that, and I think we're trying to clean
7 that up with this proposed change.

8 And I think maybe in the future, it's
9 not on the agenda, but that may be something in
10 this process we can talk about, what types of
11 recommendations need to be given by agencies if
12 the conviction happens after they've left, you
13 know, your agency, as opposed to a conviction
14 while they're still employed.

15 COMMISSIONER MCGRATH: But for
16 purposes of this one?

17 MR. JENSEN: I kind of shared my legal
18 opinion even with staff. I mean, I think it's
19 pretty straightforward in the reg, but it
20 requires, the reg says a recommendation from
21 the agency before the Commission moves forward.
22 And whether or not this constitutes a
23 recommendation, I think this probably happened
24 before the conviction occurred, so the agency
25 could have recommended.

1 COMMISSIONER MCGRATH: John McGrath
2 for the record. This is a processing document,
3 that they notify you that there's something
4 pending, which happens often with people that
5 have charges pending, they leave, they retire.
6 My concern is that someone would go to another
7 state to try to use that POST before we got to
8 revoke it or even had the discussion about it,
9 because they could retire immediately, start
10 somewhere else. So there is a problem and
11 there is something we need to deal with, I just
12 don't know how to deal with it or what I should
13 do here.

14 MR. JENSEN: Mike Jensen for the
15 record. The Commission certainly has the
16 ability to interpret its own reg. I mean, if
17 you wanted to interpret that in a way that,
18 while you're in the process of changing your
19 your reg, you interpret this reg in a way that
20 wouldn't necessarily require a recommendation
21 from the agency at the time of conviction, you
22 know, I'm comfortable from a legal perspective
23 with taking that action.

24 MR. SHERLOCK: Mike Sherlock for the
25 record, and I agree with you, Chief. I

1 wouldn't want to put you in a bad position or
2 your agency in a bad position considering, you
3 know, the requirement. But again, like what
4 Mr. Jensen was saying, it's no longer the
5 employer at this point, you could interpret it
6 in that way, and I see where Mike is coming
7 from and I agree that may be a good way to go.

8 COMMISSIONER MCGRATH: John McGrath
9 for the record. I completely agree with you,
10 that's the board's job, just to look at someone
11 who is no longer with an agency anymore. If he
12 was with our agency, I certainly think, I don't
13 know how we would go forward without a
14 recommendation.

15 MR. SHERLOCK: True. Mike Sherlock
16 for the record. Exactly.

17 COMMISSIONER MCKINNEY: Kevin McKinney
18 for the record. I recall several months ago we
19 had a similar discussion and I believe in one
20 circumstance we suspended the certification
21 pending the conviction.

22 MS. JENSEN: Yeah, Mike Jensen for the
23 record. Yeah, I think that was -- we may have
24 that one coming up here in the next item, but
25 the statute does provide for, in certain

1 circumstances, for a suspension pending a
2 conviction. Here, though, we have a
3 conviction, so I'm not sure that would be the
4 way to move forward, and I may be
5 misunderstanding.

6 COMMISSIONER MCKINNEY: What I'm
7 trying to get at, Kevin McKinney again, is that
8 what his -- I mean, when he's notified on the
9 termination, perhaps we should have suspended
10 the certification at that point, rather than
11 waiting to this point when the conviction came
12 through.

13 MR. JENSEN: Mike Jensen for the
14 record. I think that on misdemeanors there may
15 not be that ability, in fact I don't think the
16 reg provides for it on a misdemeanor, because
17 they are less serious, you know, can be a less
18 serious offense, so it's only for felonies and
19 gross misdemeanors that at least current regs
20 provide for that suspension pending the
21 conviction.

22 COMMISSIONER MCGRATH: John McGrath
23 for the record. I don't see how we can do that
24 at this point. There's too many of them that
25 don't end up convictions.

1 MR. SHERLOCK: Mike Sherlock for the
2 record. That change, the change we made dealt
3 with felonies and gross misdemeanors and it
4 was, did not address misdemeanors, for those
5 reasons.

6 CHAIRMAN SOTO: Okay. For the record,
7 Chief Jason Soto. That explains a little bit
8 as to why we are trying to look at that NAC
9 289.290. That being said, any additional
10 comments from any of the commissioners?
11 Excellent. Any other comments or public
12 comment? Seeing there is no public comment,
13 looking for a motion to revoke or not revoke.

14 COMMISSIONER KETSAA: Jim Ketsaa for
15 the record. I make a recommendation that the
16 Commission revoke the certification of Officer
17 Briggs.

18 CHAIRMAN SOTO: There's a motion; is
19 there a second?

20 COMMISSIONER ALLEN: Mike Allen,
21 Humboldt County Sheriff. I'll make the second.

22 CHAIRMAN SOTO: Motion and second.
23 All in favor?

24 (Chorus of ayes.)

25 CHAIRMAN SOTO: Opposed? The motion

1 carries and is passed.

2 Number eight, discussion, public
3 comment and possible action, hearing pursuant
4 to NAC 289.290(1)(h) on the revocation of
5 Michael T. Richards, formerly of the Las Vegas
6 Metropolitan Police Department, certification
7 based on a conviction for two misdemeanors.
8 The Commission will decide whether to revoke
9 Mr. Richards' Category I basic certificate.

10 I will now send it over to Mr. Jensen.

11 MR. JENSEN: Thank you, Mr. Chairman.
12 This is the second of our three revocation
13 hearings this morning. This again is a
14 misdemeanor conviction, it's actually two
15 counts of domestic battery constituting
16 domestic battery that are involved in this
17 case. I won't go back through the authorizing
18 regulation or statute and just start out with
19 going through the exhibits.

20 Starting with the first exhibit, which
21 is the notice of intent to revoke, again, this
22 is the notice that was sent to Mr. Richards
23 indicating to him that the Commission was going
24 to be looking at the potential to revoke his
25 certificate based on two misdemeanor domestic

1 battery, or battery constituting domestic
2 violence convictions, that came out of justice
3 Court down in Clark County. It also provides
4 him a date and time of this hearing, his
5 opportunity to come and appear if he wanted to,
6 but it does not look like he's appearing this
7 morning.

8 The next document is the certificate
9 of service or affidavit of service showing that
10 this notice of intent was served on
11 Mr. Richards. You have to look at the second
12 page to see that he was served on December 7th,
13 2018, personally served with the notice of
14 intent.

15 The next document is the personnel
16 action report, again showing he was terminated
17 from his employment on April 5th of 2018, and
18 checking the box notifying the Commission that
19 he may have a criminal issue that could lead to
20 revocation of his POST certification.

21 Exhibit D is the basic certificate
22 which is what the action today would be taken
23 on for a Category I POST certification for
24 Mr. Richards.

25 The next documents are the criminal

1 documents, the first is the criminal complaint
2 which sets out the alleged violation. You can
3 see there are two counts of domestic battery.
4 The first count involved, the conduct was that
5 he grabbed the alleged victim by the neck
6 and/or slamming and/or throwing her to the
7 ground. And the second count is a separate
8 individual, I believe a child, which indicates
9 that he, the victim was grabbed by the neck by
10 the defendant.

11 Exhibits -- let's see -- these are
12 the, the documents are the minutes from the
13 justice Court in Las Vegas. If you go through
14 those minutes, you will see that it shows that
15 there was a bench trial held on June 28th of
16 2018 at which the defendant was convicted by
17 the Court for both of those counts of domestic
18 battery. He was sentenced to 30 days in jail
19 on count one, which was to run consecutive to
20 count two. He was sentenced -- or concurrent
21 with count two. He was sentenced to two days
22 time served on count two. He was fined,
23 required to do domestic violence counseling and
24 community service.

25 Exhibit G is the document, it's kind

1 of the judgment of conviction in the lower
2 courts which shows that there was an actual
3 conviction for those two counts of domestic
4 battery.

5 As with the previous case, this, what
6 the Commission has is a conviction for two
7 counts of domestic battery or battery
8 constituting domestic violence, again, very
9 serious criminal conduct involving an adult and
10 a minor. It was committed while he was
11 employed as a peace officer and it certainly is
12 inconsistent with the judgment and demeanor
13 required of a police officer. And finally, the
14 crime fits under federal law for a misdemeanor
15 crime of domestic battery or violence, which
16 would prohibit him from possessing a firearm or
17 ammunition and prohibit his agency from
18 transferring to him a firearm or ammunition,
19 and based on that, he has disqualified himself
20 from being a police officer in the state of
21 Nevada, and the recommendation would be that
22 his POST certificate be revoked.

23 CHAIRMAN SOTO: Chief Soto for the
24 record. Any public comment? Seeing that
25 there's none, any comments or questions from

1 the Commission? Seeing there is none, is there
2 a motion to revoke his basic certificate?

3 COMMISSIONER MCKINNEY: Kevin McKinney
4 for the record. I move that we revoke
5 Mr. Richards' basic certificate.

6 COMMISSIONER KETSAA: Jim Ketsaa for
7 the record. Second.

8 CHAIRMAN SOTO: We have a motion and
9 second. All in favor?

10 (Chorus of ayes.)

11 CHAIRMAN SOTO: Opposed? The motion
12 passes.

13 All right, number nine. Discussion,
14 public comment, and for possible action
15 pursuant to NAC 289.290(1)(g) on the revocation
16 of Jeffrey G. Grasso, formerly of the Boulder
17 City Police Department, suspended certification
18 based on a conviction for a felony. The
19 Commission previously suspended the certificate
20 based upon a criminal indictment or filing of a
21 criminal complaint and now will decide whether
22 to revoke Mr. Grasso's Category I basic
23 certificate.

24 I'll send it over to Mike Jensen.

25 MR. JENSEN: Thank you, Mr. Chairman,

1 you're just about done with me, I promise, this
2 is the last one.

3 As I had mentioned earlier, this is
4 the case where the individual was charged with
5 multiple felonies and the Commission took
6 action to suspend his POST certification, and
7 in this hearing today the Commission is being
8 asked to decide whether or not based on the
9 conviction for those charges he should have his
10 POST certification revoked.

11 Quickly going through the exhibits
12 again, Exhibit A is the notice of intent, where
13 the Commission has notified Mr. Grasso that it
14 intends to look at revoking his certification
15 based on one count, a felony count of
16 exploitation of a vulnerable person, which is a
17 felony. He was advised of the date, time and
18 location of this particular meeting and his
19 opportunity to appear and present witnesses and
20 exhibits to contest any action taken by the
21 Commission, including the scope of the hearing
22 being whether or not his certificate should be
23 revoked for a felony conviction.

24 The next document is the document
25 showing the service of that notice on him.

1 Exhibit B is the declaration of service showing
2 that he was personally served through his
3 attorney Brian Smith on December 12th of 2018,
4 with that notice of intent to revoke.

5 Exhibit C is a personnel action report
6 showing his termination date was March 19th of
7 2018 and again, the box is checked that there
8 is a criminal violation potentially involved
9 that could lead to revocation of his POST
10 certification.

11 Exhibit D is his Category I basic
12 certificate, which is the certificate that the
13 Commission would be taking action on this
14 morning.

15 Exhibit E is your original order of
16 suspension from the Commission suspending his
17 POST certification. You can see that was dated
18 I think back in, February 22nd of this year
19 when the Commission voted to suspend his
20 certificate pending the outcome of the criminal
21 case. On there you can see what the criminal
22 charges were, there were multiple felony
23 charges, including exploitation of a vulnerable
24 person and theft and forgery to begin with,
25 were the original charges against him.

1 Exhibit, the next exhibit is the
2 amended indictment, which is the charge which
3 he pled to, which is the one count of
4 exploitation of a vulnerable person. Rather
5 than going through all of the background on
6 that, you can read through that and see that it
7 had to do with an individual who he was taking
8 care of who he took things of value, money and
9 things of value from through deception, that
10 led to the felony conviction.

11 The Exhibit G is the guilty plea
12 agreement where he agreed to plead guilty to
13 that charge.

14 And the final exhibit should be the
15 judgment of conviction showing that he was
16 actually convicted of that charge for
17 exploitation of a vulnerable person.

18 Looking through the factual basis for
19 that conviction, this is most definitely a very
20 serious situation where this individual stole
21 money from a vulnerable person who didn't have
22 the mental capacity to know what was going on,
23 and certainly disqualifies him from being a
24 peace officer in the future, we would argue to
25 the Commission and would recommend revocation.

1 CHAIRMAN SOTO: Chief Jason Soto for
2 the record. Is there any public comment?
3 Seeing that there's no public comment, are
4 there any questions or comments from the
5 commissioners? I am looking for a motion to
6 revoke or not revoke the Category I basic
7 certificate.

8 COMMISSIONER MCGRATH: I make a motion
9 to revoke Mr. Grasso's Category I basic
10 certificate.

11 CHAIRMAN SOTO: Is there a second?

12 COMMISSIONER KETSAA: Jim Ketsaa for
13 the record, second.

14 CHAIRMAN SOTO: Motion and second.
15 All in favor?

16 (Chorus of ayes.)

17 CHAIRMAN SOTO: Opposed? The motion
18 passes.

19 Number ten, public comments? The
20 Commission may not take action on any matter
21 considered under this item until the matter is
22 specifically included on an agenda as an action
23 item. Any comments from the public?

24 COMMISSIONER ALLEN: I would like to
25 take this opportunity just to ask a question

1 prior to -- excuse me, Mike Allen for the
2 record. There, I was at another meeting and
3 there was a discussion that took place. Is
4 there any consideration of reducing the amount
5 of time for the basic course at the academy?
6 Apparently at a sheriffs' meeting or
7 orientation, something came up about reducing
8 it to 11 weeks or 12 weeks. I was wondering
9 how you feel about that, and I was just
10 wondering if -- by your look, you don't know
11 anything about it.

12 MR. SHERLOCK: Mike Sherlock for the
13 record and as you know, at 17 weeks is what our
14 full academy is. It's difficult to get all the
15 requirements in in that amount of time. I
16 mean, we are, you know, one of the shortest
17 academies out there, I know Metro is at 22
18 weeks, I think, or 24 weeks. So no, there's
19 certainly never been any discussion to shorten
20 it because we just don't have time to get in
21 what we have to get in.

22 I don't know what that -- perhaps
23 they're talking about Cat II.

24 COMMISSIONER ALLEN: Yeah, it was just
25 a new sheriff was at the meeting, and he said

1 at the sheriffs' orientation that there was a
2 discussion during that orientation that they
3 were considering to reduce the total amount of
4 time for the basic academy and put it on the
5 agency. I don't know who brought this up, I'm
6 kind of just repeating what I heard, put it on
7 the agencies, the law enforcement agencies to
8 take, you know, to do the firearms training as
9 well as the physical agility and stuff like
10 that.

11 MR. SHERLOCK: Mike Sherlock for the
12 record. So I'm getting, it's starting to come
13 clear. It's probably the reserve program, so
14 when we started a new reserve program, they
15 were required to come to us to do some very
16 specific evaluations. That's been, it's proven
17 to be difficult, and so we are now moving to
18 changing that program to allow the employing
19 agency for reserve to do that, so we keep on
20 some on-line stuff, but we cut out the
21 requirement to be here, so that may be what
22 they're mixing up.

23 COMMISSIONER ALLEN: Thank you for the
24 clarification.

25 MR. SHERLOCK: Yeah. I can't see us

1 shortening the Cat I academy given the
2 environment, it wouldn't work.

3 COMMISSIONER MCGRATH: John McGrath
4 for the record. I was just going to say, I
5 proposed adding two more days for our academy
6 because there are just more and more
7 requirements.

8 MR. SHERLOCK: Yeah, no doubt.

9 CHAIRMAN SOTO: Any other comments?
10 No.

11 Item number 11, discussion, public
12 comment, and possible action, scheduling the
13 upcoming Commission meeting, and I'll hand it
14 over to Mike Sherlock.

15 MR. SHERLOCK: Mike Sherlock for the
16 record. So traditionally, we have a meeting
17 at, during the time of the law enforcement
18 memorial ceremony. That is going to occur on
19 May 2nd at one in the afternoon, so our
20 tentative meeting would be that day at
21 nine a.m. That allows everyone to get to the
22 memorial and be here in person once again for
23 that meeting. The Sheriffs and Chiefs meeting
24 is actually the day before, so it actually
25 works out pretty good, everybody comes for the

1 meeting and then the stay for the memorial
2 ceremony down at the capitol at one o'clock, so
3 May 2nd at nine a.m.

4 CHAIRMAN SOTO: So we have a date and
5 time of May 2nd at nine a.m. for the regular
6 Commission meeting. Do I hear a motion?

7 COMMISSIONER ALLEN: Mike Allen. I'll
8 make a motion to have the next POST Commission
9 meeting on May 2nd at nine a.m.

10 CHAIRMAN SOTO: Is there a second?

11 COMMISSIONER MCKINNEY: Second.

12 CHAIRMAN SOTO: Motion and second.

13 All those in favor?

14 (Chorus of ayes.)

15 CHAIRMAN SOTO: Opposed? The motion
16 carries unanimously.

17 And finally item number 12,
18 discussion, public comment and possible action,
19 looking for a motion to adjourn.

20 COMMISSIONER KETSAA: I make a motion
21 to adjourn, Jim Ketsaa for the record.

22 COMMISSIONER MCKINNEY: I'll second.

23 CHAIRMAN SOTO: We have a motion and a
24 second. All in favor.

25 (Chorus of ayes.)

1 CHAIRMAN SOTO: The meeting is
2 adjourned.

3 (Whereupon, the meeting in the
4 above-entitled matter was concluded at 11:42
5 a.m.)

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1 CERTIFICATION

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

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PAUL A. GASPAROTTI II

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Transcriber

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35:22,25 36:5,7,10	28:11,13		
40:12,14 42:8,24	workshop 40:9		
47:9 50:1,4 52:5,	worried 21:21		
15,24 54:25 55:4	Wright 3:10 28:9		
62:2 63:23 64:8,15			

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 consider continuing the rule making process and start developing final language for adoption to NAC 289.290. The language is to provide for the revocation of POST certification for a conviction constituting a Misdemeanor Crime of Domestic Violence without a request from the agency.

WORKSHOP CONCEPT LANGUAGE

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) The Commission may take action without the employing agency's recommendation to suspend or revoke a peace officer's certificate based upon a misdemeanor conviction for an offense constituting a misdemeanor crime of domestic violence as defined by 18 U.S.C. 921(33)(A).

~~(h)~~(i) 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.

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

The Commission to consider starting the rule making process to change the Nevada Administrative Code 289. The change would allow a Nevada certified Category I peace officer to leave employment with a Nevada agency and go to a Federal law enforcement agency as federal officer within Nevada or a Nevada law enforcement academy certified by the Commission on Peace Officer Standards and Training without their Nevada peace officer certification expiring while employed.

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

Hearing pursuant to NAC 289.290 (1) (g) on the revocation of Steven Daryl Miller, formerly of the Clark County Juvenile Justice Services, certification based on a conviction for a felony. The Commission will decide whether to revoke Mr. Miller's Category II Basic Certificate.



EXHIBIT A

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

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 19, 2019

Steven Daryl Miller
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr. Miller
POST PIN #: 19502

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

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

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

Count I: Murder (Second Degree), Category A Felony –NRS 200.010, 200.030.2 – NOC 50010

Case No: C-17-325519-1

Court No: IX

Jurisdiction: District Court, Clark County, Nevada

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

Written requests can be made to:

NEVADA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
5587 Wa Pai Shone Avenue
Carson City, NV 89701

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

Date: May 2, 2019

Time: 10:00 am

Location: POST, 5587 Wa Pai Shone Ave, Carson City, Nevada.

If you fail to respond, the Commission will proceed in accordance with Nevada Administrative Code Chapter 289.


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

The hearing will cover the following: NAC 289.290 (1) (g), revocation of a certificate based upon a felony conviction.

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

If you need additional information concerning this matter, contact POST at (775) 687-7678.

Sincerely,



Donald S. Johnston, Division Chief
Nevada Commission on Peace Officers Standards and Training

MS/dsj

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

Y STEVEN D. MILLER
Print

X Steven D. Miller
Sign

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

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

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the Officer 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 last known address of any pending revocation or suspension action and of the nature of the charges and the Officer 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 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 certificate. The Commission will notify the agency that requested the revocation of the date and time of the hearing. After the hearing, the Commission will determine whether to reinstate the certificate. If the certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in revocation.



EXHIBIT B

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, ALESSIA MOORE, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

Pursuant to NAC 289.290, by personally serving:

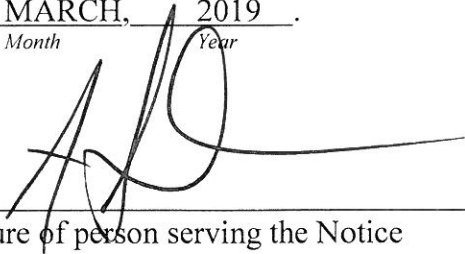
Individual's Name: **STEVEN DARYL MILLER**

at HIGH DESERT STATE PRISON on this
(location)

20TH day of MARCH, 2019.
Day Month Year

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

Executed on this 20TH day of MARCH, 2019.
Day Month Year



Signature of person serving the Notice

ALESSIA MOORE

Printed name of person serving the Notice

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

X Steven D. Miller

Sign

X STEVEN D. MILLER

Print

State of Nevada - POST

UPDATE - Personnel Action Report (PAR)

Post ID Number: 19502

Last Name: Miller

First Name: Steven

MI: D

Suffix:

☐ Name Change?

Last Name: Miller

First Name: Steven

MI: D

Suffix:

☐ Address Change?

Street Address:

City:

State:

Zip Code:

County: Other

E-Mail:

Level Change?

☐ Line

☐ Supervisor

☐ Management

☐ Executive

☐ Part Time

☐ Full Time

Status Change?

☐ Deceased

☐ Retired

☒ Separated

NAC289.290 Notification (Cause For Commission Action)

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

Does the above NAC apply? ☐ No

☒ Yes

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

Comments\Additional Information:

Pending trial in Las Vegas Township

Effective Date:

05/17/2017

Submitters Name:

Mark Marumoto

Submitters Phone:

(702) 455-5452

Submitters E-Mail:

MARUMOM@ClarkCountyNV.gov

EXHIBIT C

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

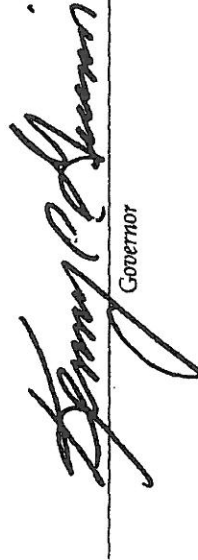
Basic Certificate

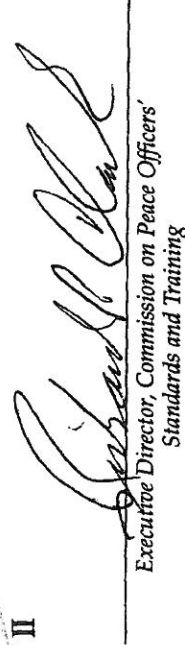
To

STEVEN D. MILLER

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 15th day of January, 2002

ORIGINAL

EXHIBIT E

AINF
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006955
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

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

SEP 07 2018

BY: *A. Trujillo*
ATHENA TRUJILLO, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

CASE NO: C-17-325519-1

-vs-

DEPT NO: IX

STEVEN DARYL MILLER,
#0319508
Defendant.

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 STEVEN DARYL MILLER, the Defendant(s) above named, having committed the crime of MURDER (SECOND DEGREE) (Category A Felony - NRS 200.010, 200.030.2 - NOC 50010), on or about the 23rd day of April, 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, did willfully, unlawfully, feloniously,

///

///

///

C-17-325519-1
AINF
Amended Information
4777724



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1 and with malice aforethought, kill [REDACTED] a human being by stabbing into the
2 body of the said [REDACTED]

3 STEVEN B. WOLFSON
4 Clark County District Attorney
5 Nevada Bar #001565

6 BY



MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006955



MAR 13 2019

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

27 17F07264X/dd/MVU
28 LVMPD EV#1704231903
(TK7)

1 GPA
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MARC DIGIACOMO
6 Chief Deputy District Attorney
7 Nevada Bar #6955
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

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

SEP 07 2018

BY A. Trujillo
ATHENA TRUJILLO, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 STEVEN DARYL MILLER,
13 #0319508

14 Defendant.

CASE NO: C-17-325519-1

DEPT NO: IX

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: MURDER (SECOND DEGREE) (Category A Felony
17 - NRS 200.010, 200.030.2 - NOC 50010), as more fully alleged in the charging document
18 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 parties stipulate to a sentence of ten (10) to twenty-five (25) years in the Nevada
22 Department of Corrections.

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

26 I understand and agree that, if I fail to interview with the Department of Parole and
27 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,
28 by affidavit review, confirms probable cause against me for new criminal charges including

C-17-325519-1
GPA
Guilty Plea Agreement
4777726



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1 reckless driving or DUI, but excluding minor traffic violations, the State will have the
2 unqualified right to argue for any legal sentence and term of confinement allowable for the
3 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
4 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without
5 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
6 twenty-five (25) year term with the possibility of parole after ten (10) years.

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

9 CONSEQUENCES OF THE PLEA

10 I understand that by pleading guilty I admit the facts which support all the elements of
11 the offense(s) to which I now plead as set forth in Exhibit "1".

12 I understand that as a consequence of my plea of guilty the Court must sentence me to
13 Life in the Nevada Department of Corrections with the possibility of parole eligibility
14 beginning at ten (10) years or a definite term of twenty-five (25) years with parole eligibility
15 beginning at ten (10) years. The minimum term of imprisonment may not exceed forty percent
16 (40%) of the maximum term of imprisonment. I understand that the law requires me to pay
17 an Administrative Assessment Fee.

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

22 I understand that I am not eligible for probation for the offense to which I am pleading
23 guilty.

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

26 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
27 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or
28 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation

1 and may receive a higher sentencing range.

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

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

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

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

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

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

- 16 1. The removal from the United States through deportation;
- 17 2. An inability to reenter the United States;
- 18 3. The inability to gain United States citizenship or legal residency;
- 19 4. An inability to renew and/or retain any legal residency status; and/or
- 20 5. An indeterminate term of confinement, with the United States Federal
21 Government based on my conviction and immigration status.

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

25 I understand that the Division of Parole and Probation will prepare a report for the
26 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
27 sentencing, including my criminal history. This report may contain hearsay information
28 regarding my background and criminal history. My attorney and I will each have the

1 opportunity to comment on the information contained in the report at the time of sentencing.
2 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also
3 comment on this report.

4 WAIVER OF RIGHTS

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

- 7 1. The constitutional privilege against self-incrimination, including the right
8 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.
- 9 2. The constitutional right to a speedy and public trial by an impartial jury,
10 free of excessive pretrial publicity prejudicial to the defense, at which
11 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.
- 12 3. The constitutional right to confront and cross-examine any witnesses who
13 would testify against me.
- 14 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 15 5. The constitutional right to testify in my own defense.
- 16 6. The right to appeal the conviction with the assistance of an attorney,
17 either appointed or retained, unless specifically reserved in writing and
18 agreed upon as provided in NRS 174.035(3). I understand this means I
19 am unconditionally waiving my right to a direct appeal of this conviction,
20 including any challenge based upon reasonable constitutional,
jurisdictional or other grounds that challenge the legality of the
proceedings as stated in NRS 177.015(4). However, I remain free to
challenge my conviction through other post-conviction remedies
including a habeas corpus petition pursuant to NRS Chapter 34.

21 VOLUNTARINESS OF PLEA

22 I have discussed the elements of all of the original charge(s) against me with my
23 attorney and I understand the nature of the charge(s) against me.

24 I understand that the State would have to prove each element of the charge(s) against
25 me at trial.

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

28 All of the foregoing elements, consequences, rights, and waiver of rights have been

1 thoroughly explained to me by my attorney.

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

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

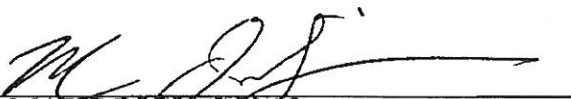
7 I am not now under the influence of any intoxicating liquor, a controlled substance or
8 other drug which would in any manner impair my ability to comprehend or understand this
9 agreement or the proceedings surrounding my entry of this plea.

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

12 DATED this 7th day of September, 2018.

13
14 
15 STEVEN DARYL MILLER
16 Defendant

17 AGREED TO BY:

18 
19 MARC DIGIACOMO
20 Chief Deputy District Attorney
21 Nevada Bar #6955
22
23
24
25
26
27
28

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

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

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

29 Dated: This 7th day of August, 2018.

30 
ATTORNEY FOR DEFENDANT

31 dd/MVU

1 AINF
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 MARC DIGIACOMO
6 Chief Deputy District Attorney
7 Nevada Bar #006955
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 STEVEN DARYL MILLER,
13 #0319508

14 Defendant.

CASE NO: C-17-325519-1

DEPT NO: IX

AMENDED
INFORMATION

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

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

19 That STEVEN DARYL MILLER, the Defendant(s) above named, having committed
20 the crime of MURDER (SECOND DEGREE) (Category A Felony - NRS 200.010, 200.030.2
21 - NOC 50010), on or about the 23rd day of April, 2017, within the County of Clark, State of
22 Nevada, contrary to the form, force and effect of statutes in such cases made and provided,
23 and against the peace and dignity of the State of Nevada, did willfully, unlawfully, feloniously,

24 ///

25 ///

26 ///

27
28
EXHIBIT 1

W:\2017\2017F072\64\17F07264-AINF-001.DOCX

1 and with malice aforethought, kill [REDACTED] a human being by stabbing into the
2 body of the said [REDACTED]

3 STEVEN B. WOLFSON
4 Clark County District Attorney
5 Nevada Bar #001565

6 BY



MARC DIGIACOMO
Chief Deputy District Attorney
Nevada Bar #006955

Steven B. Wolfson

MAR 13 2019

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

27 17F07264X/dd/MVU
28 LVMPD EV#1704231903
(TK7)

EXHIBIT G

Electronically Filed
2/28/2019 11:42 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

JOCP

DISTRICT COURT CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

STEVEN DARYL MILLER
#0319508

Defendant.

CASE NO: C-17-325519-1

DEPT NO: XVII

JUDGMENT OF CONVICTION (PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of MURDER (SECOND DEGREE) (Category A Felony) in violation of NRS 200.010, 200.030.2; thereafter, on the 27th day of February, 2019, the Defendant was present in court for sentencing with counsel KRISTINA WILDEVELD, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to \$25.00 Administrative Assessment Fee and \$150.00 DNA Analysis Fee including testing to determine genetic markers plus the \$3.00 DNA Collection Fee, the Defendant is sentenced to a MAXIMUM of TWENTY-FIVE (25) YEARS and a MINIMUM of TEN (10) YEARS in the Nevada Department of Corrections (NDC); with SIX HUNDRED SEVENTY-SEVEN (677) DAYS credit for time served.

DATED this 27 day of February, 2019.

Michael Villani

MICHAEL VILLANI
DISTRICT COURT JUDGE

OB

<input type="checkbox"/> Noile Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

RECEIVED BY
DEPT 17 ON
FEB 27 2019

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

Request from the Las Vegas Metropolitan Police Department, for their employee Deputy Chief Christopher Darcy, for an Executive Certificate.

EXECUTIVE CERTIFICATE REVIEW

Name: DARCY, Christopher P.

Agency: LVMPD Hired 09/30/1991

- | | | | |
|--|---|--|-----------------------|
| A. Current Basic Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | CAT I 01/17/1993 |
| B. Current Intermediate Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 01/09/2006 |
| C. Current Advanced Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 01/09/2006 |
| D. Current Supervisor Certificate | <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Exception-See I below |
| E. Current Management Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 12/12/2006 |
| F. 6 years experience as peace officer | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 27 + years |
| including 1 year at executive level | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Deputy Chief 10/28/17 |

Orgchart: YES

- G. 200 hours of training in advanced management in addition to the requirements of A-F.
FBI National Academy 400 hours completed 03/14/2008.

☒ Yes ☐ No

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

☒ Yes ☐ No

- I. Conflicts with Management Certificate: NONE-Supervisor Certificate excluded.
Management Certificate achieved prior to Supervisor Certificate requirement.

State of Nevada - POST

Professional Certificate Application

Officer's Name

POST ID#

22238

Darcy Christopher P

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 managemet training

Additional Information or comments:

FBI Academy Certificate Attached
Org Chart Attached

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

Submitters Name:

Steve Hutchason

Submitters Phone:

(702) 828-1964

Submitters E-Mail:

s7088h@lvmpd.com

Submission number: 122700

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

Education

FBI D.A.

Credit Hours

400 HRS

Date Achieved

10/28/17

Approved By:

[Signature]

Comments:

Commission Review 5/2/19

Certification Date:

05/02/19

Darcy, Christopher P. (22238)

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 12-12-2006	Active	12-12-2006			
Professional: Advanced 1-09-2006	Active	1-09-2006			
Professional: Intermediate 1-09-2006	Active	1-09-2006			
Basic: Category I 1-17-1993	Active	1-17-1993			

Employment History

LV Metro PD

Date: 9-30-1991 Action: Hired

Status: Active

Assignment:

Pos/Rank:

Level:

Class:

Shift:

:



OFFICE OF THE SHERIFF
Joseph Lombardo
Connie Gandulla
3233

OFFICE OF FINANCE
CFO Richard Hoggan
Tanaka Wilson
1365/1366

OFFICE OF INTERGOVERNMENTAL SERVICES
Dir. Chuck Callaway
Neo Vidal
5537/5538

PUBLIC INFORMATION OFFICE (PIO)
Dir. Carla Alston
Michelle Alley
4083/2748

POLICE EMPLOYEES ASSISTANCE PROGRAM (PEAP)
Dir. Annette Mullin
3357

OFFICE OF GENERAL COUNSEL
G/C Lisa Freedman
Claire Murphy
3310

UNDERSHERIFF
Kevin McMahon
Kathy Hawkins
3438/3439

BUSINESS AND TECHNOLOGY DIVISION
CTO James Kliber
Nathalie Quinteros
3253/8385

INFORMATION TECHNOLOGIES BUREAU
Dir. William Sagel
Nora Vinongkham
5536/3250

PROJECT MANAGEMENT BUREAU
Dir. Nicole Hart
Colleen Lozano
2777/0227

DIGITAL INVESTIGATIONS BUREAU
Dir. Kevin Shehan
Doreen Hruslyk
1530/6680

INTERNAL AFFAIRS BUREAU
Cpt Jeffrey Cody
Samantha Scobie
3425/4432

LAW ENFORCEMENT ADMINISTRATION AND DETENTION GROUP
Asst. Sheriff Charles Hank
Tobe Pollard
1526/1523

OFFICE OF LABOR RELATIONS
Dir. Jamie Frost
Maria Jennings
3903/4989

LAW ENFORCEMENT INVESTIGATIONS AND SUPPORT GROUP
Asst. Sheriff Brett Zimmerman
Irene Moreno
8380

INTERNAL OVERSIGHT AND CONSTITUTIONAL POLICING BUREAU
Cpt Jamie Prosser
Ana Chavez
5544/8452

LAW ENFORCEMENT OPERATIONS GROUP
Asst. Sheriff Tim Kelly
Diane Gonzales
3702/23707

PROFESSIONAL STANDARDS DIVISION
D/C John McGrath
Tina Malcolm
3520/5850

DETENTION SERVICES DIVISION
D/C Fred Meyer
Gloria Major
828-2202/2203

HOMELAND SECURITY DIVISION
D/C Shawn Andersen
Marilyn Seider
3370/3486

INVESTIGATIVE SERVICES DIVISION
D/C Christopher Darcy
Diane Ferriolo
5509/3511

SUPPORT DIVISION
D/D Barbara Doran
Renée Cadacoe
0152/0150

COMMUNITY POLICING DIVISION
D/C Christopher Jones
Debbie Collins
5699/5754

TOURIST SAFETY DIVISION
D/C Andrew Walsh
Ronda Benson
5755/5760

OFFICE OF HUMAN RESOURCES
Cpt Roxanne Burke
Elizabeth Murphy
3556/2023

CENTRAL BOOKING BUREAU
Cpt Nita Schmidt
Manuela Barela
671-3953/3960

EMERGENCY OPERATIONS BUREAU
Cpt Jack Owen
Evangeline Jackson
7263/3633

CRIMINALISTICS BUREAU
Cpt David Lewis
Kelley Denny
3908/3912

COMMUNICATIONS BUREAU
Cpt Jason Letkiewicz
Rowena Kothe
7172/7196

BOLDEN AREA COMMAND
Cpt Yasenia Yatom
Ginger Moleski
3221/4591

ENTERPRISE AREA COMMAND
Cpt Todd Raybuck
Audrey Lewis
2875/2969

AIRPORT BUREAU
Cpt Patricia Spencer
Pfeicia Jimenez-Mitchell
8387/8389

ORGANIZATIONAL DEVELOPMENT BUREAU
Cpt Dennis O'Brien
Denise Kee
3053/4572

NORTH TOWER BUREAU
Cpt William Teel
Maria Vega
671-3862/3863

SOUTHERN NEVADA COUNTER-TERRORISM CENTER
Cpt James Seebuck
Sarah Di Luna
4046/4022

HOMICIDE AND SEX CRIMES BUREAU
Cpt Sean Toman
Elizabeth Velasquez
8377/8376

LOGISTICS BUREAU
Dir. John Krueger
Melanie Haskell
3413/4059

NORTHEAST AREA COMMAND
Cpt Nichole Splinter
Kris Langford
8119/3706

NORTHWEST AREA COMMAND
Cpt Sasha Lardin
Marie Coleman
3151/3770

CONVENTION CENTER AREA COMMAND
Cpt John Pelletier
Jill Domingue
4585/4597

METRO VOLUNTEER PROGRAM
MVP Coordinator
Sharon Harding
5609

SOUTH TOWER BUREAU
Cpt Andrew Peralta
Chris DeMello
671-3939/3954

SPECIAL WEAPONS AND TACTICS BUREAU
Cpt Christopher Tornalino
Erin Blakey
5688/3195

MAJOR VIOLATOR/ NARCOTICS CRIMES BUREAU
Cpt Daniel Bledsoe
Shonda Skahill
5505/5504

RADIO SYSTEMS BUREAU
Dir. Vince Puglia
Antoinette Turner
4174/3870

SOUTH CENTRAL AREA COMMAND
Cpt Kelly McMillan
Shelia Pedersen
8270/8269

SOUTHEAST AREA COMMAND
Cpt John Liberty
Cynthia Tauanuu
3158/3157

DOWNTOWN AREA COMMAND
Cpt Laz Chavez
Jennifer Fa'aleava
4198/4208

STAFF/ADMIN OPERATIONS BUREAU
Cpt Richard Forbus
Gayle Hulsizer
671-3955/3958

CIVIL/CONSTABLE BUREAU
Cpt Larry Clark
Becki Johnson
455-0892/5359

CRIMINAL INTELLIGENCE SECTION
Lt. Sophia Kyreos

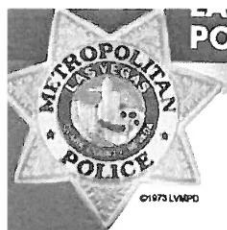
THEFT CRIMES BUREAU
Cpt Harry Fagel
Danielle Woden
5599/5592

RECORDS AND FINGERPRINT BUREAU
Dir. Lisa Hank
Katie Sitis
8447/4494

SPRING VALLEY AREA COMMAND
Cpt Peter Boffelli
Tia Morris
1358/1359

SUPPORT OPERATIONS BUREAU
Cpt William Scott
Debra Payton
3569/3573

TRAFFIC BUREAU
Cpt Nicholas Farese
Jennifer Ristoski
4073/4074



February 8, 2019

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 Deputy Chief Christopher Darcy.

Dear Mr. Sherlock,

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

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

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

Respectfully,

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



FEDERAL BUREAU OF INVESTIGATION UNITED STATES DEPARTMENT OF JUSTICE



Issues this award thereby certifying that

Christopher Darcy

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 fourteenth day of March in the year of our Lord two thousand and eight 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

400 HRS



Michael B. Mukasey

Attorney General

Robert J. Mueller

Director

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

Request from the Las Vegas Metropolitan Police Department, for their employee Captain William Scott, for an Executive Certificate.

EXECUTIVE CERTIFICATE REVIEW

Name: SCOTT, William H.

Agency: LVMPD

Hired 02/26/1991

- A. Current Basic Certificate ☒ Yes ☐ No CAT I 06/28/1992
B. Current Intermediate Certificate ☒ Yes ☐ No 02/02/2006
C. Current Advanced Certificate ☒ Yes ☐ No 02/02/2006
D. Current Supervisor Certificate ☒ Yes ☐ No 01/27/2014
E. Current Management Certificate ☒ Yes ☐ No 4/21/2014
F. 6 years experience as peace officer ☒ Yes ☐ No 28 + years
 including 1 year at executive level ☒ Yes ☐ No Captain 12/7/13
 Orgchart: YES

- G. 200 hours of training in advanced management in addition to the requirements of A-F.
 FBI National Academy 400 hours completed 03/14/2008.

☒ Yes ☐ No

- H. Proof meeting the requirements in NAC 289.047 Executive Level position
 ☒ Yes ☐ No

- I. Conflicts with Management Certificate: NONE

State of Nevada - POST

Professional Certificate Application

POST ID#

15902

Officer's Name

Scott William H

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:

Attached are the following documents: Org. Chart, Letter of Recommendation, Picture of FBI Academy Certificate

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

Submitters Name:

Steve Hutchason

Submitters Phone:

(702) 828-1964

Submitters E-Mail:

s7088h@lvmpd.com

Submission number: 121870

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

Education

Credit Hours

Date Achieved

400 HRS FBI-NA 11/12/7/13

Approved By:

[Signature]

Comments:

Certification Date:

11/5/2/19

APR 3,2019
11:55AM

Nevada Commission on POST
Employee Profile

Page: 1

Scott, William H. (15902)

Employment Summary

LV Metro PD	- Active	Total Service: 28 Years 37 Days
Hired: 2-26-1991	Last Action: 2-26-1991	Hired
Assignment:	Pos/Rank:	
Level: Supervisor	Class:	
Shift:	:	

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 4-21-2014	Active	4-21-2014			
Professional: Supervisor 1-27-2014	Active	1-27-2014			
Professional: Advanced 2-02-2006	Active	2-02-2006			
Professional: Intermediate 2-02-2006	Active	2-02-2006			
Basic: Category I 6-28-1992	Active	6-28-1992			

Employment History

LV Metro PD	Service: 28 Years 36 Days
Date: 2-26-1991 Action: Hired	Status: Active
Assignment:	Pos/Rank:
Level:	Class:
Shift:	:

Education

Date	Degree	Major	School	Hours
------	--------	-------	--------	-------



OFFICE OF THE SHERIFF
Joseph Lombardo
Connie Gandulla
3233

OFFICE OF INTERGOVERNMENTAL SERVICES
Dir. Chuck Callaway
Neo Vidal
5537/5538

OFFICE OF FINANCE
CFO Richard Hoggan
Tanaka Wilson
1365/1366

PUBLIC INFORMATION BUREAU
Dir. Carla Aulton
Michelle Alley
4083/2748

POLICE EMPLOYEES ASSISTANCE PROGRAM (PEAP)
Dir. Annette Mullin
3357

OFFICE OF GENERAL COUNSEL
G/C Lisa Freedman
Claire Murphy
3310

UNDERSHERIFF
Kevin McMahon
Kathy Hawkins
3438/3439

BUSINESS AND TECHNOLOGY DIVISION
CTO James Kliber
Nathalie Quinteros
3253/8385

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Dir. William Sagel
Nora Vinokhram
5536/5250

PROJECT MANAGEMENT BUREAU
Dir. Nicole Hart
Colleen Lozano
2777/0227

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Dir. Kevin Skehan
Doreen Hruslyk
1530/6680

INTERNAL AFFAIRS BUREAU
Cpt Jeffrey Coday
Samantha Scobie
3425/4432

LAW ENFORCEMENT ADMINISTRATION AND DETENTION GROUP
Asst. Sheriff Charles Hank
Tobe Pollard
1528/1523

OFFICE OF LABOR RELATIONS
Dir. Jamie Frost
Maria Jennings
3993/4989

LAW ENFORCEMENT INVESTIGATIONS AND SUPPORT GROUP
Asst. Sheriff Brett Zimmerman
Irene Moreno
8380

INTERNAL OVERSIGHT AND CONSTITUTIONAL POLICING BUREAU
Cpt Jamie Prosser
Ana Chavez
5544/8452

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Asst. Sheriff Tim Kelly
Diane Gonzales
3702/3707

PROFESSIONAL STANDARDS DIVISION
D/C John McGrath
Tina Malcolim
3520/5850

DETENTION SERVICES DIVISION
D/C Fred Meyer
Gloria Major
828-2202/2203

HOMELAND SECURITY DIVISION
D/C Shawn Andersen
Marilyn Selder
3370/3486

INVESTIGATIVE SERVICES DIVISION
D/C Christopher Darcy
Diane Ferrillo
5509/3511

SUPPORT DIVISION
D/D Barbara Doran
Renee Cadoas
0152/0150

COMMUNITY POLICING DIVISION
D/C Christopher Jones
Debbie Collins
5699/5754

TOURIST SAFETY DIVISION
D/C Andrew Walsh
Ronda Benson
5755/5760

OFFICE OF HUMAN RESOURCES
Cpt Roxanne Burke
Elizabeth Murphy
3558/2023

CENTRAL BOOKING BUREAU
Cpt Nita Schmidt
Manuela Barela
671-3953/3960

EMERGENCY OPERATIONS BUREAU
Cpt Jack Owen
Evangeline Jackson
7263/26363

CRIMINALISTICS BUREAU
Cpt David Lewis
Kelley Denny
3909/3912

COMMUNICATIONS BUREAU
Cpt Jason Letkiewicz
Rowena Kolhe
7172/7196

BOLDEN AREA COMMAND
Cpt Yasenia Yatoml
Ginger Maleski
3221/4591

ENTERPRISE AREA COMMAND
Cpt Todd Raybuck
Audrey Lewis
2875/2969

AIRPORT BUREAU
Cpt Patricia Spencer
Phelia Jimenez-Mitchell
8387/8389

ORGANIZATIONAL DEVELOPMENT BUREAU
Cpt Dennis O'Brien
Denise Kee
3053/4572

NORTH TOWER BUREAU
Cpt William Teel
Maria Vega
671-3862/3863

SOUTHERN NEVADA COUNTER-TERRORISM CENTER
Cpt James Seebeck
Sarah Di Luna
4048/4022

HOMICIDE AND SEX CRIMES BUREAU
Cpt Sean Toman
Elizabeth Velasquez
8377/8376

LOGISTICS BUREAU
Dir. John Krueger
Melanie Haskell
3413/4059

NORTHEAST AREA COMMAND
Cpt Nichole Splinter
Kris Langford
8119/3706

NORTHWEST AREA COMMAND
Cpt Sasha Larkin
Marie Coleman
3151/3770

CONVENTION CENTER AREA COMMAND
Cpt John Pelletier
Jill Domingue
4585/4587

METRO VOLUNTEER PROGRAM
MVP Coordinator
Sharon Harding
5609

SOUTH TOWER BUREAU
Cpt Andrew Peralta
Chris DeMello
671-3939/3954

SPECIAL WEAPONS AND TACTICS BUREAU
Cpt Christopher Tomalino
Erin Blakey
5688/3195

MAJOR VIOLATOR/NARCOTICS CRIMES BUREAU
Cpt Daniel Bledsoe
Shonda Skehill
5505/5504

RADIO SYSTEMS BUREAU
Dir. Vince Puglia
Antoinette Turner
4174/3870

SOUTH CENTRAL AREA COMMAND
Cpt Kelly McMillan
Shella Pedersen
8270/8269

SOUTHEAST AREA COMMAND
Cpt John Liberty
Cynthia Tauanuu
3158/3157

DOWNTOWN AREA COMMAND
Cpt Laz Chavez
Jennifer Fa'aleava
4198/4208

STAFF/ADMIN OPERATIONS BUREAU
Cpt Richard Forbus
Gayle Hulsizer
671-3955/3958

CRIMINAL INTELLIGENCE SECTION
Lt. Sophia Kypros

THEFT CRIMES BUREAU
Cpt Harry Fagel
Danielle Wooten
5599/5592

RECORDS AND FINGERPRINT BUREAU
Dir. Lisa Hank
Katie Slits
8447/4494

SPRING VALLEY AREA COMMAND
Cpt Peter Boffelli
Tia Morris
1358/1359

SUPPORT OPERATIONS BUREAU
Cpt William Scott
Debra Payton
3569/3573

TRAFFIC BUREAU
Cpt Nicholas Farese
Jennifer Ristowski
4073/4074

CIVIL/CONSTABLE BUREAU
Cpt Larry Clark
Becki Johnson
455-0892/5359

GANG/VICE BUREAU
Cpt John Leon
Elisa Ireland
6721/6722

February 8, 2019

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

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

Reference: Executive Certificate for Captain William Scott.

Dear Mr. Sherlock,

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

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

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

Respectfully,



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

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



Issues this award thereby certifying that

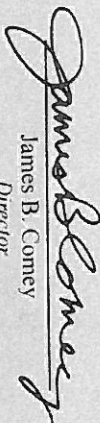
William Henry Scott, Jr.


Las Vegas Metropolitan Police Department, Las Vegas, Nevada

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 **400 H/RS**
ending the tenth day of June in the year of two thousand and sixteen.


James B. Comey
Director
Federal Bureau of Investigation


Mark Alan Morgan
Assistant Director
Training Division

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

Request from the Elko Police Department, for their employee Captain Tyler Trouten, for an Executive Certificate.

EXECUTIVE CERTIFICATE REVIEW

Name: TROUTEN, Tyler W.

Agency: Elko PD

Hired 11/15/1999

- | | | | |
|--|---|-----------------------------|-----------------------------|
| A. Current Basic Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | CAT I 09/22/2000 |
| B. Current Intermediate Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 05/09/2003 |
| C. Current Advanced Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 06/01/2006 |
| D. Current Supervisor Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 07/21/2015 |
| E. Current Management Certificate | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 07/01/2009 |
| F. 6 years experience as peace officer | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 19+ years |
| including 1 year at executive level | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 1 1/2 years 07/2017 Captain |

Orgchart: YES

- G. 200 hours of training in advanced management in addition to the requirements of A-F.
FBI National Academy 440 hours completed 12/16/2018.

☒ Yes ☐ No

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

☒ Yes ☐ No

- I. Conflicts with Management Certificate: NONE

State of Nevada - POST

Professional Certificate Application

POST ID#

11846

Officer's Name

Trouten Tyler W

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:

Tyler Trouten

Submitters Phone:

(775) 777-7313

Submitters E-Mail:

ttrouten@elkocitynv.gov

Submission number: 122985

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

Education

BS Degree

Credit Hours

440 hr FBI

Date Achieved

N/A 1 July 2017

Approved By:



Comments:

Commission Review

Certification Date:

11-5-2-19

Trouten, Tyler W. (11846)

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Supervisor 7-21-2015	Active	7-21-2015			
Professional: Management 7-01-2009	Active	7-01-2009			
Professional: Advanced 6-01-2006	Active	6-01-2006			
Professional: Intermediate 5-09-2003	Active	5-09-2003			
Basic: Category I 9-22-2000	Active	9-22-2000			

Employment History

Elko PD

Date: 11-15-1999 Action: Hired

Service: 19 Years 139 Days

Status: Active

Assignment:

Pos/Rank:

Level:

Class:

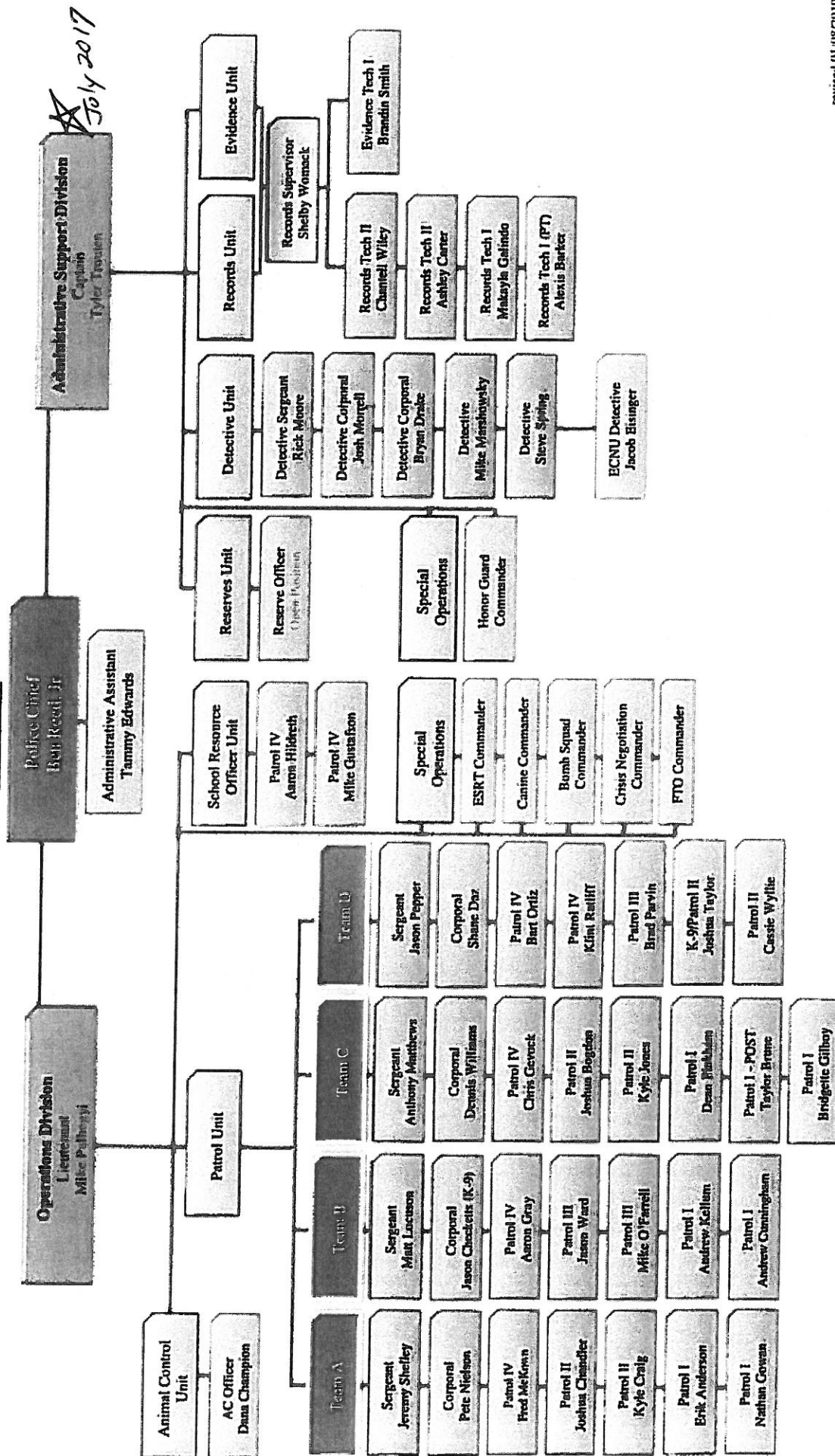
Shift:

:

Education

Date	Degree	Major	School	Hours
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ELKO POLICE DEPARTMENT ORGANIZATIONAL CHART January 2019





ELKO POLICE DEPARTMENT

Ben Reed, Jr.
Police Chief

1448 Silver Street
Elko Nevada 89801
775.777.7310
775.738.1415 Fax
epd@elkocitynv.gov

March 8, 2019

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

Dear P.O.S.T. Commission Members,

Please accept this letter as a recommendation for Elko Police Department Captain Tyler Trouten to acquire his Executive P.O.S.T. Certificate. Captain Trouten has been employed with the Elko Police Department since his hire date in November 1999. He has received his Basic, Intermediate, Advanced, Supervisory, and Management Certificates.

Attached you will find the Organization Chart showing Captain Trouten's area of command. As the Administrative Support Division Captain, he manages the Detective Unit, Records Unit, Narcotics Unit, and Evidence Unit. In addition, he is responsible for the following functions: Honor Guard, Police Chaplain, budget, grant applications and awards, fleet, facilities, equipment, policy, and internal affairs investigations.

Captain Trouten received his Bachelor of Science Degree in Organizational Leadership from the University of Charleston West Virginia in December of 2018.

The requirements outlined in NAC 289.270 to receive the Executive Certificate have been met by Captain Tyler Trouten, and I recommend this certificate be awarded to him at this time. If further information is needed, I may be contacted at breed@elkocitynv.gov or (775) 777-7315.

Sincerely,

Ben Reed, Jr.
Police Chief
Elko Police Department
City of Elko, Nevada

BR/tle

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



Issues this award thereby certifying that

Tyler Wayne Trouten
Elko Police Department, Elko, Nevada

has completed a general course of instruction afforded by the
FBI National Academy

at Quantico in the state of Virginia for a period of eleven weeks
ending the sixteenth day of December in the year of two thousand and sixteen.

440 HAS


James B. Comey
Director
Federal Bureau of Investigation


David T. Resch
Assistant Director
Training Division

University of Charleston

Charleston, West Virginia

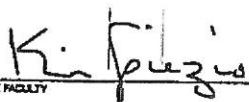
The Faculty and Trustees in
recognition of the successful completion
of the required curriculum
have today conferred on

Tyler W. Trouten

the degree of


**Bachelor of Science
Organizational Leadership**

In witness whereof, we have hereunto affixed our signatures
this sixteenth day of December,
two thousand eighteen.



DEAN OF THE FACULTY





PRESIDENT OF THE UNIVERSITY

GBC Official Transcript

Name: Trouten, Tyler W
Student ID: [REDACTED]
DOB: [REDACTED]

Degrees Awarded
Degree: Associate of Applied Science
Confer Date: 05/16/2014
Degree Honors: Summa Cum Laude
Plan: Associate of Applied Science - Criminal Justice - Law Enforcement Emphasis

Transfer Credits
Transfer Credit from Brigham Young University

Course	Tran GPA	0.00	Transfer Tot	41.00	Earned	41.00	Points	0.000
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Other Credits

Other Credits	Other Trans GPA	0.00	Transfer Tot	12.00	Earned	12.00	Points	0.000
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Beginning of Undergraduate Record
1997 Fall

Course	Description	Att	Earned	Grade	Points
CRJ 290	Internship/Criminal Justice	3.00	3.00	P	0.000
Term GPA	0.00	Term Tot	3.00	3.00	0.000

2006 Fall

Course	Description	Att	Earned	Grade	Points
MGT 103	Small Business Management	3.00	3.00	A	12.000
MGT 283	Intro Human Resource Mgt	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	6.00	6.00	24.000

2009 Spr

Course	Description	Att	Earned	Grade	Points
CRJ 140	Elements of Supervision	3.00	3.00	A	12.000
CRJ 265	Intro Physical Evidence	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	6.00	6.00	24.000

2009 Fall

Course	Description	Att	Earned	Grade	Points
CRJ 211	Police in America	3.00	3.00	A	12.000
CRJ 270	Intro to Criminology	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	6.00	6.00	24.000

2010 Spr

Course	Description	Att	Earned	Grade	Points
ENG 102	Composition II	3.00	3.00	A	12.000
PSC 190	The Nevada Constitution	1.00	1.00	A	4.000
Term GPA	4.00	Term Tot	4.00	4.00	16.000

2012 Sprg

Course	Description	Att	Earned	Grade	Points
CRJ 104	Intro to Admin of Justice	3.00	3.00	A	12.000
CRJ 120	Community Relations	3.00	3.00	A	12.000
CRJ 220	Criminal Procedures	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	9.00	9.00	36.000

2013 Sprg

Course	Description	Att	Earned	Grade	Points
IS 101	Intro Information Systems	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	3.00	3.00	12.000

2013 Fall

Course	Description	Att	Earned	Grade	Points
CRJ 214	Prncpl Police Patr Tech	3.00	3.00	A	12.000
CRJ 230	Criminal Law	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	6.00	6.00	24.000

2014 Spr

Course	Description	Att	Earned	Grade	Points
CRJ 164	Intro Criminal Investgate	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	3.00	3.00	12.000

2016 Spr

Course	Description	Att	Earned	Grade	Points
ECON 365	Labor Economics	3.00	3.00	A	12.000
MGT 310	Found of Mgt Theory/Pract	3.00	3.00	A	12.000
MGT 430	Management Tech	3.00	3.00	A	12.000
PSC 101	Intro American Politics	3.00	3.00	A	12.000
Term GPA	4.00	Term Tot	12.00	12.00	48.000

Undergraduate Career Totals
Cum GPA 4.00 Cum Tot 58.00 58.00 55.000 220.000

End of GBC Official Transcript

ISSUE TO STUDENT

This officially sealed and signed transcript is printed on green SCRIP-SAFE® security paper with the name of the institution printed in white type across the face of the document. A raised seal is not required. When photocopied a security statement containing the name of the institution should appear. A BLACK ON WHITE OR A COLOR COPY SHOULD NOT BE ACCEPTED.



Janice King, Registrar

August 17, 2016

Brigham Young University
Provo, Utah 84602

STUDENT INFORMATION

NAME : Trouten, Tyler Wayne
BYU ID : 18-581-0608
SSN :
BIRTHDATE :
GENDER : Male
DEPARTMENT : Political Science
DEGREE MAJOR : Political Science

DEGREES AWARDED - BRIGHAM YOUNG UNIVERSITY
No degrees awarded at BYU as of August 17, 2016

BYU COURSE WORK

TEACH AREA	CRS NO.	SEC NO.	H	COURSE DESCRIPTION	SEM	GRD	HR
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Fall Semester 1990

A RTG	100	009		American Heritage	3.00	A-	
AEROS	100	001		Leadership Lab - Freshman	0.50	F	
AEROS	110	002		Air Force Organztn	1.00	A	
ENGL	115	001		Freshman English	3.00	A-	
HEAT	129	009		Rhithelifestyle Mgt	1.00	A-	
PE B	129	018		Fitness for Living	0.50	F	
PHY S	100	001		Physical Science	3.00	A	
REL A	121	030		Intro to the Book of Mormon	2.00	B-	
SEM HR ERN	14.00		HR GRD	13.00 GPA 3.66			

Winter Semester 1991

AEROS	101	001		Ldrshp Lab Frosh	0.50	F	
AEROS	111	003		Aerospace Defense	1.00	A	
BIOL	100	004		Principles of Biology	3.00	A-	
CIV B	100B	001		Intro Civil Engr 1	0.50	B	
GEOL	101	003		Intro to Geology	3.00	A	
MATH	110	029		College Algebra	3.00	A	
PE B	116	005		Bowling-Beginning	0.50	A-	
REL A	122	033		Intro to the Book of Mormon	2.00	B+	
REL C	130	012		Sharing the Gospel	2.00	B+	
SEM HR ERN	15.50		HR GRD	15.00 GPA 3.74			

Fall Semester 1994

ECON	110	002		Econ Principles & Problems	3.00	B	
GEOG	120	401		Geography & World Affairs	3.00	B+	
PE	141	007		Karate-Beginning	0.50	A	
PL SC	101	400		Freshman Seminar	1.00	P	
PL SC	110	001		Amer Government & Politics	3.00	A-	
PL SC	150	002		Comparative Government/Politics	3.00	B+	
REL A	212	018		The New Testament	2.00	A	
SEM HR ERN	15.50		HR GRD	14.50 GPA 3.48			

Fall Semester 1994

PL SC	200	001		Political Inquiry	3.00	C+	
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*** Continued on Next Column ***

588 LT. TROUTEN/ELKO PD
1448 SILVER STREET
ELKO, NV 89801

BYU COURSE WORK
TEACH CRS SEC H
AREA NO. NO.

Fall Semester 1994

PL SC	201	001		Western Political Heritage 1 (CONT.)	3.00	B	
REL C	325	010		This Doctrine & Covenants	2.00	A-	
SPAN	101	004		First-Year Spanish	4.00	B	
SEM HR ERN	12.00		HR GRD	12.00 GPA 2.97			

Winter Semester 1995

PL SC	170	001		Intro International Politics	3.00	B-	
PL SC	202	001		Western Political Heritage 2	3.00	B-	
REL C	324	008		This Doctrine & Covenants	2.00	W	
SPAN	102	008		First-Year Spanish	4.00	W	
SEM HR ERN	5.00		HR GRD	6.00 GPA 2.70			

Fall Semester 1995

PL SC	308	002		Theories of Human Freedom	3.00	B	
PL SC	371	001		Foreign Policy Analysis	3.00	W	
PL SC	376	001		US Foreign Policy	3.00	B+	
SOC	381	001		Crims, Just & Corr	3.00	A-	
SPAN	102	002		First-Year Spanish	4.00	A-	
SEM HR ERN	13.00		HR GRD	13.00 GPA 3.47			

Winter Semester 1996

PL SC	300	001		Contemporary Political Theory	3.00	B	
PL SC	321	001		Media in American Politics	3.00	A-	
PL SC	360	001		Const Law-Am Federal System	3.00	B+	
REL C	261	007		Family History-Generology	2.00	B+	
SOC	380	001		Deviance & Social Control	3.00	B+	
SEM HR ERN	14.00		HR GRD	14.00 GPA 3.38			

BYU GPA SUMMARY

BYU HR ERN	90.00	HR GRD	87.50	GPA	3.41
TOT HR ERN	90.00	HR GRD	87.50		

***** End of Transcript *****



Barry K. Alfred, Registrar

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UNIVERSITY OF VIRGINIA
OFFICE OF THE UNIVERSITY REGISTRAR
P.O. BOX 400203
CHARLOTTESVILLE, VA 22904-4203
www.virginia.edu/registrar

Tyler Wayne Trouten

FBI/VA

Date Printed

01/31/2017

COURSE NUMBER	COURSE TITLE	GRADE	CREDITS	COURSE NUMBER	COURSE TITLE	GRADE	CREDITS
---------------	--------------	-------	---------	---------------	--------------	-------	---------

Issued / Mailed To:

TYLER TROUTEN

Degrees Conferred

Confer Date: 12/16/2016
Degree: Certificate
Certificate: Criminal Justice Education

Beginning of Undergraduate Record

2016 Fall			
School:	Continuing & Prof Studies		
Certificate:	Criminal Justice Education		
CJ 3120	Drugs/Society Enf Strategies	A+	3.0
CJ 3290	Emotional Intelligence	A+	3.0
CJ 3400	Fitness in Law Enforcement	A+	2.0
CJ 3690	Public Speaking	A+	3.0
CJ 3890	Law Enforcement Essentials	A+	3.0
CJ 3930	Leading At-Risk Employees	A	3.0
Curr Credits	17.0	Grd Pts 68.000	GPA 4.000
Cuml Credits	17.0	Grd Pts 68.000	GPA 4.000

End of Undergraduate Record



Carol A. J. Farley
UNIVERSITY REGISTRAR

TYLER TROUTEN
DIVISION CAPTAIN
ELKO CITY POLICE DEPARTMENT

CURRENT ASSIGNMENT

Captain – 07/2017-present

Duties include day-to-day supervision of Investigations Division and Civilian Division. Oversight of department evidence vault, Honor Guard and Reserve Programs. Responsible for identification, application, and administration of grants, department training, purchasing, new program implementation, strategic planning, policy and procedure writing.

EXPERIENCE

2 Years as Elko PD Reserve Officer (11/97 – 11/99)
3½ Years as Patrol Officer (11/99 – 07/03)
2½ Years as Detective on Elko Combined Narcotics Unit (07/03 – 12/05)
1 Year as Detective for Elko PD (01/06 – 07/2006)
1½ Years as Detective Corporal (07/2006 – 12/2007)
1½ Years as Detective Sergeant (12/2007 – 09/2009)
8 Years as Operations Lieutenant (09/2009-07/2017)
2 Years as Captain (07/2017 – Present)
½ Year as Supervisor of Elko Combined Narcotics Unit (03/13 – 09/13)
10 Years as Elko Special Response Team Member (12/99 – 09/09)
 -4 Years as Alpha Team leader on E.S.R.T. (12/05 – 09/09)
7 Years as Commander of Board of Review (2011 – 2017)

EDUCATION/PROFESSIONAL CERTIFICATIONS

University of Charleston West Virginia – Bachelor of Arts Degree in Organizational Leadership - 2018
Brigham Young University – Major in Political Science
Great Basin College – Associate of Arts Degree in Criminal Justice – 2014
Great Basin College – Business Technology Courses
University of Virginia – Criminal Justice Courses
POST Basic Certificate – 2000
POST Intermediate Certificate – 2003
POST Advanced Certificate – 2006
POST Management Certificate – 2009
POST Supervisory Certificate – 2015
FBI National Academy Graduate Class #266 – 2016

PROFESSIONAL MEMBERSHIPS

NEVADA SHERIFFS' AND CHIEFS' ASSOCIATION (05/2016 – PRESENT)
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (2016 – PRESENT)
NATIONAL ACADEMY ASSOCIATES (2016 – PRESENT)

INSTRUCTOR CERTIFICATIONS

Pepperball Instructor (2002-2009)
Use of Force Instructor (2004 – 2009)
Range Instructor (2004 – 2011)
Taser Instructor (2005 – 2007)
Reserve Academy Instructor for Use of Force, Building Searches, Range, Narcotics Law,
Weapons of Mass Destruction, Physical Fitness (2006 - 2016)
Active Shooter Instructor (2006 – 2015)
Outlaw Motorcycle Gangs (2008 – 2015)
Nevada P.O.S.T. Academy Evaluator (2010 – 2014)
P.O.S.T. Physical Fitness Instructor (2011 – present)
SATCOM Operation (2011 – 2012)
Civilian Response to Active Shooter Events (CRASE) Instructor (2017-present)
Crisis Intervention Training (CIT) Coordinator/Instructor (2018 – present)

TRAINING

LEADERSHIP/MANAGEMENT

-FIRST LINE SUPERVISOR TRAINING (24 HOURS) Elko, Nevada	02/2002
-PREVENTING SEXUAL HARSSMENT Elko, Nevada	12/2003
-SUPERVISING DRUG/VICE INVESTIGATIONS (36 HOURS) Las Vegas, Nevada	04/2005
-LEADERSHIP, HITTING THE HOME RUN (8 HOURS) Elko, Nevada	02/2006
-CAREER PATHING (4 HOURS) Elko, Nevada	02/2006
-CIVIL LIABILITY AND RISK MGT. (16 HOURS) Elko, Nevada	09/2006
-FBI SWAT MANAGERS COURSE (24 HOURS) Reno, Nevada	09/2006
-DELIVERING EXCELLENT CUSTOMER SERVICE Elko, Nevada	01/2007
-CRITICAL INCIDENT STRESS MGT. (12 HOURS) Elko, Nevada	04/2007
-INCIDENT COMMAND (24 HOURS) Anniston, Alabama	05/2007
-BUILDING BUDGETING SKILLS (6 HOURS) Reno, Nevada	11/2008
-POLICY FORMULATION (8 HOURS) Elko, Nevada	12/2008
-COMMAND AND GENERAL STAFF FUNCTIONS FOR INCIDENT MANAGEMENT TEAMS (40 HOURS) Elko, Nevada	03/2010
-BOMB SQUAD EXECUTIVE MANAGEMENT COURSE (24 HOURS) Huntsville, Alabama	09/2010
-K9 LEGAL UPDATE AND OPINION (8 HOURS) Reno, Nevada	10/2010
-EFFECTIVE WORKPLACE INVESTIGATIONS (12 HOURS) South Lake Tahoe, Nevada	09/2011
-INTERNAL AFFAIRS INVESTIGATIONS (40 HOURS) Las Vegas, Nevada	12/2011
-QUOTA FREE PERFORMANCE STANDARDS (8 HOURS) West Valley, Utah	09/2012
-PATC STRATEGIC PLAN FOR DIVERSITY IN RECRUITING AND HIRING (1 HOUR) Online	09/2014
-NEVADA P.O.S.T. SUPERVISORS COURSE (80 HOURS) Elko, Nevada	03/2015
-DISCIPLINE AND TERMINATION: RULES, POLICIES, AND PROCEDURES (8 HOURS)	10/2015
-BODY WORN CAMERA FORUM (32 HOURS) San Diego, California	03/2018

INVESTIGATIONS

INTERVIEW AND INTERROGATION

-REID METHOD OF INTERVIEW AND INTERROGATION (21 HOURS)	08/2001
Bountiful, Utah	
-INTERVIEW AND INTERROGATION (24 HOURS)	11/2004
Carson City, Nevada	
-COMMUNICATION ANALYSIS (4 HOURS)	11/2005
Reno, Nevada	
-REID ADVANCED INTERVIEW TECHNIQUES (8 HOURS)	10/2006
Las Vegas, Nevada	
-INTERVIEW AND INTERROGATION (8 HOURS)	04/2007
Elko, Nevada	

NARCOTICS

-DRUG RECOGNITION (4 HOURS)	03/1999
Elko, Nevada	
-NIK CERTIFICATION (4 HOURS)	02/2002
Elko, Nevada	
-DRUG TASK FORCE INVESTIGATIONS (80 HOURS)	09/2003
Carson City, Nevada	
-MARIJUANA MICROSCOPIC IDENTIFICATION (2 HOURS)	03/2004
Elko, Nevada	
-UNDERCOVER INVESTIGATIONS (8 HOURS)	02/2005
Reno, Nevada	
-CLANDESTINE LAB SCHOOL (40 HOURS)	05/2005
Quantico, Virginia	
-DRUG ENDANGERED CHILDREN (4 HOURS)	11/2005
Reno, Nevada	
-DRUG ABUSE RECOGNITION (8 HOURS)	11/2005
Reno, Nevada	
-INOA Conference (24 Hours)	06/2013
Boise, Idaho	

GANGS

-OUTLAW BIKERS (7 HOURS)	02/2002
Elko, Nevada	
-BIKER GANGS (9 HOURS)	06/2002
Elko, Nevada	
-BIKER GANGS (3 HOURS)	06/2003
Elko, Nevada	
-OMG INVESTIGATIONS (32 HOURS)	11/2003
Las Vegas, Nevada	
-OMG DISRUPTION TECHNIQUES (4 HOURS)	05/2012
Elko, Nevada	

WEAPONS OF MASS DESTRUCTION

-HAZMAT AWARENESS (8 HOURS) Elko, Nevada	02/2001
-RADIOLOGICAL/NUCLEAR – HAZMAT TECH (32 HOURS) Nevada Test Site, Nevada	02/2004
-LAW ENFORCEMENT RESPONSE TO WMD (24 HOURS) Elko, Nevada	06/2004
-WMD HAZMAT TECH/COBRA COURSE (24 HOURS) Anniston, Alabama	09/2004
-NATIONAL INCIDENT MANAGEMENT SYSTEM (IND STUDY) Elko, Nevada	09/2004
-INCIDENT RESPONSE TO TERRORIST BOMBINGS (32 HOURS) Socorro, New Mexico	11/2004
-WMD TERT/COBRA COURSE (32 HOURS) Anniston, Alabama	03/2005
-INCIDENT COMMAND (32 HOURS) Anniston, Alabama	04/2007
-INCIDENT COMMAND SYSTEMS 100, 200, 700, RESPONSE & PLANNING Online	2010
-INTERNATIONAL TERRORISM/DOMESTIC TERRORISM (8 HOURS) Elko, Nevada	03/2010
-HOMELAND SECURITY EXERCISE AND EVALUATION PROGRAM (16 HOURS) Elko, Nevada	11/2014
-FEMA IS-00120.a Online	11/2014

VIOLENT CRIMES

-DOMESTIC VIOLENCE INVESTIGATIONS (8 HOURS) Elko, Nevada	02/2000
-STATUTORY SEXUAL SEDUCTION (4 HOURS) Elko, Nevada	05/2001
-RURAL DOMESTIC VIOLENCE INVESTIGATIONS (8 HOURS) Elko, Nevada	12/2001
-DOMESTIC VIOLENCE/TPO ENFORCEMENT (8 HOURS) Boontown, Nevada	01/2002
-ELDER ABUSE INVESTIGATIONS (4 HOURS) Elko, Nevada	03/2003
-SEXUAL ASSAULT/STALKING INVESTIGATIONS (8 HOURS) Elko, Nevada	03/2003
-DOMESTIC VIOLENCE (8 HOURS) Elko, Nevada	12/2004
-SEX OFFENDER REGISTRATION SUMMIT (16 HOURS) Reno, Nevada	10/2005
-COMPUTER FORENSICS (40 HOURS) Houston, Texas	05/2006
-CHILD DEATH INVESTIGATIONS (36 HOURS) Appleton, Wisconsin	07/2006
-CRIMES AGAINST CHILDREN (32 HOURS) Dallas, Texas	08/2006
-HOMICIDE INVESTIGATIONS (40 HOURS) Las Vegas, Nevada	11/2006

VIOLENT CRIMES CONT'D

-CHILD SEXUAL ABUSE (8 HOURS) Elko, Nevada	04/2007
-SHAKEN BABY SYNDROME (8 HOURS) Elko, Nevada	04/2007

OTHER

-SPANISH FOR LAW ENFORCEMENT (40 HOURS) Elko, Nevada	07/2004
-FUGITIVE/TECHNICAL OPERATIONS AND ELECTRONIC SURVEILLANCE (7 HOURS) Reno, Nevada	03/2008
-BACKGROUND INVESTIGATIONS (12 HOURS) Battle Mountain, Nevada	04/2009

INSTRUCTOR TRAINING

-INSTRUCTOR DEVELOPMENT (40 HOURS) Elko, Nevada	02/2003
-PEPPERBALL INSTRUCTOR (4 HOURS) Elko, Nevada	07/2002
-NIK MASTER INSTRUCTOR (4 HOURS) Elko, Nevada	01/2005
-TASER INSTRUCTOR (16 HOURS) Fernley, Nevada	10/2005
-PEPPERBALL INSTRUCTOR (8 HOURS) Carson City, Nevada	12/2008
-RANGEMASTER CERTIFICATION (40 HOURS) Las Vegas, Nevada	02/2009
-P.O.S.T. PHYSICAL FITNESS TEST (4 HOURS) Carson City, Nevada	06/2011
-SATCOM OPERATION, TRAIN THE TRAINER (32 HOURS) Elko, Nevada	11/2011
-USE OF FORCE (35 HOURS) Las Vegas, Nevada	12/2015
-CRISIS INTERVENTION TRAINING (40 HOURS) Minden, Nevada	03/2018

TACTICAL TRAINING/SPECIALTIES

-BASIC SWAT SCHOOL (40 HOURS) Douglas County, Nevada	04/2000
-COLT AR-15/SMG BASIC OPERATOR (16 HOURS) Douglas County, Nevada	04/2000
-PROGRESSIVE ENFORCEMENT OPTIONS (40 HOURS) Elko, Nevada	07/2001
-HELL WEEK (80 HOURS) Utah County, Utah	05/2003
-BIKE PATROL CERTIFICATION (40 HOURS) Elko, Nevada	06/2003
-TACTICAL THINKING (4 HOURS) Reno, Nevada	11/2005
-SWAT COMMANDERS COURSE (24 HOURS) Reno, Nevada	09/2006
-ACTIVE SHOOTER (32 HOURS) Elko, Nevada	03/2007
-CRITICAL INCIDENT TRAINING (24 HOURS) Las Vegas, Nevada	02/2008

TACTICAL TRAINING/SPECIALTIES CONT'D

- DEA CLANLAB TACTICAL SCHOOL (40 HOURS) 04/2009
Quantico, Virginia
- TACTICAL COUNTERMEASURES ADVANCED SWAT (8 HOURS) 04/2011
Wendover, Utah
- WENDOVER SWAT WEEK (24 HOURS/YEARLY) 2001-2013
Wendover, Utah
- CALIFORNIA ASSOCIATION OF TACTICAL OFFICERS CONFERENCE 11/2014
(20 HOURS)
Reno, Nevada
- CIVILIAN RESPONSE TO ACTIVE SHOOTER EVENTS (4 HOURS) 03/2017
Reno, Nevada

COMMENDATIONS/AWARDS

- OVERALL OUTSTANDING CADET 09/2000
NEVADA POST ACADEMY
Carson City, Nevada
- OUTSTANDING SERVICE AWARD 04/2007
FAMILY RESOURCE CENTERS OF NORTHEASTERN NEVADA
Elko, Nevada
- EXEMPLARY PERFORMANCE AWARDS 2016/2018
- RECOGNITION FOR EXCEPTIONAL PRIDE IN SERVICE 01/2017
NEVADA STATE ASSEMBLYMAN JOHN ELLISON
- MULTIPLE COMMENDATIONS FROM SUPERVISORS, CITIZENS, VICTIMS
AND THE ELKO COUNTY DISTRICT ATTORNEY'S OFFICE

COURTROOM TESTIFYING

- SEVERAL JURY TRIALS DISTRICT 1 AND DISTRICT 2
Elko Judicial District
- QUALIFIED AS EXPERT
MANNER OF CONTROLLED SUBSTANCES SALES
PRICES AND AMOUNTS OF CONTROLLED SUBSTANCES

PUBLIC INVOLVEMENT/SERVICE

- POLICE DEPARTMENT EXPLORER LEADER
- BOY SCOUTS OF AMERICA MERIT BADGE COUNSELOR
- CUB SCOUT DEN LEADER
- PROVIDED COMMUNITY TRAININGS TO AUDIENCES ON INTERNET SAFETY
FOR YOUTH, PERSONAL SAFETY, ANTI-DRUG CAMPAIGNS, RISK
ASSESSMENTS AND ACTIVE ASSAILANT EVENTS
- ANTI-METH PROJECT
- CHARTER MEMBER OF GREAT BASIN ELKS LODGE #1472
LEADING KNIGHT (2015/16, 2017/18)
EXALTED RULER (2018/19)

9. 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.

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

Schedule upcoming Commission Meeting.

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

Adjournment.