



Nevada Commission on Peace Officer
Standards and Training

POST COMMISSION MEETING

WEDNESDAY AUGUST 24, 2016 AT 10:00 AM

NEVADA GAMING CONTROL BOARD, ROOM 100, AT 1919 E.
COLLEGE PARKWAY, CARSON CITY, NEVADA

VIDEO CONFERENCED TO THE GRANT SAWYER BUILDING,
SUITE 2450, AT 555 E. WASHINGTON AVENUE LAS VEGAS,
NEVADA.



STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

5587 Wa Pai Shone Avenue
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BRIAN SANDOVAL
Governor

MICHAEL D. SHERLOCK
Executive Director

AMENDED NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT 10:00 A.M. ON WEDNESDAY, AUGUST 24, 2016, THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A REGULARLY SCHEDULED MEETING AT THE NEVADA GAMING CONTROL BOARD, ROOM 100, AT 1919 E. COLLEGE PARKWAY, CARSON CITY, NEVADA. THE COMMISSION MEETING WILL ALSO BE VIDEO CONFERENCED TO THE GRANT SAWYER BUILDING, SUITE 2450, AT 555 E. WASHINGTON AVENUE LAS VEGAS, NEVADA.

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

I. REGULARLY SCHEDULED MEETING AGENDA ITEMS

1. Call to order
2. Roll call of Commission Members
3. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
Approval of minutes from the May 5, 2016 regularly scheduled POST Commission Meeting.
4. **INFORMATION** Executive Director's report.
 - A. Training Division update
 - a. Statewide lesson plans
 - b. Reserve Officer Training Program
 - c. Academy structure focus change, and curriculum update
 - B. Standards Division
 - a. Academy audits on schedule, budget concerns remain
 - b. Inspection function to move from single focus to a general focus on all requirements
 - C. Administration Division
 - a. Continue to look at personnel assignments
 - b. POST Administrative Manual progressing

- c. Budget
- D. National Issues
 - a. National Certification Program
 - b. Use of Force Model policy

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

Discussion and possible action to establish the Commission's interpretation of NAC 289.300 which sets the standards for certification and operation of basic training courses presented by law enforcement agencies or other entities approved by the Commission. The Commission to discuss, and possibly take action, to determine whether it will interpret NAC 289.300(1), which permits an entity approved by the Commission to present basic training courses, to include private, non-governmental, entities.

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

Request from the Nevada Department of Public Safety for their employee Captain Charles Powell for an Executive Certificate.

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

Request from the Las Vegas Metropolitan Police Department for their employee Captain Christopher Tomaino for an Executive Certificate.

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

Request from the Las Vegas Metropolitan Police Department for their employee Captain James J. Seebock for an Executive Certificate.

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

Request from the Washoe County Sheriff's Office for their employee Captain Frank Schumann for an Executive Certificate.

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Patrick Gail Taylor, formerly of the Las Vegas Metropolitan Police Department, certification based on a felony conviction for Possession Of Visual Presentation Depicting Sexual Conduct Of A Child. The Commission will decide whether to revoke Mr. Taylor's Category I Basic Certificate.

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Michael Anthony Horn, formerly of the Nye County Sheriff's Office, certification based on two felony convictions for Misconduct of Public Officer and Possession of Controlled Substance. The Commission will decide whether to revoke Mr. Horn's Category I Basic Certificate.

12. **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.

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

Schedule upcoming commission meeting.

14. 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.state.nv.us>
<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 Rick Radecki, Administrative Assistant III, POST Standards Division, at (775) 687-3326, 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.

AGENDA ITEM 1 & 2

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

AGENDA ITEM 3

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

3. Approval of minutes from the May 5, 2016 regularly scheduled POST Commission Meeting

PEACE OFFICERS' STANDARDS AND TRAINING

PUBLIC MEETING

May 5, 2016

8:00 a.m.

The Commission On Peace Officer Standards and Training
Classroom 2
5587 Wa Pai Shone Avenue
Carson City, Nevada

MEMBERS PRESENT:

Ronald Pierini, Sheriff - Chairman,
Douglas County Sheriffs' Office

Michele Freeman, Chief
City of LV Department of Public
Safety

Kevin McKinney, Undersheriff
Elko County Sheriff's Office

James Ketsaa, Chief
Clark County School District Police
Department

Russell Pedersen, Chief Deputy
Washoe County Sheriff's Office

Troy Tanner, Police Chief
Mesquite Police Department

Dan Watts, Sheriff
White Pine County Sheriff's Office

James M. Wright, Director
Department of Public Safety

STAFF PRESENT:

Michael Sherlock, Executive Director,
Commission on Peace Officer
Standards and Training

Michael Jensen, Senior Deputy
Attorney General
Department of Motor Vehicles and
Department of Public Safety

Scott Johnston, Bureau Chief,
Commission on Peace Officer
Standards and Training

1 RONALD PIERINI: I'm going to start our
2 meeting today. It's on Thursday, May 5, 2016. Time
3 is right now about 8:03 and we're located at the
4 POST meeting classroom in Carson City.

5 What we'd like to do now is to go over a
6 couple of things. If you haven't signed your name
7 up at the back over here and you're going to be
8 making any comments whatever, we especially need
9 your name here. And if you haven't done that, we'd
10 appreciate that.

11 The other thing is that remind the public
12 that you come up front here, give your name and what
13 agency that you're employed with. We want also to
14 make sure that all the phones are not turned on and
15 if there's anything that we have to disrupt our
16 meeting we'd appreciate you not doing that.

17 As far as the Commissioners, we want you
18 to make sure that -- that when you make a motion,
19 for example, you give your name and then -- so that
20 it's on record exactly who was doing that. And that
21 probably as Commissioners you should not be talking
22 to your Commissioner next to you in case it gets on
23 the recording.

24 So with all that in mind, we'd like to go
25 through, first of all, we're going to do a notice of

1 public meeting in reference to Senate Bill 147.
2 That's going to be the first thing that we're going
3 to be doing right now. But for right now, we should
4 start off with a role call. And we'll start with
5 Dan Watts.

6 DAN WATTS: Dan Watts, White Pine County.

7 KEVIN MCKINNEY: Kevin McKinney, Elko
8 County.

9 JAMES WRIGHT: Jim Wright, DPS.

10 JAMES KETSAA: Jim Ketsaa, Clark County
11 School District.

12 TROY TANNER: Troy Tanner, Mesquite PD.

13 RON PIERINI: Ron Pierini, Douglas County
14 Sheriff.

15 MICHAEL JENSEN: Mike Jensen, Attorney
16 General's Office.

17 RUSSELL PEDERSEN: Russ Pedersen, Washoe
18 County Sheriff's Office.

19 MICHELE FREEMAN: Michele Freeman, City of
20 Las Vegas, Department of Public Safety.

21 MICHAEL SHERLOCK: Mike Sherlock from
22 POST.

23 SCOTT JOHNSTON: Scott Johnston from POST.

24 RON PIERINI: Thank you. For the record,
25 please, Gary Schofield is absent today. Also if we

1 could, Scott, if you could go over and -- go ahead
2 and outline exactly where all this information was
3 given to different locations in the State of Nevada.

4 SCOTT JOHNSTON: Sure. Scott Johnston for
5 the record. The postings for the meetings that
6 we're holding today were posted at the following
7 locations. In Carson City, at the Blasdel Building
8 at 209 East Musser Street, Nevada State Library at
9 100 Stewart Street, Capitol Building at 101 North
10 Carson Street, Nevada POST at 5587 Wa Pai Shone
11 Avenue and at Carson City Sheriff's Office on
12 Musser. In Las Vegas, Grant Sawyer Building at 555
13 Washington Avenue, in Ely at White Pine County
14 Sheriff's Office at 1785 Great Basin Boulevard, and
15 at the libraries, at all 17 main branches of the
16 libraries throughout the state. They were noticed
17 and received confirmations back that it had been
18 posted within the time restriction. E-mailed to all
19 the agency point of contacts for law enforcement
20 agencies in Nevada. Web postings were at POST
21 website at post.state.gov, at state noticed website
22 at notice.nv.gov and at the legislative website at
23 led.state.nv.us.

24 RON PIERINI: Thank you, Scott, appreciate
25 that. Okay, again, we're going to be talking about

1 Senate Bill 147 if I recall right. In Las Vegas at
2 our last meeting we had talked about that. And
3 after the workshop (inaudible) and now we're going
4 to, again, present this information and see whether
5 or not we're going to go forward with it. So,
6 Scott, if you could go over that whole program and
7 what exactly why we're doing it and the issues of
8 that.

9 SCOTT JOHNSTON: Yes, I would be happy to.
10 Scott Johnston for the record. Senate Bill 147 was
11 regarding the minimum standards for training in
12 effective response to incidents involving dogs or
13 where dogs are present. And this bill mandated that
14 the Commission on Peace Officer Standards and
15 Training develop regulation and set those standards
16 and the training requirements for them. Back at the
17 November meeting, November 3rd, that we had a little
18 workshop and language was created and we now have
19 that language from the LCB draft writers.

20 Today is the time for public comment.
21 This is the public comment period. So at this time,
22 Mr. Chairman, we can solicit to see if there's any
23 public that has any comments for this.

24 RON PIERINI: Okay, Scott. Thank you very
25 much. All right, if anybody in the audience would

1 like to come up and talk about this topic. Seeing
2 none, I ask from the Commissioners does anybody here
3 like to make any comments in reference to this? All
4 right, seeing none, I'm going to go ahead and go to
5 the actual meeting, if we could.

6 And we'll go on Number 2 as a regularly
7 scheduled meeting agenda item. And the information
8 right now -- what we're going to do is we were going
9 to recognize a couple people, but -- were
10 commissioners here, but unfortunately, they --
11 they're not here so we could give them some kind of
12 recognize award for all their appreciation. And
13 that was Anthony DeMeo and Claire Morris. Both of
14 those are absent so we don't -- we'll probably
15 sending them a thank you for doing the hard work as
16 they did do for us for the Commissioners.

17 Now we have three new ones. And we're
18 pretty excited about that. We've got James from
19 Clark County School District and then we also have
20 Michele at Las Vegas Detention and Enforcement and
21 then we also have Kevin who is the undersheriff or
22 at least interim for Elko County Sheriff's Office.

23 So I'd like to start off with James. And
24 if you could tell a little bit of history of
25 yourself. And -- it doesn't have to be an hour or

1 anything. Just a couple sentences. Very brief.

2 JAMES KETSAA: In my 26th year with the
3 Clark County School District Police Department. I
4 started as a canvas officer and worked my way up
5 through the ranks to be the Chief. Prior to that, I
6 had about 10 years of public safety experience in
7 the fire service and police in New York State.
8 Executive Certificate. All kinds of training,
9 education and all that stuff. Don't want to bore
10 you with that. But it's a pleasure and an honor and
11 I appreciate the opportunity and the appointment and
12 look forward to working hard to make Nevada POST a
13 better organization.

14 RON PIERINI: Great. Thank you.

15 JAMES KETSAA: You're welcome.

16 RON PIERINI: And also, now we have is
17 Michele

18 MICHELE FREEMAN: Thank you. So I started
19 out in 1992. So I'm on -- I just finished my 24th -
20 - on my 24th, going into my 25th year with the same
21 agency. I worked my -- well, from corrections
22 officer all the way to the Chief. And that's where
23 I am right now. And I was part of the special
24 emergency response team at one point. So I was able
25 to have that in my little packet as well. I was

1 fortunate enough to be able to go to school of
2 police, staff and commands in Northwestern.
3 Graduated at -- in the 206th Academy. And I was
4 also fortunate enough to go to the FBI National
5 Academy and was graduated in 249. So those are two
6 great things that I'm proud about. And then I have
7 a lot of other education as well. So.

8 RON PIERINI: Good.

9 MICHELE FREEMAN: Thanks.

10 RON PIERINI: All right. Welcome again.
11 All right, and Kevin.

12 KEVIN MCKINNEY: Let's see I started at
13 the Elko County Sheriff's Office in 1999, so I've
14 been there 17 years. Part of that I worked 12 years
15 up in Idaho. I -- my experience has run the gamut,
16 done a little bit of everything. I'm currently the
17 interim Undersheriff. Claire retired in April, so I
18 took his place both there and here, I guess. So I -
19 - I attended the (inaudible) I graduated 261 just
20 last year, so I'm just happy to be helpful.
21 Hopefully will.

22 RON PIERINI: Thanks, Kevin.

23 KEVIN MCKINNEY: Help you guys out.

24 RON PIERINI: Thank you. As you probably
25 well know for anybody in the audience who was kind

1 of wondering usually what happens is the Sheriffs'
2 and Chiefs' Association recommends an individual to
3 give that information to the Governor to ask them --
4 him or his people to go ahead and to give them the
5 authority to actually be a Commissioner. So you
6 know, we look at all these good people. We always
7 have people that want to run for that and we
8 appreciate your standing up and saying they want to
9 be part of it. So, we're going to -- we're good.
10 So I appreciate that.

11 All right, we're going to go onto Number 2
12 and that's discussion and public comment, and also
13 for possible action. And that's approval of the
14 minutes of the November 3rd, 2015, regularly
15 scheduled POST Commission Meeting. So has everybody
16 had the time to look at that and review that? Does
17 anybody find anything that's not correct? Do we
18 have anybody in the audience would like to -- that
19 saw that maybe by chance or would like to change
20 that. All right. Seeing none, I need a motion.

21 TROY TANNER: Troy Tanner. I make a
22 motion to approve.

23 RON PIERINI: Do we have a second?

24 DAN WATTS: Dan Watts. Second.

25 RON PIERINI: Thank you, Dan. Any other

1 discussion? All in favor?

2 COMMISSIONERS: Aye.

3 RON PIERINI: Anybody opposed? So
4 carried. All right, now we're going to go to Mr.
5 Sherlock and that is dealing with information for
6 the Director.

7 MICHAEL SHERLOCK: Okay, Mike Sherlock for
8 the record. I'll try to be short. I just want to
9 give a quick update to the Commission on my trip to
10 Washington, DC. It was -- went to a meeting
11 specifically related to the implementation, if you
12 can believe that, of the recommendations in the
13 President's Task Force on policing in the 21st
14 century. The meeting specifically addressed some of
15 those recommendations and then some of the
16 philosophy of that -- that particular document.
17 Frankly, from our perspective, there's been pressure
18 from the federal government through POST entities on
19 ensuring some of those recommendations are
20 implemented.

21 You know, notwithstanding the political
22 tone of that document, there were a few things that
23 were actually relevant to policing and -- and
24 standards of training for us. Some of those were,
25 one, increase decision-based learning at the basic

1 training level. Just so everybody knows, as far as
2 our Academy is concerned, way before this document
3 came out we've added 40 hours of decision-based
4 reality learning to our -- to our Basic Academy
5 anyway.

6 Blue Courage is a big national push,
7 obviously. Many of you know Blue Courage. For
8 those that don't, it's a program related to moving
9 the peace officer mentality from one of a warrior to
10 a guardian. We did, prior to this, send one of our
11 training officers to the train the trainer program
12 for that. And we've been integrating some of those
13 concepts into our Academy and -- and look to
14 schedule some of that training outright.

15 One thing that came up quite often is
16 tightening course and officer certification and
17 revocation statutes. Obviously, we're -- we're
18 limited there. We already have regulations in that
19 area, but I can tell you one thing we are looking at
20 is -- it's called the National Certification
21 Program. Most states have -- have joined that. We
22 have to the extent that our regulations allow. And
23 we'll continue to look at that.

24 One of the big issues that came up and was
25 talked about that nationally field training officers

1 are complaining about new officers unable to make
2 decisions in the field in given situations
3 particular under stress. Obviously, that raises
4 some concerns with some of the civil disturbances
5 and that kind of thing going on right now. You
6 know, my input on that is I think it's a direct
7 result of moving away from stress, we're disciplined
8 academies. These recruits have never had to make a
9 decision under stress and unfortunately they're
10 finding that out in the field where they go. So but
11 that was my input for that particular issue for --
12 for that meeting.

13 RON PIERINI: Mike, can I interrupt you
14 for a second.

15 MICHAEL SHERLOCK: Sure.

16 RON PIERINI: Is this more of a trying to
17 get into a military type of academy?

18 MICHAEL SHERLOCK: You know, I don't know.
19 You get a lot of backlash if you say military. You
20 know, there's -- you know, there's different
21 philosophies on that. For me, it's just discipline
22 and measuring whether -- and you don't have to
23 punish them. Frankly, we don't punish them with
24 physical, you know, drop and give me 20 pushups.
25 But -- but it's also you have to have that

1 discipline and you have to rate their ability to
2 make a decision while under stress. You -- from an
3 Academy standpoint, we don't want the first time an
4 officer has to make a decision of importance be that
5 a time where they're, you know, on the skirmish line
6 and a civil disobedience situation with, you know,
7 someone yelling in their face and they've never made
8 a decision at that point. And I think that's what
9 we're finding nationally. And there's different
10 philosophies on how you deal with that, but that's
11 where we're at on that.

12 And we've tried to make some improvements
13 in our Academy in simulating stress and -- and
14 determining whether they can make decisions under
15 stress (inaudible). I can tell you that I was able
16 to provide some information to the federal
17 government that will hopefully, at least from my
18 perspective, at least from POST, preempt any undue
19 scrutiny from the fed as far as our training and
20 that kind of thing goes. So it was positive from
21 that standpoint.

22 And again, you know, it's one of those
23 things that we're in election year. A lot depends
24 on what happens in November. The intent I think
25 right now from the White House is to tie

1 implementation to money. But and they don't -- they
2 made no bones about that. I mean, that's what
3 they're saying. So. Although they do admit that if
4 there's a change in November, then this document is
5 not going to have any effect. So we'll see what
6 happens with that.

7 And that was my trip. And I'd be happy to
8 answer any questions after the meeting or during the
9 meeting if you like on -- on -- on that particular
10 trip to Washington.

11 We do have an Academy graduation coming up
12 next week, May 12. I know we have confirmation that
13 Sheriff Pierini, Chief Pedersen and someone --
14 another Commissioner, Director Wright are going to
15 be there. If you are going to -- other than that,
16 if you are going to attend, please let me know today
17 so we can make arrangements for your seating at the
18 graduation.

19 One other thing I want to -- to bring up.
20 This fiscal year POST received a grant to purchase
21 and update our physical training room. With that
22 money, we were able to purchase new mats for our --
23 our defensive tactics area over at the main gym. As
24 such, we have decided to dedicate that new mat area
25 to three former defensive tactics arrest control

1 instructors who all three have passed away recently.
2 These three provided training not only here at POST,
3 but throughout the state. Many of you will know the
4 names as I bring them up. But the three who will be
5 honored with a plaque in our training area are
6 Michael Biaggini who was with Douglas County
7 Sheriff's Department from 1981 until 2010 and has an
8 -- had an Executive Certificate. Charles Michael
9 who is with Sparks PD from 1982 to 2002. And John
10 Hamilton who was with the Elko Police Department
11 from 1991 until 2014. So that's over in our main
12 gym. If anyone cares to take a look at the plaque
13 that we're going to put up, I have it here and see
14 me after the meeting. I know many of you did know
15 them.

16 With that, I think that's it for me. If
17 the Commission has any questions on what's been
18 going on at POST or anything like that, I'd be happy
19 to answer them.

20 RON PIERINI: Thank you, Mike. Anyone
21 have questions?

22 TROY TANNER: Yeah, Troy Tanner for the
23 record. Yeah, I just want to -- I talked to Mike a
24 couple times the last few weeks over the last month.
25 A lot of new Commissioners on the board and so I was

1 asking him, he got put in -- into the, I guess,
2 midsummer last year as our new Director. So maybe
3 you can give an update of what you've changed, what
4 you've done different, what's your -- just a -- just
5 a quick synopsis, a brief of what you're looking at
6 in the future.

7 MICHAEL SHERLOCK: Sure. Mike Sherlock
8 for the record. I kind of knew you were going to
9 ask that. And I promise to be short, but it's going
10 to be tough. In the last nine months we have made
11 some changes here at POST. I think we have made
12 some progress in the direction I want to go. You
13 know, as I know, I'm sure you all know, we are
14 always limited by our revenue stream, our budget,
15 some of the bureaucracies working with the state.
16 But, you know, I have to thank my staff because we
17 have definitely made some advances and some positive
18 changes, at least from my perspective.

19 From an administrative perspective, we
20 consolidated our operations. We used to have three
21 operational divisions. We now have two. Clearly,
22 the 15 or 16 employments -- employees. In my mind,
23 we really needed to pool our resources. We just
24 don't have enough bodies here. So we have -- now
25 have two operational divisions; Training and

1 Standards. We were able to convert an
2 administrative position to a training specialist
3 position. This will help us to provide, you know,
4 more training, increase our curriculum library,
5 really increase our effectiveness in our Basic
6 Training Academy and basic training regulations.

7 One of the complaints that we often get is
8 it's not unusual to get a different answer on a
9 question when asking different staff members when
10 they call in. We are working on this. You know,
11 and hopefully we've gotten better. We are in the
12 process right now of creating an administrative
13 manual. It will be available both internally and
14 externally. What that manual will do is provide an
15 overview of those things that POST is tasked with
16 doing. But more importantly, how POST handles those
17 tasks and how we interpret the regulations and the
18 compliance of those regulations which, hopefully,
19 will prevent that, you know, subjective answer that
20 sometimes you get when you call in. We'll see. And
21 we're getting there on that. We're getting close on
22 the PAM manual is what we call it. Again, I think
23 we've made some good progress in that area and we'll
24 get there.

25 Last thing from an administrative

1 standpoint, I think we've made some headway in terms
2 of getting the State to recognize our budget issues
3 and what can be done to improve that budget stream,
4 revenue stream. We'll see how that comes out, but I
5 really want to thank the Commissioners, first of
6 all, for -- for getting us in front of those that
7 care in terms of our budget.

8 Over in the Training Division,
9 specifically with the Academy, our Basic Training
10 Academy, we talked about this a little bit. We're
11 trying to make a philosophy change. We're
12 increasing the discipline, increasing the stress,
13 more practice in decision-making through reality-
14 based training and scenario training.

15 One thing that we did change is training
16 officers are no longer allowed to teach any academic
17 subject. Now that goes back to my experience
18 running academies, but the training officer's job is
19 to ensure that the Academy is running properly,
20 there's discipline, the instructors are doing a good
21 job. They do teach things like practical stuff.
22 You know, car stops, defensive tactics, out in the
23 field type things, scenarios. But that was a big
24 change for us because we've relied so heavily --
25 heavily on the training officers to teach academic

1 subjects. And it is very difficult to maintain a
2 disciplined Academy where you're also the teacher in
3 an academic subject because you want the classroom
4 relaxed. And when you're the one putting on the,
5 you know, stress or the discipline, it's tough to do
6 that when you also teach, so. That's one of the
7 bigger changes.

8 The other thing is we've reached out to
9 the agencies that we service and asked for them to
10 provide their experts to teach. And -- and I think
11 we've done a good job of that. Most agencies now
12 are sending us instructors. They have their input.
13 It's their recruits coming out of the Academy. Now
14 they have some input in our Academy and their own
15 people teaching the Academy. So that's one of the
16 things that we've changed so far.

17 One thing we're doing, you know, it's been
18 one Academy I've had, one and a half, since I was
19 appointed. One thing that glared at us right away
20 is our -- our communication with the agencies we
21 serve. And so, with the new application to get into
22 our Academy, we're including an area where they
23 provide a contact at the agency that's the
24 supervisor of that cadet and we're going to make an
25 effort to regularly communicate with the agency on

1 the progress of their particular cadet. And that's
2 one of the most recent changes.

3 The rules of conduct in our procedure
4 within the Academy has been updated. We're going to
5 tweak that a little more. Obviously, we're going to
6 make that public to the people that -- that attend
7 our academies so they're not surprised when they --
8 when they get there.

9 You know, ethically, we demand discipline
10 in our Academy. You know, I don't want to say
11 stress. Everybody gets nervous when we say stress,
12 but at least discipline in our Academy and we want
13 to increase that discipline. Again, the ability to
14 make a good decision under stress is a minimum of
15 which we should measure our cadets. And, you know,
16 I get a little nervous when the perception is the
17 Academy is, you know, you simply get a participation
18 trophy and you get to show up at the Academy and
19 graduate. It's just unethical to do that. So we're
20 going to have standards and were going to make sure
21 that the cadets meet those standards. I think in
22 the long run I think it's best for those agencies
23 that serve.

24 Finally, in terms of the Academy, we added
25 about 46 hours to our Academy. I think we're at

1 646, something like that in our Academy. And our
2 latest budget proposal, we're looking to at least go
3 to 17 weeks, which would add another 40 hours. Not
4 just to add hours, but there are specific subjects
5 and reasons that we need another 40 hours for that
6 Academy. I know that puts a strain on agencies
7 sometimes, but again, we have an ethical duty to
8 produce the best cadet we can out there.

9 Basic training statewide. We've
10 essentially completed an update on -- on Cat I
11 performance objectives for the Academies. We are
12 working on lesson plans for each NAC subject that is
13 required of all Academies. We hope to have that
14 done very soon. It will be mandatory for all
15 Academies, those lesson plans. The reason we're
16 doing that, and don't get me wrong, every agency is
17 helping us on these across the state, but we used to
18 get questions on the state cert test. We don't know
19 the answer to this particular performance objective.
20 The way you do that is you provide lesson plans for
21 those. So, obviously, agencies can add their own
22 specific take on those lesson plans. They can add
23 to them. They just can't subtract from them. And
24 we're getting close on that. I know most of the
25 academies across the state are pretty excited about

1 that. And we're very close.

2 Let's see, additionally, we're making
3 performance objectives and required subjects in the
4 NAC consistent. I'll be coming back to the
5 Commission to try to adjust our NAC requirements.
6 In terms of titles of those required subjects, they
7 are not consistent right now across the categories.
8 We are working on that. We're very close on that
9 also. So what you'll have is Cat I will cover all
10 subjects and all performance objectives and then you
11 go down from there. Cat II may cover all subjects,
12 but not all performance objectives. Cat III, again,
13 same thing all the way down to reserve for that
14 matter.

15 The Reserve Academy. We had a request to
16 create an easier method. I say easier, less
17 expensive, less burdensome method for agencies to
18 have reserves and create a reserve program. We are
19 creating one right now. It will be a partial online
20 Reserve Academy. Currently, our concept is it would
21 include all academic subjects online. Agencies
22 would take care of critical skills, firearms, DTs,
23 that kind of thing. And then they would come to
24 POST for one weekend in a mini-Academy, do scenario
25 training, and take the Reserve State Cert test at no

1 cost to agencies. And we're getting close on that.
2 I, you know, we were hoping to get it done by July.
3 I think I'm a little bit overly optimistic on that,
4 but we are working on that and -- and we do have
5 pressure to do that from the rurals, by the way. So
6 we're close on that.

7 In terms of advanced rating. Again, we
8 were able to send one officer to Blue Courage
9 training. Budgeting is always an issue for us. We
10 had to get creative. Tim Bunting, my Deputy
11 Director, was able to get creative with the budget
12 and get that done. We hope to soon -- or very soon
13 offer a limited number of Blue Courage 16-hour
14 courses at no cost. That is expensive for us, but
15 we're looking at, hopefully, being able to do that
16 and move some money around and buy the books and
17 that kind of thing.

18 We have offered an increase in management
19 level type training recently. We want to continue
20 that. We want to expand that. We've been reaching
21 out to different executive-type trainers to -- to
22 provide that. And again, we always strive to do it
23 at no cost to the agencies.

24 Over at the Standards Division, course
25 certification, we continue to look at ways to

1 improve our staff time on these issues and find an
2 equitable procedure. Our constant complaint is
3 going to good training that doesn't count to your
4 POST Certificate or your ability to get your
5 Intermediate or Advanced. Based on, you know, what
6 the national climate is and the national
7 certification project that is ongoing. I think we
8 may come back to the Commission and change how we
9 deal with out-of-state vendors of training here in
10 Nevada. At this point, my preference would be to
11 force them into the NCP. Their standards exceed
12 ours anyway. We spent a lot of staff time on out-
13 of-state vendors wanting their courses certified,
14 and then we find no Nevada officers go to those
15 courses. So it would help us deal with that.

16 It would also alleviate some of the issues
17 -- I know Chief Pedersen brought this up with things
18 like FBI, NA or Northwestern, how we get credit.
19 They, from what I understand, both of those vendors
20 or those providers have embraced the National
21 Certification Project, so it would be an easy way
22 for us to accept that training and have that part of
23 your record or anybody's records. So that's what
24 we're looking at there. And we -- we do accept them
25 now. It's just a weird -- with our regulation, it's

1 a little tough. And that's the problem.

2 One of the areas that POST is mandated
3 under NRS is to audit academies annually.
4 Obviously, we're going to do that. It's a budgeting
5 problem again like everything else, but we got close
6 to that. I think we got almost every Academy in the
7 six months ending of last year and we'll continue to
8 do that. And I think that's a good thing for the
9 academies. It keeps them up-to-date and -- and it's
10 not such a burden -- burdensome thing when we show
11 up every three years as opposed to every one year.

12 One thing we're also tasked with is -- is
13 doing inspections to ensure compliance with the
14 regulations. And just have never done that. Other
15 than training. Well, if you think about it, your
16 agencies report training to us at the end of the
17 year. We audit that, essentially, every year
18 electronically. So we are going to start looking at
19 other areas of the regulations whether it's
20 backgrounds or, you know, polygraphs. These things
21 that we often see agencies don't understand and try
22 to help them out with that and ensure that they're
23 doing it.

24 Finally, the last thing I want to mention
25 real quick for Standards is we saw some issues with

1 the Executive Certificate. It's one of the few
2 areas left that still is somewhat subjective for
3 staff. So we're going to use a committee when those
4 applications come in. Instead of one person
5 arbitrarily deciding whether or not the regulation
6 was met, we'll sit down, discuss it and make a
7 decision from there for recommendation to you guys.

8 Finally, I just want to thank our staff,
9 POST staff. We have a lot of changes going on. I
10 have a lot of priorities. We have limited
11 personnel. In spite of that, I think we've done a
12 lot in the last nine months. And I think we're
13 going to continue to move forward. Try to improve
14 our internal operations and at the same time meet
15 our mission, which is to continually raise the
16 professionalism of policing in Nevada. I'll leave
17 it at that.

18 RON PIERINI: Any more questions?

19 DAN WATTS: Real quick. Dan Watts for the
20 record. Mike, I want to thank you and your staff
21 for the changes and everything you're putting into
22 it. Really appreciate it. Thank you.

23 MICHAEL SHERLOCK: Thank you. Thanks --
24 thanks for recognizing us.

25 RON PIERINI: Yeah, I say the same thing.

1 I've got to work with Mike quite a bit and pretty
2 impressed. You've done a great job.

3 MICHAEL SHERLOCK: Thank you.

4 RON PIERINI: And your staff, obviously.
5 All right, we're going to move onto Number 4 if we
6 could. And this is discussion, public comment, and
7 for possible action. This goes back to the
8 Commission discuss and to take possible action to
9 adopt a new regulation LCB File Number R065-15
10 regarding the minimum standards for training in
11 effective responses to incidents involving dogs or
12 where dogs are present. So, Scott, we probably
13 ought to go over that again, if we could please.

14 SCOTT JOHNSTON: Sure. Scott Johnston for
15 the record. Earlier this morning the Commission
16 heard at the public comment hearing, which was the
17 opportunity for the public to speak. And now this
18 is the time and the place to finalize discussions
19 and/or adopt or amend the proposed language.

20 This started last year with regulation
21 from SB 147. And the NRS required that the
22 Commission establish regulations setting minimum
23 standards for peace officers training -- or training
24 of peace officers who are required to be trained in
25 effective responses to incidents involving dogs or

1 where dogs are present.

2 Once this process started on -- on this,
3 the POST staff actually did some research and
4 implemented an online training program that
5 satisfied what the NRS requirement is and which
6 gives the agencies the discretion to determine who
7 must take that and who doesn't need to based on what
8 their duty assignments are, things like that.

9 At the November 3rd meeting, there was --
10 Commission meeting -- there was a workshop that was
11 held that discussed what some of the proposed
12 language is. And behind that tab on Agenda Item
13 Number 4, you have the draft -- or the sample
14 language that was written up by LCB with their
15 recommendation and the -- in order to comply with
16 the NRS.

17 And then, right now what you have before
18 you is, in Section 1 in all the italics language, it
19 makes reference to where that NRS is that requires
20 this. And then the three major areas that establish
21 the minimum standards as different shading between
22 aggressive and non-threatening dog behavior, non-
23 lethal methods of handling potentially dangerous
24 dogs and the role and capabilities of local animal
25 control agencies. So this is what this regulation

1 is -- pertains to, the content of it. So that it
2 has -- gives the Commission the authority under this
3 to set these standards as to who must have the
4 training and also to comply with Senate Bill 147.

5 RON PIERINI: Thank you, Scott. Mr.
6 Jensen. Okay. I just -- I have a simple question
7 is this particular thing that's been already passed
8 by legislature a lot of agencies obviously are doing
9 that. I know that we are as far as Douglas County.
10 And we're not using your system that we have here.
11 But on the other hand we have tapes and stuff and
12 information that we can buy at the national level, I
13 suppose, if you want to call it that. And that's
14 okay with you folks, right?

15 SCOTT JOHNSTON: Yes.

16 RON PIERINI: As long as those items are
17 picked out that we need to make sure that the
18 deputies or police officers understand that, then
19 we're okay. And we keep record of that to give you
20 that information that we actually train our people
21 in that? Or do we just do it ourselves?

22 SCOTT JOHNSTON: Well, you can do it
23 yourself and keep that documentation and I believe
24 the Director would agree that this training would
25 count towards the 12 hours of annual training

1 compliance that each officer is required to have.

2 So --

3 MICHAEL SHERLOCK: Mike Sherlock for the
4 record. I believe the way the NRS was -- was passed
5 and adopted it, it gives the agency head the
6 discretion of deciding who has to attend the
7 training. And then this particular regulation also
8 it directs POST Commission to create a regulation
9 that establishes what that training is and what that
10 training has to contain. And that's what this is.
11 So whatever your training, whether it's our online
12 or your own training or you go somewhere else, as
13 long as it -- it complies with the mandate in that -
14 - in this regulation if it's about that -- per the
15 NRS, you're okay if you keep records there, it would
16 be used for towards the 12-hour compliance.

17 RON PIERINI: And it's not an annual
18 thing, is it? Or is it?

19 MICHAEL SHERLOCK: It's not annually as I
20 recall.

21 SCOTT JOHNSTON: No, it's not.

22 RON PIERINI: Okay. Just wanted to make
23 sure. Any other questions from the Commission?

24 KEVIN MCKINNEY: Yeah. Kevin McKinney.
25 Eventually, will this go into the Basic Training

1 Academy?

2 MICHAEL SHERLOCK: You know, we have a lot
3 of pressure -- Mike Sherlock for the record.
4 There's always pressure to add stuff to the Academy.
5 The availability of it being online, we will -- we
6 will never -- we will likely never put this in the
7 Academy. It's already online. Our time is limited
8 in the Basic Academy. The regulation -- actually,
9 the NRS decides -- says the -- the agency head
10 decides who needs that training. You know, for us,
11 I'd -- I'd be reluctant to -- to add it to the
12 Academy and definitely reluctant to make it
13 mandatory in the Academy at this point because it is
14 covered online very simply.

15 RON PIERINI: Anyone? Yes, Jim.

16 JAMES KETSAA: Jim Ketsaa for the record.
17 On minimum -- minimum standards on Number 3 the role
18 and capabilities of local animal control. So in
19 Clark County, let's just say, or Washoe County with
20 all the different agencies you have to get something
21 from each one of those agencies, correct, and what
22 their role and capabilities are or it's just the one
23 general animal control?

24 MICHAEL SHERLOCK: Yeah, I think in our
25 training online and, you know, I don't want to speak

1 -- I haven't looked at our training in a while, but
2 I think we use the National Humane Society standards
3 for what, you know, what the capabilities are of
4 animal control. And you're good there. I mean,
5 because I -- that's -- you know how that -- that is.
6 They comply with national standards in most cases.
7 Whether it's Clark County or Reno or what have you.

8 JAMES KETSAA: So you'd be good with just
9 one.

10 MICHAEL SHERLOCK: Yeah.

11 RON PIERINI: Anybody else have any
12 questions? Okay, reaching out to the public. Does
13 anybody out here in the audience would like to make
14 a comment on this particular topic? Yes, sir.

15 DANIEL THOMPSON: Yeah.

16 RON PIERINI: You have to come up here,
17 please. Say your name and your agency.

18 DANIEL THOMPSON: Absolutely. Daniel
19 Thompson, RP -- Reno Police Department. I just -- a
20 couple of questions to clarify in regards to the
21 training which has been ongoing since the
22 legislation came up. Sheriff brought up the point
23 that this is not an annual or is there like some
24 sort of that we have to pertain to in regards to
25 continued education for -- for compliance? And also

1 from a POST -- POST standpoint, does there now,
2 since there's a big push for having documented
3 lesson plans for the specific training in regards to
4 the police and canine interaction? And I'm just
5 looking for clarification so that we're on track. I
6 mean, we have -- we have a system already in place,
7 we have all the officers that have interactions in,
8 but we have -- trying to tie it down.

9 MICHAEL SHERLOCK: Mike Sherlock for the
10 record. I would say this, our -- our perspective on
11 this particular NRS in particular is that it puts
12 the onus on the agency --

13 DANIEL THOMPSON: Okay.

14 MICHAEL SHERLOCK: -- in terms of the
15 training. If this regulation is adopted, it does
16 have specifics in terms of what that training must
17 contain. And theoretically, we could inspect to
18 ensure that it meets the regulation which would be
19 within our authority, I think, but it really puts
20 the onus on the agency. From our perspective, as
21 long as you're training contains these particular
22 items, again, should this be adopted, you are in
23 compliance as far as we are concerned. What --
24 determining who has to have that training, again, I
25 think the NRS is pretty clear. That is on the

1 agency and not something POST would get -- would
2 debate or -- or inspect.

3 DANIEL THOMPSON: And then the --

4 MICHAEL SHERLOCK: Does that help?

5 DANIEL THOMPSON: It helps. And then
6 there's a question to the Commission. Don't you
7 think that there should be some sort of statement in
8 the regulations stating that it is annual, biannual
9 or some sort of time frame for the training either
10 in continuing education or is it a one time and then
11 the officer's good for a career? And that -- and
12 that -- and that goes -- I just wanted to make --
13 just get that clarified. Thank you. There's no
14 guidance.

15 RON PIERINI: It's somewhat similar to
16 that of (inaudible).

17 DANIEL THOMPSON: Yeah.

18 RON PIERINI: I mean, you know, it doesn't
19 say that we have to do it all the time. But it's up
20 to the administrator of each one of these agencies
21 to go and say yeah, we want to do it every other
22 year or we want to whatever. I think that's the
23 choice of law enforcement CEOs is that if this is
24 really important for them and they feel that, they
25 can do it every year or they can do it every month

1 if they wanted to. Or they could say it's a one-
2 time event and see you later. So I think it -- I
3 think I like the idea that we don't have such a
4 stringent line; this is what we have to do. It's
5 more should be given up to the -- to the CEOs of --
6 of law enforcement agencies to make those decisions.
7 Everybody's different. Everybody has their
8 different kinds of issues. So I kind of like that
9 idea.

10 DANIEL THOMPSON: And I --

11 MICHAEL SHERLOCK: If I --

12 DANIEL THOMPSON: And I'm --

13 MICHAEL SHERLOCK: Just -- just so at
14 least I think if you read and read into this NRS and
15 the intent is exactly what the Chairman is talking
16 about it is if the Chief wants to come up with a
17 policy that says those assigned to patrol division,
18 for example, must do this training yearly, that's
19 what that statute is for, I think, that's why it
20 puts it back on the agency and to -- to decide who -
21 - who and how often, for that matter, should take
22 this training.

23 DANIEL THOMPSON: Very good. Thank you.

24 RON PIERINI: Thank you, sir. Anybody
25 else in the audience would like to make a comment?

1 All right, seeing none, Commissioners, would
2 somebody like to make a motion?

3 RUSSELL PEDERSEN: Russ Pedersen. I move
4 to approve the -- the agenda item as written.

5 RON PIERINI: Thank you, sir. Do I have a
6 second?

7 TROY TANNER: Troy Tanner. Second.

8 RON PIERINI: Thank you, Mr. Tanner. Any
9 other questions or comments? All in favor?

10 COMMISSIONERS: Aye.

11 RON PIERINI: Anybody opposed? So
12 carried. Thank you. Okay, we're going to go onto
13 Number 5, discussion, public comment, and for
14 possible action, discussion relating to the
15 exception of reciprocity certification requirements
16 to allow for attending an out-of-state academy as a
17 non-affiliate student instead of a full-time
18 certified peace officer. So, Scott, I guess it's
19 your turn again. Or is it Mike?

20 MICHAEL SHERLOCK: And I -- Chief Tanner
21 asked about this and I think wanted some
22 clarification on reciprocity. Is that true, Chief?

23 TROY TANNER: Yes.

24 MICHAEL SHERLOCK: Well, one -- one of the
25 questions that came before me was whether or not an

1 agency could hire someone from out of state who had
2 graduated from a police academy, but out of state.
3 I can tell you under the regulations and related to
4 reciprocity, it is based on employment, not
5 training. So the answer is no. They -- they can't
6 go to training in Utah, in this case, and then be
7 hired here without having to go through one of our
8 academies.

9 I'll tell you, there's a reason for that
10 in terms of reciprocity. It does help us prevent,
11 for lack of a better term, rogue officers moving
12 into our state. It's not uncommon for other -- in
13 other states you don't get your POST certificate
14 till you complete probation. So what it does for us
15 is that the current regulation says they have to be
16 certified and have -- have been employed as a peace
17 officer in that other state. So we get a lot of
18 applicants from California, for example, that don't
19 make probation who want to come here and have an
20 academy in California, but do not have a California
21 certificate because you have to pass probation. So
22 it allows us to kind of weed through those and at
23 the same time recognize reciprocity applies to
24 experience as a peace officer not necessarily
25 training. One thing I would suggest if, for

1 instance, Chief, in Utah, the Utah Academy could get
2 certified by us. And that may be a better way of
3 doing it. I don't know if they want to do that, but
4 if they jump through all our hoops, taught
5 everything that we require, theoretically, they
6 could be certified as a Nevada Academy and their
7 graduates could apply, for instance, from Mesquite,
8 that would not require a regulation change. I don't
9 know if they could comply with our requirements, but
10 that might be an easier way to go.

11 TROY TANNER: I think that's a better
12 route. I agree with you.

13 MICHAEL SHERLOCK: And they might -- if
14 they're a for-profit academy, they might want to try
15 to meet our standards. I don't know. But it's
16 easier than trying to change that -- that
17 requirement right now.

18 TROY TANNER: Troy Tanner. Yeah, I agree.
19 I -- I talked to them and it was one of their main
20 training guys from the state of Utah asked me about
21 it when I went to a meeting up there. So I agree
22 after reading all of it and talking to you. I just
23 wanted to make sure we're on the same page in case
24 he contact you. So.

25 MICHAEL SHERLOCK: Good.

1 KEVIN MCKINNEY: Kevin McKinney. Wouldn't
2 -- wouldn't, though, for example, Utah Academy,
3 wouldn't they be required, then, to teach Nevada
4 Revised Statutes?

5 MICHAEL SHERLOCK: Yes. But they may be
6 willing to -- again, Mike Sherlock for the record.
7 You know, I don't know what they're -- they allow
8 people to put themselves through their academies
9 there. So some of their academies are for-profit.
10 It may be a marketing tool for them to meet our
11 requirements. You know, the issue becomes how do we
12 determine that and that's a different issue. But
13 theoretically, they could do that.

14 KEVIN MCKINNEY: Kevin McKinney again.
15 Wouldn't that create a burden, though, for you to
16 audit those?

17 MICHAEL SHERLOCK: That's what I'm saying.

18 KEVIN MCKINNEY: Especially when --

19 MICHAEL SHERLOCK: There would be some --
20 some -- some issues there.

21 RON PIERINI: Wouldn't it be safe to say
22 that if we allowed that to happen, you could have
23 anywhere in the United States to say this is -- and
24 then you'd have to do all the work behind it.

25 MICHAEL SHERLOCK: Yeah. Yeah, there's

1 definitely some issues. Ain't no doubt about it.

2 RON PIERINI: Yeah. And we're not -- we
3 don't have that amount of manpower to do all that.
4 So.

5 MICHAEL SHERLOCK: Sure.

6 RON PIERINI: Maybe in theory it's good,
7 but in reality I'm not sure we can do it. So I
8 don't know. I guess to the public, do we have
9 anybody here would like to make any comment? Seeing
10 none, do we want to make a motion on this? I don't
11 think we do. Everybody okay with that? All right.
12 Thank you.

13 We'll go onto Number 6, then. Okay.
14 Request from the Las Vegas Metropolitan Police
15 Department for their employee Nicholas Ditusa -- how
16 do you say that -- whatever -- for a six-month
17 extension past the one-year requirement on September
18 2nd, 2016, in order to meet the requirements of the
19 certification. So do we have somebody from Las
20 Vegas Metro? Is Nicholas here? Because our policy
21 usually, and it has been for a long time, unless you
22 have given written information or a phone call or
23 anything, Scott, from you, from Metro saying that
24 they wanted this or --

25 SCOTT JOHNSTON: Yes, we do. Scott

1 Johnston for the record. Under Topic 6, behind that
2 tab you've got a two-page letter written by Captain
3 Forbus who's the administrator in charge of the unit
4 where this person is employed, and it has a detailed
5 description of why they're asking for this. It
6 dealt with communication errors internally within
7 the department that have been rectified. And
8 regarding this gentleman, I believe his last name is
9 pronounced Ditusa.

10 RON PIERINI: I'm glad you say that.

11 SCOTT JOHNSTON: Probably close to that.

12 RON PIERINI: Because I really don't know
13 how to say it.

14 SCOTT JOHNSTON: I don't say it right
15 twice in a row.

16 RON PIERINI: At least it's on the record
17 one time anyway.

18 SCOTT JOHNSTON: And that we did receive
19 this letter back in April requesting to be on the
20 agenda. The problem they run into is getting the
21 reciprocity verification done with Illinois
22 (inaudible). And that was just sent off April 24th
23 or 26th for verification and they have not heard
24 back. Their officer has taken the online training
25 class, has passed the state certification exam and

1 has passed the physical fitness. And they're still
2 trying to work the officer and this extension would
3 be required so that officer could continue to work
4 in the capacity of the deputy and while they wait
5 for the backup documentation to come in from
6 Illinois. Once that's received, staff does not see
7 any obstacles in approving his certification.

8 MICHAEL SHERLOCK: And, Chairman, if I
9 might, just -- Mike Sherlock for the record. Just -
10 - just real quick here -- your decision here. This
11 -- some of this came about because of the dissolving
12 of the Las Vegas Township Constable's Office. Metro
13 was then tasked with taking over those duties. They
14 were kind of hit, blindsided a little bit, I think
15 with this and had to hire a bunch of people, a large
16 number of people, to handle the constable duties.
17 And I think this is one of those

18 SCOTT JOHNSTON: Yes.

19 MICHAEL SHERLOCK: -- persons that they
20 were trying to figure out this whole process. And -
21 - and it kind of fell through the cracks, in their
22 defense. So it came from that.

23 RON PIERINI: So it is safe to say for me
24 to ask you a question is that -- I don't know what
25 God's trying to tell us, but anyway here we go. Are

1 you comfortable with that?

2 MICHAEL SHERLOCK: Yeah, our
3 recommendation would be to --

4 RON PIERINI: Okay.

5 MICHAEL SHERLOCK: -- from staff is to
6 allow the extension.

7 RON PIERINI: All right, anyone else like
8 to make a comment or question?

9 DAN WATTS: Dan Watts for the record. It
10 said in their letter that he was scheduled to take
11 the POST exam within that week. Has he done that
12 since?

13 SCOTT JOHNSTON: Yes, he has.

14 RON PIERINI: All right. Nobody else on
15 the public want to make a comment? Okay. Looking
16 for a motion, please.

17 TROY TANNER: Troy Tanner for the record.
18 I make a motion to approve the extension.

19 RUSSELL PEDERSEN: Russ Pedersen. Second.

20 RON PIERINI: First and second. Any other
21 questions, comments? All in favor?

22 COMMISSIONERS: Aye.

23 RON PIERINI: Anybody opposed? All right,
24 so carried. Thank you. Going to Number 7,
25 discussion, public comment, and for possible action,

1 request from the Washoe County Department of
2 Juvenile Services for their employee Lacey Miller
3 for a six-month extension past the one-year
4 requirement to December 29, 2016, in order to meet
5 the requirements for certification. Do we have
6 anybody from Washoe County who -- please if you
7 could come up and talk to us about this please?

8 FRANK CERVANTES: Good morning. Frank
9 Cervantes, Director at Washoe County Juvenile
10 Services Department. I did author a letter on this
11 case to Director Sherlock requesting a six-month
12 extension as this employee entered the Academy last
13 June, sustained a fracture in her ankle and leg.
14 Subsequently, was placed on light duty with physical
15 therapy until further notice. She was recently
16 cleared from her medical doctor and is actually
17 enrolled in the next Academy coming up down here in
18 Carson for the Category II Academy. So, we were
19 asking for an extension through January of next
20 year, so December of this year to get her to that
21 Academy to meet her standards for POST
22 certification.

23 RON PIERINI: Scott, do you have anything
24 to comment?

25 SCOTT JOHNSTON: If the Commission should

1 -- Scott Johnston for the record -- Commission
2 chooses to approve this, that extension would extend
3 the time parameter for the Director out to 12/29 of
4 '16, which would be plenty of time from when the
5 Academy graduates to process everything.

6 RON PIERINI: Okay, good. Any questions
7 from the Commission? All right, how about out in
8 the public? Anybody like to make a comment? Okay,
9 looking for a motion.

10 KEVIN MCKINNEY: Kevin McKinney. I'll
11 move that we approve it.

12 RON PIERINI: All right, thank you.

13 JAMES WRIGHT: Jim Wright. I'll second.

14 RON PIERINI: Thank you, sir. Any other
15 questions or comments? All in favor?

16 COMMISSIONERS: Aye.

17 RON PIERINI: Any opposed? Thank you,
18 sir.

19 FRANK CERVANTES: Thank you.

20 RON PIERINI: Okay. Why don't we take
21 just about a five-minute break, if we could, please?
22 And see if anybody has to use the restrooms or
23 whatever. It's been an hour. So five-minute break
24 just for a couple minutes.

25 (Off the record.)

1 RON PIERINI: All right, we'll continue
2 now if we could. We're going to go on to Number 8
3 and that's discussion, public comment, and for
4 possible action, request from the Nye County
5 Sheriff's Office for their employee Joshua
6 Armendariz, A-R-M-E-N-D-A-R-I-Z, for a six-month
7 extension past the one-year requirement to June 8,
8 2016, in order to meet the requirements for
9 certification. Can somebody from Nye County here,
10 by chance? Okay, Scott, what do you have on that?

11 SCOTT JOHNSTON: Back on -- Scott Johnston
12 for the record. On March 11th we received a letter
13 that you guys have a copy of it in your book, from
14 the Nye County Sheriff requesting an extension, a
15 six-month extension, for their deputy Joshua
16 Armendariz. The facts on this is that he was hired
17 on December 8th of 2014, his one-year ended on
18 December 8th, 2015. The letter indicates that he is
19 currently attending their Category III Academy and
20 are not working at a law enforcement capacity due to
21 not meeting the one-year requirement. The six-month
22 extension would extend that timeframe to become
23 certified out to June 8th, 2016, which is my
24 understanding that that Academy will have been
25 completed by then. And that's the scope of the

1 information that we've received.

2 RON PIERINI: Okay, Scott, do you feel
3 comfortable with that? And Mike, you, too?

4 MICHAEL SHERLOCK: Mike Sherlock for the
5 record. The only thing I would say is if they're
6 not working on a peace officer status, I'm not sure
7 why they are asking for the extension, to be honest
8 with you. I -- we were under the impression that
9 they were going to be here, but -- so that's the
10 only thing I can say. I don't know anything about
11 the -- the particulars in this.

12 RON PIERINI: So, we're all right if we do
13 it.

14 UNIDENTIFIED MALE: Yes.

15 RON PIERINI: Okay. Any other comments
16 about this issue for Commission? How about to the
17 audience? Anybody in the audience want to comment
18 on that particular topic? Hearing none, okay,
19 looking for a motion.

20 RUSSELL PEDERSEN: Russ Pedersen. Move to
21 approve.

22 RON PIERINI: Thank you, sir. Second?

23 DAN WATTS: Dan Watts. Second.

24 RON PIERINI: We got two at the same time?
25 Dan, you're in charge. There you go. Any other

1 questions or comments? All in favor?

2 COMMISSIONERS: Aye.

3 RON PIERINI: Anybody opposed? So
4 carried. Okay, we'll go to Number 9, discussion,
5 public comment, and for possible action. Request
6 from the Nye County Sheriff's Office for their
7 employee Jose Cintron for a six-month extension past
8 the one-year requirement to June 29, 2016 in order
9 to meet the requirements for certification. Scott.

10 SCOTT JOHNSTON: Scott Johnston for the
11 record. This was a two-part process on the same
12 letter and received on -- letters drafted on March
13 11. We received a request from Sheriff Wehrly for a
14 six-month extension past the one-year requirement to
15 become certified for their deputy Jose Cintron. He
16 was hired on December 29th, 2014. His one-year
17 expired December 29th of '15. Letter indicates that
18 he is currently in the Category III Academy and not
19 working -- is not working in his law enforcement
20 capacity due to not meeting the one-year
21 requirement. Six-month extension would take that
22 time frame out to June 29th of 2016.

23 RON PIERINI: Okay. Any questions from
24 the Commission?

25 DAN WATTS: Dan Watts for the record. I

1 think -- what's the reasoning that all these are not
2 making -- making it in the time period? Do we have
3 any idea?

4 MICHAEL SHERLOCK: Mike Sherlock for the
5 record. I will tell you on -- on this particular
6 officer, they sent him to our Academy and he did not
7 complete our Academy. So they put him -- they had
8 to reevaluate him and put him through a Cat III
9 Academy. So I'm assuming that delayed the time
10 there, you know, coming up here, and then having to
11 go back down. I'm not -- I can't speak for the
12 other one because I'm not sure what the reasoning is
13 there.

14 DAN WATTS: I just think we just kind of
15 need to be careful on -- keep getting all these
16 extensions and we -- we need to start holding the
17 administrators accountable, I think, to get them
18 through.

19 RON PIERINI: I agree with you a lot, Dan,
20 because you've been with me a long time here on this
21 Commission. One of the things that we always tried
22 to talk about was that if you are asking for an
23 extension, they have to be here. There was some
24 real times years ago, probably 15 years ago, and I
25 remember when some of the Commissioners absolutely

1 emphatically said we're not going to do it unless
2 they show up. So, you know, I know that it's
3 difficult for some people to come. We know that.
4 And they, you know, some distance is a long ways.
5 And sometimes things can't, you know, we're --
6 especially in rural Nevada it's very difficult. A
7 good letter like that is -- is okay, but we really
8 need to look at the fact of having them here or have
9 a representative. It could be a sergeant. That
10 would be fine, too. It doesn't matter. So, you
11 know, we need to encourage that. And I don't know,
12 Mike, if we can send another letter to each one of
13 them and saying we're, again, if you're looking for
14 extension or if they ask us they going to do, maybe
15 a phone call to them we expect somebody here.
16 That's -- I think that's what we should do.

17 MICHAEL SHERLOCK: Yeah. I agree with
18 that. And just for the record, we -- we advise them
19 that they have to be here. We don't give them an
20 option. And, again, just assumed that they were
21 going to be here. I don't know why the sheriff is
22 not here.

23 RON PIERINI: You know, and I understand,
24 again, I don't want to be redundant, but if they say
25 there's a good reason they can't make it, I can

1 understand that better than not even getting a phone
2 call saying I'm not going to be here. That's --
3 that's the issue. So, I mean, it's up to the
4 Commission, whatever you wish to do on this
5 particular one.

6 UNIDENTIFIED MALE: They were here
7 yesterday at the meetings, too, so it's unfortunate
8 they didn't come today.

9 RON PIERINI: Okay, with that said,
10 anybody want to make a motion either way?

11 UNIDENTIFIED MALE: I'm still digesting
12 the fact -- he's asked for an extension just because
13 he hasn't taken the test? Is that -- is that what
14 it is? It's a PT test we're talking about?

15 MICHAEL SHERLOCK: No. Mike Sherlock for
16 the record. It's -- it's completion of the Academy.
17 Which is everything. But I believe graduation is
18 beyond their one year. They're already beyond their
19 one year, and so they're looking for that extension
20 to the point that they graduate from the Academy
21 that they are currently attending. The Cat III
22 Academy.

23 TROY TANNER: Troy Tanner for the record.
24 Again, so they didn't attempt to do it during the
25 entire year?

1 MICHAEL SHERLOCK: Again, with this
2 particular officer, they attempted to send them
3 through a Cat I Academy originally within the one
4 year.

5 TROY TANNER: Okay.

6 MICHAEL SHERLOCK: And then didn't make
7 the Academy and so they decided to put him through a
8 Cat III is my understanding. And the Cat III just
9 didn't start because they lost that time of being up
10 here attending our Academy.

11 RUSSELL PEDERSEN: And Russ Pedersen.
12 When -- when do you recall when he was removed from
13 your Academy or left your Academy?

14 MICHAEL SHERLOCK: It was --

15 RUSSELL PEDERSEN: Roughly.

16 MICHAEL SHERLOCK: September. Something
17 like that, would be a guess on that.

18 RUSSELL PEDERSEN: Thank you.

19 RON PIERINI: Okay.

20 UNIDENTIFIED MALE: I'll make a motion not
21 to approve it if no one else can make a motion. I'm
22 glad I'm doing it.

23 JAMES WRIGHT: Second. Jim Wright.

24 RON PIERINI: Thank you. Anybody else
25 want to make any comments?

1 MICHELE FREEMAN: I -- I just have one for
2 comment. Because this is the second one of the two,
3 right? So we already just approved the first one,
4 the (inaudible).

5 RON PIERINI: Yeah, it's a little
6 confusing with that, but we're getting a little
7 tired of it. You know, I'm not sure that it's right
8 to do one and not the other one. Yes, sir?

9 RUSSELL PEDERSEN: Russ Pedersen. The
10 difference, though, on this one is that, from your
11 memory, Jose Citron went through a Cat I was, for
12 whatever reason, unsuccessful for personal reasons
13 or whatever, where the Joshua was not part of that
14 Academy group. So it's a separate issue.

15 UNIDENTIFIED MALE: That's the way I
16 understood it.

17 MICHAEL SHERLOCK: Yeah, I believe that's
18 true. I don't believe the other one was in our
19 Academy. I got to tell you I'm not positive on
20 that. But, well, he was wasn't (inaudible).

21 KEVIN MCKINNEY: Kevin McKinney for the
22 record. Just reviewing this letter, seems very
23 vague. I don't know if we really have enough
24 information to, you know, is this -- is this a
25 department issue or is it the officer issue? I

1 don't know. And with them both being together, it's
2 hard to tell.

3 RON PIERINI: And that's exactly why, you
4 know, Kevin, that want people to be here.

5 KEVIN MCKINNEY: Yeah, it -- that makes
6 sense.

7 TROY TANNER: Troy Tanner for the record.
8 Can we bring up the other one and --

9 RON PIERINI: I was going to ask Mr.
10 Jensen that. Can we go back to that?

11 MICHAEL JENSEN: Yeah. Absolutely.

12 (Inaudible) so back have it start over again.

13 (Inaudible).

14 RON PIERINI: You guys have nothing else
15 to do anyway. So what we'll do -- I think that's a
16 good idea. (Inaudible) back to Number 9 if we
17 could.

18 MICHAEL JENSEN: Yeah, I would say you
19 probably need the person who made that motion to
20 withdraw (inaudible) motion previous.

21 RON PIERINI: Okay. So what we need to do
22 is go back to Number 8. Correct? And if we could
23 open that up again.

24 SCOTT JOHNSTON: Mr. Chairman, Scott --

25 RON PIERINI: And discuss that one more

1 time.

2 SCOTT JOHNSTON: Scott Johnston for the
3 record. The -- Number 8 the motion was made by
4 Commissioner Pedersen. So the way I understood
5 legal is he would have to withdraw that. Is that
6 correct?

7 MICHAEL JENSEN: Yep.

8 RON PIERINI: If you wish.

9 RUSSELL PEDERSEN: Yep. So Russ Pedersen.
10 After further discussion and -- and -- and
11 discussion regarding what past practice and -- and
12 what the feeling of the Board is for moving forward,
13 I will go ahead and change my --

14 RON PIERINI: Motion.

15 RUSSELL PEDERSEN: -- motion. Thank you.
16 And revert back and say I make a motion not to
17 approve.

18 RON PIERINI: Thank you. Who was the
19 second on that?

20 DAN WATTS: Dan Watts for the record. I
21 will rescind my second.

22 RON PIERINI: And how about the rest of
23 the Commission? Everybody okay with that?

24 MICHELE FREEMAN: Yes.

25 RON PIERINI: All right. So why don't we

1 redo that, the Number 8? If you'd like to do that
2 or --

3 RUSSELL PEDERSEN: Russ Pedersen. I make
4 a motion not to approve Joshua Armendariz dates --
5 request for extension.

6 TROY TANNER: Troy Tanner. Second.

7 RON PIERINI: Okay. Any other discussion?
8 Let's go back, maybe what we should do is ask the
9 public if they want to make a comment on it? Seeing
10 none, then all in favor?

11 COMMISSIONERS: Aye.

12 RON PIERINI: Anybody opposed? So
13 carried. Then we'll go to Number 9. And Scott, how
14 we doing on --

15 SCOTT JOHNSTON: We were at the point
16 where Mr. Tanner had made a motion, Commissioner
17 Wright had seconded it, but there was no follow up.
18 So it has not been voted on or we can change it.
19 We're at that point.

20 RON PIERINI: All right. So would we like
21 to start over with that motion?

22 UNIDENTIFIED MALE: I make a motion not to
23 approve the extension on Number 9.

24 UNIDENTIFIED MALE: Second.

25 RON PIERINI: Thank you. Any other

1 discussion? We should ask the public again. Seeing
2 none, all in favor?

3 COMMISSIONERS: Aye.

4 RON PIERINI: Anybody opposed? All right,
5 so carried. Thank you. So we're done with those
6 three.

7 UNIDENTIFIED MALE: Mr. Chairman, comment.
8 Maybe when we get these requests from the agencies
9 instead of doubling them up, because most likely
10 they're going to be different anyway, it would help
11 us determine, you know, the differences of these.
12 So maybe they need to send two agenda requests next
13 time and delineate the differences between the two.
14 That's what led my -- to my confusion on is what the
15 deal with them. So.

16 MICHAEL SHERLOCK: We can certainly do
17 that. And that's what the sheriff tried to do. She
18 sent that letter twice. You know. To get on the
19 agenda.

20 TROY TANNER: Troy Tanner for the record.
21 For sure make sure your staff encourages them to be
22 here so they can explain. They're really vague.
23 Like, he said, I have a hard time -- I went up and
24 down. There wasn't much attached, so there's not a
25 lot to draw from.

1 KEVIN MCKINNEY: Yeah, I mean -- Kevin
2 McKinney. I mean, you can see the difference
3 between the letter submitted by Washoe County
4 Juvenile Services. I mean, it was detailed, they
5 explained what the situation was, gave us good cause
6 to extend it versus this one.

7 UNIDENTIFIED MALE: And (inaudible).

8 RON PIERINI: Okay. So, yeah, that's what
9 we're going to do, we're going to work on that. We
10 can also, don't forget, we can always use a phone.
11 If they can't come here personally, we can use a
12 phone (inaudible). So we're going to go with Number
13 10 please. Discussion and public comment, and for
14 possible action. Request from the Justice Court, Las
15 Vegas Township for their employee Mark F. Castle,
16 for a six-month extension past the one year
17 requirement to September 3rd, 2016, in order to meet
18 the requirements for certification. And we actually
19 have a person here. Thank you.

20 TIM SHAY: Yeah, I'm going to be here now.
21 But hello, my name is Tim Shay and I'm the
22 supervising Marshall for the Las Vegas Justice
23 Court. And I have a person named Mark Castle. He's
24 a reciprocal from Virginia. He was a police officer
25 in Virginia. He'd be equivalent to a Category I.

1 He was also a trainer at the Northern Virginia
2 Police Law Enforcement Academy, which is the major
3 academy for the northern part of Virginia, if you're
4 familiar with Virginia.

5 Anyway, I put him through the physical
6 POST physical test multiple times. He has just
7 barely passed -- not passed every time. One sit up
8 short, one second short on a run. We couldn't
9 figure out what was wrong with him. He went to the
10 doctor, they found something wrong, but he had
11 surgery in January. I thought he was going to pass
12 long before this. He assures me he will once he
13 recovers. The doctor hasn't released him yet. Once
14 he is released, he will take the test every three
15 weeks until he passes. If he doesn't pass, I need
16 an extension. There's just absolutely nothing we
17 can do.

18 And I've made changes to the hiring
19 process so this will not happen again. They now
20 have to take the test as part of the hiring process
21 and pass at least the Academy entrance level. They
22 will then take it again three weeks after -- three
23 weeks after until they pass. So I'll never come
24 before you again and ask for something like this for
25 these conditions. I find it embarrassing. And your

1 staff was absolutely clear that I needed to be here
2 to talk to you. So.

3 RON PIERINI: And we appreciate that.
4 Thank you.

5 TIM SHAY: I would not have asked for such
6 a thing without coming in and seeing you all. So
7 anyway, that's where we're at with him. And we have
8 a critical staffing shortage. Otherwise, again, I
9 wouldn't be asking. As you all know, right now
10 there are a lot of agencies in the Las Vegas area
11 hiring and our young folks, they want to go be a cop
12 instead of hanging around a court. I don't blame
13 them. So they're leaving left and right.

14 RON PIERINI: Any questions that the
15 Commissioners have? How about to the public? Any
16 questions? Scott, what do you think? What do you -
17 - what do you got on yours?

18 SCOTT JOHNSTON: He's covered everything
19 in detail.

20 RON PIERINI: Okay. Good. So we're all
21 right? All right. Looking for a motion.

22 KEVIN MCKINNEY: Kevin McKinney. I move
23 we approve this six-month extension.

24 RON PIERINI: All right. Thank you.
25 Second?

1 UNIDENTIFIED MALE: Just a correct. This
2 says 16-week extension.

3 MICHAEL SHERLOCK: Mr. Chairman, for the
4 record, I can clarify that. It is a reciprocity and
5 under the regulations the reciprocity has 16 weeks
6 to pass the PT test. Mr. Shay already had gotten an
7 extension of that within the year, which was --
8 staff does that. So now he needs to extend the year
9 requirement, which is a separate regulation. It
10 gets confusing because of the reciprocity issue, is
11 16 weeks, but you do have a year to get certified
12 and he's looking to extend that here. He's already
13 gotten an extension on that 16-week PT test. So
14 he's looking for the six-month extension on the one
15 year.

16 TIM SHAY: He's passed the online POST in
17 lieu course. I can't give him the POST
18 certification test because he had to take the PT
19 test first. And then, had I known this, I would
20 have brought this to the November 5th meeting, but I
21 certainly thought he was going to pass. And then
22 when he didn't pass by November 5th, my extension
23 was still in force for the 16 weeks, but I couldn't
24 come before you before this meeting to ask for any
25 more of an extension. I find myself in a pickle.

1 TROY TANNER: Troy Tanner for the record.
2 So he's already had one extension is what you're
3 saying. This would be his second extension.

4 MICHAEL SHERLOCK: Unlike other hires that
5 the reciprocity is only 16 weeks and under the
6 regulations, the Executive Director can extend that
7 up to one year. Beyond the one-year they have to
8 come before you.

9 RON PIERINI: Okay, just to make sure
10 we're clear, we're within the regulations that we
11 have?

12 SCOTT JOHNSTON: Yes.

13 MICHAEL SHERLOCK: Yes.

14 RON PIERINI: Are we okay with that.

15 MICHAEL SHERLOCK: Yes.

16 RON PIERINI: If we do approve that, we're
17 not going outside the (inaudible).

18 MICHAEL SHERLOCK: Not at all.

19 UNIDENTIFIED MALE: What's the past
20 practice for you guys? How many extensions do you
21 give? Is it unlimited or --

22 MICHAEL SHERLOCK: We get -- internally,
23 we can only we can only do one. And that's within
24 that one-year requirement. It's really -- it's an
25 anomaly in the regulation, bottom line, because

1 everybody else has a year. These -- reciprocity
2 only has 16 week to do the PT test. That's the --
3 that's the anomaly in there and that's why you kind
4 of see these sometimes on reciprocity. You -- you
5 don't see these on regular hires, new hires, because
6 they -- you don't have that 16-week requirement.
7 They have one year. Difference is with reciprocity,
8 they still have one year only to be certified. And
9 so he was unable to complete that in one year even
10 with the extension of the 16 weeks. That's where
11 you guys come in, the Commission comes in and as the
12 authority to extend that another six months for them
13 to be able to complete that.

14 MICHELE FREEMAN: So, I'm sorry.

15 RON PIERINI: Go ahead. No, go ahead.

16 MICHELE FREEMAN: I have a clarity
17 question. Michele Freeman. So he's taken the
18 physical agility test several times and just barely
19 missed it?

20 TIM SHAY: Yes.

21 MICHELE FREEMAN: But it's a medical
22 condition?

23 TIM SHAY: Yes.

24 MICHELE FREEMAN: Because I'm feeling a
25 little conflicted with that statement.

1 TIM SHAY: Purely, yeah, purely medical.
2 He couldn't figure out what was wrong. Most of it
3 had to with abdominal. And he would miss by one
4 sit-up. He missed the -- the sprint -- 300-meter
5 sprint by a second. And he -- he failed. And they
6 found out what it was in December. He had surgery
7 in January. And the doctor said he should have a
8 complete recovery. He hasn't been released to take
9 the test yet. I'm hoping that's any day. And then
10 I'll start the process again every three weeks.

11 MICHELE FREEMAN: As I'm sensitive to the
12 medical issue, it just seems interesting to me that
13 he can almost get it. Because is it just that he
14 didn't condition himself? Or is it the medical
15 issue?

16 TIM SHAY: It's the medical issue. They -
17 - he had had a surgery previously where they severed
18 all the abdominal muscles from just below his
19 sternum down to below his beltline and he was having
20 trouble with the sit-ups. They had to reopen that
21 to get into where the problem was and that was in
22 January. So he's expected to be able to do it. The
23 doctor said he should be able to. I -- I don't
24 know.

25 TROY TANNER: Troy Tanner for the record.

1 Just one more time. I'm not trying to draw this
2 out, but I just want to make sure we're consistent,
3 not just with past practice, but we have several
4 contacts by e-mail that come up in the future, too.
5 I think we need to be consistent whatever we do.
6 You know, if we're going to do two extensions, one
7 extension, whatever it is because there's several
8 people that have come before us on extensions the
9 last few months and said hey, I want one more
10 extension and then they still haven't got physically
11 fit and we're going on two years. So I -- I tend to
12 want to stay with the regulation and have them -- I
13 just -- I'm not trying to be strict or mean. I just
14 want to be consistent. It's hard. Like we just
15 talked about in the last one, we, you know, we're
16 doing one for one and not for another. I just want
17 to be consistent. That's all I -- so that's why
18 past practice.

19 MICHAEL SHERLOCK: Yeah. Mike Sherlock
20 for the record. Again, it would only be one
21 extension. I don't want to confuse you with that 16
22 week. I know it's (inaudible). That's unusual, not
23 really an extension. It's just powers of the
24 Director here to allow that 16 weeks, but beyond
25 that, your authority is that one year and it would

1 only be one extension if you granted this. And only
2 one available. If that makes sense.

3 RUSSELL PEDERSEN: Russ Pedersen. It
4 sounds like we're, if we grant this extension, we're
5 really giving the same amount of time really as the
6 other individuals, because that first, quote,
7 unquote, extension was 16 weeks where,
8 theoretically, non -- out-of-state type stuff is a
9 one-year issue and we give them another six months
10 to 18 months. It sounds like we're still giving
11 approximately the same time if we grant this one.

12 MICHAEL SHERLOCK: Yes.

13 RUSSELL PEDERSEN: Even though it may be
14 two extensions you granting the first one at 16
15 weeks and then us as the second, but time-wise,
16 they're getting about the same amount of time.

17 MICHAEL SHERLOCK: Right. And --

18 RUSSELL PEDERSEN: If I'm understanding it
19 correctly,

20 MICHAEL SHERLOCK: Yes. And so to put it
21 in simple terms, no matter how you get certified in
22 the state of Nevada, with that extension would be --
23 the maximum is 18 months with the Commission's
24 approval. So it doesn't matter if it's reciprocity
25 or not. He's not getting any more than -- than any

1 other applicant for certification in the state of
2 Nevada with the extension it would be the same.

3 RUSSELL PEDERSEN: Thank you.

4 TROY TANNER: Troy Tanner. In saying
5 that, I'll second the motion.

6 RON PIERINI: Thank you. Do we have any
7 questions or comments? All in favor?

8 COMMISSIONERS: Aye.

9 RON PIERINI: Anybody opposed? Okay.
10 Thank you, sir.

11 TIM SHAY: Thank you very much.

12 RON PIERINI: Number 11. Discussion with
13 public comment and possible action. Request from
14 Henderson Police Department for their employee
15 Captain Michael Mattoon for an Executive
16 Certificate. I don't know if anybody from Henderson
17 is here to represent that? That's not really
18 required in any event. Scott, what do you have?
19 Scott, are you -- Mike?

20 MICHAEL SHERLOCK: Mike Sherlock for the
21 record. Staff received and reviewed the application
22 for an Executive Certificate from -- for Captain
23 Michael Mattoon of the Henderson Police Department.
24 Staff finds that all requirements under the NAC have
25 been met for the certificate and we recommend

1 awarding the Executive Certificate to Captain
2 Mattoon.

3 RON PIERINI: Thank you, Mike. Appreciate
4 that. Any comments, questions? How about in the
5 public? Anybody like to make comment on that
6 particular topic? Seeing none, looking for a
7 motion.

8 TROY TANNER: Troy Tanner. Motion to
9 approve Captain Michael Mattoon --

10 RON PIERINI: Thank you.

11 TROY TANNER: -- for Executive
12 Certificate.

13 JAMES KETSAA: Jim Ketsaa. Second.

14 RON PIERINI: All right, Chief, thank you.
15 Any other questions or answers -- comments? All
16 right. All in favor?

17 COMMISSIONERS: Aye.

18 RON PIERINI: Anybody opposed? So
19 carried. Thank you. I don't know about the next
20 one. Discussion, public comment, possible action.
21 Request from Washoe County Sheriff's Office Chief
22 Deputy Russell Pedersen for Executive Certificate.
23 And I understand you have to come up here.

24 RUSSELL PEDERSEN: I'd be more than happy
25 to, sir.

1 RON PIERINI: What we're doing. I
2 wouldn't do that. But, however, you do know that
3 you're not going to vote for yourself.

4 RUSSELL PEDERSEN: I will be abstaining,
5 sir.

6 RON PIERINI: All right. Mike, what do
7 you got?

8 MICHAEL SHERLOCK: Mike Sherlock for the
9 record. Staff received and reviewed the application
10 for an Executive Certificate for Chief Deputy
11 Russell Pedersen Washoe County Sheriff's Department.
12 Staff finds that all requirements under the NAC have
13 been met for the certificate and we recommend
14 awarding the Executive Certificate to Chief Deputy
15 Pedersen.

16 RON PIERINI: Thank you, sir. Any
17 questions or comments from the Commission? How
18 about to the public? Do we have a motion?

19 DAN WATTS: Dan Watts for the record.

20 MICHELE FREEMAN: Michele Freeman.

21 RON PIERINI: Okay, we got --

22 DAN WATTS: Defer to the -- to our new
23 member.

24 RON PIERINI: Okay.

25 DAN WATTS: I'll second.

1 MICHELE FREEMAN: Michele Freeman. Move
2 to --

3 RON PIERINI: Michele, are you second?

4 MICHELE FREEMAN: I'll second.

5 RON PIERINI: Are you first?

6 MICHELE FREEMAN: I'll first or second.

7 DAN WATTS: I gave her a first. I'll
8 second.

9 RON PIERINI: Okay. All right. All in
10 favor?

11 COMMISSIONERS: Aye.

12 RON PIERINI: And for the record --

13 RUSSELL PEDERSEN: For the record I will
14 abstain.

15 RON PIERINI: You didn't vote yourself.
16 Okay. Great. Okay. And then finally, I did see on
17 Number 13, you're up. All right, come on up.
18 Request from Reno Police Department their employee
19 Deputy Chief Tom Robinson for an Executive
20 Certificate. Thank you for coming today. We
21 appreciate that.

22 THOMAS ROBINSON: Thank you. Just for the
23 record, let me say that I'm glad I came.

24 RON PIERINI: All right. Mike, what do
25 you got?

1 MICHAEL SHERLOCK: Mike Sherlock for the
2 record. Staff received and reviewed the application
3 for an Executive Certificate for Deputy Chief Thomas
4 Robinson Reno Police Department. Staff finds that
5 all requirements under the NAC have been met for the
6 certificate and we recommend awarding the Executive
7 Certificate to Deputy Chief Robinson.

8 RON PIERINI: Would you like to make a
9 comment? You're welcome.

10 THOMAS ROBINSON: Boy, I didn't prepare
11 any comments. I just want to thank you all for the
12 consideration. I've worked hard to achieve this.
13 It's been important for my career to improve my
14 education and my training and it's an experience.
15 So this is something that I've strove to achieve and
16 I'm just happy to be before you. Thank you all for
17 your consideration.

18 RON PIERINI: Now as Executive Certificate
19 is the highest one that we do have, and it is one of
20 honor. So, yeah, you're right, it's really a neat
21 thing to have. All right, any comments from the
22 Commission? How about to the public? You don't
23 have any enemies out there, so --

24 THOMAS ROBINSON: Well, Russ. He's
25 sitting here just dying to --

1 RUSSELL PEDERSEN: I'm just dying to make
2 -- no.

3 RON PIERINI: Watch that guy. All right -
4 -

5 THOMAS ROBINSON: We had an agreement. If
6 I wouldn't get up for his, he wouldn't say anything
7 (inaudible).

8 RON PIERINI: Do I have a motion?

9 DAN WATTS: Dan Watts for the record. I
10 make a motion that we approve the Executive
11 Certificate for Deputy Chief Thomas Robinson.

12 RON PIERINI: All right. Thank you. And
13 James you did the second.

14 JAMES KETSAA: Second.

15 RON PIERINI: All right. Any other
16 discussion? All in favor?

17 COMMISSIONERS: Aye.

18 RON PIERINI: Anybody opposed?
19 Congratulations.

20 THOMAS ROBINSON: Thank you, sir. Thank
21 you all. Appreciate it.

22 RON PIERINI: We do have them -- we do
23 have them here.

24 MICHAEL SHERLOCK: Stay -- stay -- stay
25 around.

1 THOMAS ROBINSON: Okay, I will.

2 RON PIERINI: We have them here for you.

3 MICHAEL SHERLOCK: Get some pictures.

4 THOMAS ROBINSON: Thank you.

5 RON PIERINI: All right, we're going to go
6 on to Number 14 now. Request from Nevada Department
7 of Public Safety for employee Natalie Wood for
8 Executive Certificate. And I don't know. Jim.

9 JAMES WRIGHT: Due to -- due to
10 conflicting meetings Chief Wood could not be here
11 today.

12 RON PIERINI: Okay. We're okay with that.
13 All right, why don't we go with you, Scott?

14 SCOTT JOHNSTON: Mike.

15 MICHAEL SHERLOCK: Mike Sherlock for the
16 record.

17 RON PIERINI: I keep doing that. Sorry.

18 MICHAEL SHERLOCK: Staff received and
19 reviewed the application for an Executive
20 Certificate for Chief Natalie Wood Nevada Department
21 of Public Safety. Staff finds that all the
22 requirements under the NAC have been met for the
23 certificate and we recommend awarding the Executive
24 Certificate to Chief Wood.

25 RON PIERINI: Thank you. Any comments,

1 questions from the Commission? What about the
2 public? Seeing none, looking for a motion.

3 MICHELE FREEMAN: Michele Freeman. I'll
4 move to approve.

5 RUSSELL PEDERSEN: Russ Pedersen. Second.

6 RON PIERINI: Thank you. And I don't
7 know, Mr. Wright, if you're going to vote or not on
8 this?

9 JAMES WRIGHT: I kind of asked counsel. I
10 --

11 MICHAEL JENSEN: He can go either way.

12 JAMES WRIGHT: Yeah, I'll vote for it.

13 RON PIERINI: All right. All in favor?

14 COMMISSIONERS: Aye.

15 RON PIERINI: Anybody opposed? So
16 carried. Thank you. Number 15. All right. Here
17 we go. This is discussion, public comment, and also
18 for possible action. Hearing pursuant to NAC
19 289.290(1)(h) is revoking Ronald Hunt. Familiar
20 with the Nevada Department of Corrections
21 certification based on a felony conviction for
22 furnishing a controlled substance to a state
23 prisoner. The Commission will decide whether or not
24 Mr. Hunt's Category III Basic Certificate. So it's
25 up to you, Mr. Jensen.

1 MICHAEL JENSEN: Thank you, Mr. Chairman.
2 We had some new Commissioner training yesterday and
3 explained in that training that one of the things we
4 do as part of this -- this particular job is to put
5 on these different hearings for revocation. Just
6 for the new Commissioners understanding, we go
7 through the documents that we received in support of
8 the particular potential action that may be taken.
9 We do this so that we provide the -- the individual
10 who the action is being taken against due process to
11 appear and contest if they so desire. In all three
12 of these cases I don't believe that -- that any of
13 the individuals has indicated that they will be
14 appearing today at the hearing. So what I'll be
15 doing is going through the documents on each
16 individual case for your consideration.

17 First, with regards to Mr. Hunt's where
18 the Commission is acting pursuant to NRS 289.510.
19 It provides for the Commission to adopt regulations
20 establishing minimum standards for certification and
21 decertification of officers. Particular ground for
22 revocation, potential revocation here would be found
23 in NAC 289.290 which establishes that the Commission
24 can revoke, refuse or suspend a certificate --
25 certificate of an officer for a felony conviction.

1 And so, we'll go to the exhibits. Exhibit
2 A is the Notice of Intent to Revoke, which is
3 required both by the Commission statutes and by the
4 Open Meeting Law to let the person know that there
5 may be action taken against their POST certificate
6 today. That notice informs him of the law that
7 provides for -- for revocation for a felony
8 conviction, the time, place and location of this
9 particular hearing and his right to appear at the
10 hearing, the legal requirements that the Commission
11 has that he inform us if he intends to appear within
12 15 days of that service of that Notice of Intent.
13 It is my understanding he had not indicated his
14 intent to appear today. He was also told the scope
15 of the hearing was whether or not to revoke his
16 certificate for a felony conviction.

17 Exhibit B shows that he was served with
18 this Notice of Intent to revoke on March 23. And so
19 the Commission has complied with the legal
20 requirements both in your regulations and the Open
21 Meeting Law for providing notice of this potential
22 action today.

23 Exhibit C is the Personnel Action Report
24 from the agency that he worked for showing his
25 employment as a peace officer. He separated from

1 his employer effective some time ago, December 5th
2 of 2014.

3 Exhibit D is the Category III Basic
4 Certificate for Mr. Hunt.

5 And now get into the -- to the court
6 documents that deal with this particular crime
7 involved and conviction of this case. The first is
8 the information that is the charging document
9 against Mr. Hunt, which shows that he was originally
10 charged with one count of furnishing a controlled
11 substance to a state prisoner. The factual basis of
12 that charge was that he attempted to furnish
13 marijuana to a particular prisoner in the High
14 Desert State Prison and were actually furnished
15 marijuana to a second prisoner at that same prison,
16 which is a Category B felony.

17 The next document is a certified copy of
18 his guilty plea agreement showing that he agreed to
19 plead guilty to furnishing a controlled substance to
20 a state prisoner. The terms of that agreement were
21 that the state would not oppose probation at the
22 time of sentencing and that they would jointly
23 recommend probation be set for a three-year term.
24 Also the state and the defendant agreed that upon
25 successful completion of probation that the state

1 wouldn't oppose his motion to withdraw the plea in
2 favor of entering a plea to conspiracy to furnish, a
3 gross misdemeanor.

4 The next document is the -- a Judgment of
5 Conviction showing that he, in fact, was convicted
6 of the felony of furnishing controlled substance to
7 a state prisoner committed on September -- on or
8 about September 1st, 2014. Through that he was
9 sentenced to a maximum of 30 months, a minimum of 12
10 months. He -- that was suspended. He was placed on
11 probation for a fixed term of three years with
12 certain terms and conditions.

13 You also have with that the order that
14 admits him to probation, which contains a number of
15 different conditions, which are clearly inconsistent
16 with being a police officer. Including not being
17 able to associate with individuals who might be on
18 probation or have felonies and not to possess
19 weapons or have access to weapons.

20 I'd ask, Mr. Chairman, that we -- that you
21 would make those exhibits part of the record for any
22 action that may be taken by the Commission.

23 RON PIERINI: Yes, I will.

24 MICHAEL JENSEN: Based on the -- the
25 evidence that shows that Mr. Hunt has been convicted

1 of a serious felony conviction, it's for furnishing
2 a controlled substance to people who are in prison,
3 inmates in prison. Clearly, that's a very serious
4 charge for an individual who's in the position to be
5 able to do that. And clearly violates the trust
6 that was placed in him as a peace officer by the
7 public, by his agency. And the recommendation would
8 be that his POST certificate be revoked.

9 RON PIERINI: Thank you, Mr. Jensen. Any
10 questions from the Commission? And the public?
11 Anybody out there in the audience would like to make
12 a comment on this particular topic. Okay.

13 (Inaudible) for a motion.

14 DAN WATTS: Dan Watts for the record. I
15 make a motion that we revoke the POST certificate of
16 Ronald Hunt.

17 RON PIERINI: Thank you, Dan. Do we have
18 a second?

19 RUSSELL PEDERSEN: Russ Pedersen. Second.

20 RON PIERINI: All right. I have a second.
21 Any other questions or comments? All in favor?

22 COMMISSIONERS: Aye.

23 RON PIERINI: Anybody opposed? So
24 carried. Thank you. Go on to Number 16.
25 Discussion, public comment, and for possible action.

1 Hearing pursuant to NAC 289.290(1)(e) on the
2 revocation of Michael Kitchen formerly of the Las
3 Vegas Metro Police Department certification based on
4 a gross misdemeanor convicted of attempted theft.
5 The Commission will decide whether to revoke Mr.
6 Kitchen's Category I Basic Certificate. Mr. Jensen.

7 MICHAEL JENSEN: Thank you, Mr. Chairman.
8 Again, we'll go through some documentation that was
9 received from the courts and the agency in support
10 of any action that the Commission may take today.
11 The NRS section supporting the action is the same as
12 the previous, which is NRS 289.510 where the
13 Commission is given authority to set regulations for
14 the decertification of peace officers. And the
15 specific ground for potential revocation would be
16 NAC 289.290, which establishes under Section (1)(e)
17 that a person's POST certification can be revoked or
18 suspended for a conviction or plea of guilty or no
19 contest to a gross misdemeanor.

20 The exhibits that I would present today in
21 support of any action taken by the Commission, we
22 would look at first Exhibit A, again, is the Notice
23 of Intent to Revoke. You can see that that's -- is
24 Exhibit A under the tab for this particular action.
25 It again, informs Mr. Kitchen that the Commission

1 intends to initiate action to revoke his Basic
2 Certificate and informs him of the information on
3 the conviction on which any revocation action would
4 be based. Which, in this case, is -- is a count of
5 attempted theft in violation of NRS 193.330. It's a
6 felony gross misdemeanor crime out of the District
7 Court in Clark County. It informed him of his
8 opportunity to attend this hearing today and the
9 need to inform the Commission within 15 days if he
10 intends to do so. It's my understanding, again, on
11 this particular one that Mr. Kitchen did not request
12 to be here and contest the action today.

13 The scope of the hearing today would be
14 whether his POST certification should be revoked for
15 a plea of guilty or conviction for gross
16 misdemeanor.

17 Exhibit B is the affidavit showing that he
18 received notice of this potential action today. It
19 shows that he was served with that on March 7th of
20 2016, which shows that the Commission complied with
21 all the legal requirements for notice.

22 Exhibit C is the Personnel Action Report
23 showing Mr. Kitchen separated from his employment as
24 a peace officer effective October 5th of 2015.

25 Exhibit D is the Basic Certificate for Mr.

1 Kitchen for a Category I Basic Certificate.

2 Exhibit E is the -- are the beginning of
3 the court documents showing the -- the original
4 charge. Mr. Kitchen was charged with a number of
5 counts as you can see in that certified copy of the
6 information. It began with charges of battery with
7 intent to commit sexual assault resulting in bodily
8 harm, attempted sexual assault is another felony
9 account, battery with intent to commit a crime,
10 another felony count and robbery, another felony
11 account for conduct that occurred in January of 2015
12 -- is alleged to have occurred in January of 2015.

13 Exhibit F is the Amended Information.
14 From all of those original charges, the information
15 was amended to attempted theft, a Category E felony
16 gross misdemeanor. Again, it states that on -- on
17 or about January 22nd of 2015, Mr. Kitchen did
18 willfully, knowingly, feloniously and without lawful
19 authority attempt to obtain money in the amount of
20 \$650 or more belonging to DT who from the context
21 appears to be a prostitute, for material
22 misrepresentation with intent to deprive a person of
23 that property by attempting to take money in the
24 amount of \$100 from that individual.

25 The next exhibit is the certified copy the

1 guilty plea agreement again showing that Mr. Kitchen
2 agreed to plead pursuant to Alford, which is
3 essentially a no contest plea to the charge of
4 attempted theft. He -- the parties stipulated that
5 this would be treated as a gross misdemeanor as
6 opposed to a felony and it's -- if defendant
7 successfully completed probation that he would be
8 allowed to withdraw the plea to the gross
9 misdemeanor and plead to a misdemeanor.

10 Exhibit H is the -- the conviction
11 document showing that he, in fact, was convicted of
12 attempted theft which is treated in this case as a -
13 - as a gross misdemeanor. It shows that he was
14 sentenced to 364 days in the Clark County Detention
15 Center. That was suspended. He was placed on
16 probation for indeterminate period. Those
17 conditions of probation, again, include terms that
18 are inconsistent with working as a peace officer
19 including non-association with felons or individuals
20 who are on parole or probation and, again, the
21 restriction on possessing or access to weapons.

22 And those are the -- all of the court
23 documents and employment documents related to this
24 case. I would ask that those be made a part of the
25 record to -- in support of any action the Commission

1 may take today.

2 RON PIERINI: Absolutely. Accepted.

3 MICHAEL JENSEN: The evidence in those
4 documents shows that Mr. Kitchen pled guilty
5 pursuant to Alford, to the gross misdemeanor in
6 connection with conduct involving attempting to
7 steal money from an individual. This is, again,
8 very serious conduct that is inconsistent with being
9 a peace officer and acting as a peace officer in the
10 future and would recommend that Mr. Kitchen's
11 certificate be revoked.

12 RON PIERINI: Thank you. Any questions
13 from the Commission? How about to the public?
14 Okay.

15 KEVIN MCKINNEY: One quick question.

16 RON PIERINI: Sure.

17 KEVIN MCKINNEY: Kevin McKinney. Part of
18 the plea agreement is that later on he can actually
19 withdraw his plea to gross misdemeanor to -- lower
20 it to a misdemeanor. Will that affect the
21 certification revocation?

22 MICHAEL JENSEN: No, in fact, probably a
23 year ago the regulations were changed to provide the
24 individuals whose POST certification could be
25 revoked for guilty plea or no contest plea to a --

1 to a felony or gross misdemeanor. And so it doesn't
2 affect your authority to be able to take that action
3 just based on a plea. It appears here, though, that
4 he actually -- the -- there was an actual entry of a
5 conviction for the gross misdemeanor. So that would
6 be at the end of the process, he would have to come
7 back and make a motion to have that withdrawn.

8 KEVIN MCKINNEY: Thank you.

9 RON PIERINI: Okay, any -- we're looking
10 for a motion, I guess.

11 UNIDENTIFIED MALE: Motion to (inaudible).

12 RON PIERINI: Okay, we got a --

13 MICHELE FREEMAN: Michele Freeman.
14 Second.

15 RON PIERINI: First and second. Okay.

16 Any other discussion? All in favor?

17 COMMISSIONERS: Aye.

18 RON PIERINI: Anybody opposed? So
19 carried. Okay, Number 17. Discussion, public
20 comment, and for possible action. This hearing
21 pursuant to NAC 289.290(1)(e) for revoking Jessie
22 Fikes formerly of Nevada Department of Corrections
23 certification based on a gross misdemeanor
24 conviction for open and gross lewdness. The
25 Commission will decide whether to revoke Mr. Fikes'

1 Category III Basic Certificate. Mr. Jensen.

2 MICHAEL JENSEN: Thank you, Mr. Chairman.

3 This is the final of the three. I won't put you
4 through any more pain after this one in terms of
5 having to listen to me. This is the time and place
6 scheduled for the hearing for potential revocation
7 of Mr. Jessie Fikes' POST certification. Same
8 authority underlying any action taken by the
9 Commission. In this specific case it would be based
10 on NAC 289.290 Section (1)(e), again, authorizing
11 revocation or suspension for a plea of guilty or
12 conviction to a -- or no-contest to a gross
13 misdemeanor.

14 Just to go through the documents that any
15 action being taken today would be based on. We
16 start with the Notice of Intent which shows that Mr.
17 Fikes was notified of the Commission's intent to
18 initiate action to revoke his Basic Certificate,
19 again, informing him of the law that provides for
20 that to take place in the particular conviction
21 which is a conviction for open or gross lewdness, a
22 gross misdemeanor in violation of NRS 201.210, his
23 ability to appear at this hearing today, the time,
24 place and location of this hearing. It's my
25 understanding that he did not contact the Commission

1 to appear today.

2 The scope of this hearing is whether or
3 not his POST -- Mr. Fikes' POST certification should
4 be revoked for a plea of guilty or -- or no contest
5 to that gross misdemeanor, open and gross lewdness.

6 Exhibit B is our proof of service on Mr.
7 Fikes, which shows that he received this Notice of
8 Intent to Revoke on February 26, 2016, which
9 complies with all legal requirements for notice for
10 this particular hearing and any action taken by the
11 Commission.

12 Exhibit C is the Personnel Action Report
13 which shows that Mr. Fikes separated employment with
14 his agency effective, again, some time ago in May of
15 2014.

16 Exhibit D is his Category -- I believe
17 it's Category III POST Basic Certificate, which
18 would be the certificate that action would be taken
19 against today if any.

20 The court documents begin with Exhibit E.
21 The original information has a number of counts
22 which you can see begin with child abuse or neglect
23 of a child under age 14 causing substantial mental -
24 - mental harm and unjustifiable pain. You can see
25 in looking at those documents each of those relates

1 to sexual conduct with that -- with that juvenile.

2 Exhibit 2 -- or Count 2 is lewdness with a
3 child under 14. Count 3 is child abuse or neglect
4 of a child under age 14. And you can see -- I won't
5 read through the allegations. Basically, it's
6 sexual conduct with a juvenile.

7 Exhibit 4 is the lewdness count with a
8 child under 14. Again, if you -- you can read
9 through and see that that involved some sexual
10 conduct and touching of a -- of a child, a juvenile.

11 The next exhibit is Exhibit F, which is
12 the Amended Information, which is two counts.
13 You'll see in this case it actually went through two
14 amended informations. The first he was -- the
15 charges were reduced down to lewdness with a child
16 under 14 and two counts of lewdness with a child
17 under 14. And finally, the information that he
18 ended up pleading guilty no contest under Alford,
19 too, was a Second Amended Complaint which is Exhibit
20 G, the open or gross lewdness count. Again, you can
21 see the -- the allegation there is sexual in nature
22 with this juvenile, a gross misdemeanor.

23 Exhibit H is the no-contest plea pursuant
24 to Alford. Again, in our context the no contest
25 plea doesn't matter. It's still a plea of guilty

1 under -- under Alford. And he's agreeing to plead
2 guilty to that gross misdemeanor of open or gross
3 lewdness. The parties agree that he would be
4 sentenced to time served as a recommendation from
5 the parties.

6 The final document is the judgment
7 sentence. That particular judgment shows that he
8 was convicted of open or gross lewdness with that
9 individual, that juvenile. He received a sentence
10 of 364 days which was time served for him in -- in
11 the White Pine County Jail and was required to pay a
12 fine of \$1,000.

13 And the final document that's part of that
14 exhibit shows that he was given credit against his
15 fine for additional time past that 364 days that he
16 served in jail. So -- to cover the fine.

17 This particular case, I think, is pretty
18 straightforward in terms of the kind of conduct
19 involved. So that it's clearly inconsistent with
20 anyone who is a peace officer or who wishes to be a
21 peace officer in the future. Serious inability to
22 control himself and serious adverse effects on a
23 juvenile. So I would recommend that his POST
24 certification be revoked and that his conduct has
25 disqualified him from being able to act as a peace

1 officer in the future.

2 RON PIERINI: I also want to mention that
3 the exhibits are approved (inaudible). Any
4 questions from the Commission? How about in the
5 public? I'm looking for a motion.

6 TROY TANNER: Troy Tanner. I make a
7 motion to revoke Mr. Fikes' Category III Basic
8 Certificate.

9 RON PIERINI: Thank you, Chief. Do I have
10 a second?

11 JAMES WRIGHT: Jim Wright. I'll second.

12 RON PIERINI: Thank you. Any other
13 questions or comments? All in favor?

14 COMMISSIONERS: Aye.

15 RON PIERINI: Anybody opposed? So
16 carried. Thank you. Okay, Number 18 is the comment
17 -- public comments. This is, obviously, items that
18 -- that we can't take action on. Is there anybody
19 in the audience that would like to make a question
20 or a comment here? All right, seeing none, we're
21 going onto the scheduling of upcoming Commission
22 meeting, which I imagine will be in July. It will
23 be in Dan Watt's country.

24 DAN WATTS: Come on down.

25 RON PIERINI: And so I guess that's what

1 we're going to be doing, isn't that true, Mike?

2 MICHAEL SHERLOCK: At this point we
3 haven't been able to confirm with Bob Roshak on
4 which day and what's available, but it will be in
5 conjunction with the Sheriffs and Chiefs.

6 RON PIERINI: Usually it's on the third
7 week of July. So kind of count on that pretty much
8 I think.

9 MICHAEL SHERLOCK: And then depending on,
10 you know, what rooms he has and what -- which day,
11 we'll get a notice out on that.

12 RON PIERINI: Okay. We can't do really a
13 motion on that because we don't have a date, so
14 we're fine with that. But I do have to have a
15 discussion, public comment, possible action for
16 adjournment. So who had -- who wants to do that?
17 Dan, you do want that, right? A motion.

18 UNIDENTIFIED MALE: Go ahead, I'll let you
19 make the motion.

20 DAN WATTS: I move we adjourn.

21 RON PIERINI: Okay and second.

22 RUSSELL PEDERSEN: Russ Pedersen. Second.

23 (Several people speaking at the same
24 time.)

25 RON PIERINI: Okay, thank you.

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(MEETING ADJOURNED AT 10:07 a.m.)

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C-E-R-T-I-F-I-C-A-T-I-O-N

I certify that the foregoing is a true and accurate transcript of the electronic audio recording from the meeting in the above-entitled matter.

Michele Boyles
Trustpoint Reporting

5/16/16

DATE

AGENDA ITEM 4

INFORMATION

4. Executive Directors Report

- A. Training Division update
 - a. Statewide lesson plans
 - b. Reserve Officer Training Program
 - c. Academy structure focus change and curriculum update
- B. Standards Division
 - a. Academy audits on schedule budget concerns remain
 - b. Inspection function to move from single focus to a general focus on all requirements
- C. Administration Division
 - a. Continue to look at personnel assignments
 - b. PAM manual progressing
 - c. Budget
- D. National Issues
 - a. NCP
 - b. Use of Force Model policy

AGENDA ITEM 5

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

5. Discussion and possible action to establish the Commission's interpretation of NAC 289.300 which sets the standards for certification and operation of basic training courses presented by law enforcement agencies or other entities approved by the Commission. The Commission to discuss, and possibly take action, to determine whether it will interpret NAC 289.300(1), which permits an entity approved by the Commission to present basic training courses, to include private, non-governmental, entities.

AGENDA ITEM 5

NAC 289.015 “Agency” defined. (NRS 289.510) “Agency” means an agency of the State or of a local government which employs one or more persons as peace officers.

(Added to NAC by Peace Officers’ Standards & Training Com., eff. 12-17-87)—
(Substituted in revision for NAC 481.011)

NAC 289.025 “Basic training course” defined. (NRS 289.510) “Basic training course” means a curriculum of basic training for peace officers that meets the minimum standards established by this chapter.

(Added to NAC by Peace Officers’ Standards & Training Com., eff. 12-17-87; A by Peace Officers’ Standards & Training Comm’n by R066-03, 12-4-2003)

NAC 289.300 Basic training courses. (NRS 289.510, 289.590)

1. The Executive Director shall certify basic training courses presented by agencies or approved by the Commission which meet the following requirements:

(a) The length of the course must meet the minimum standards for training established by the Commission.

(b) A person enrolling in the course must be required to pass a physical fitness examination not sooner than 30 days before the commencement of the course and not later than 14 days after the commencement of the course. To pass such a physical fitness examination, the person must:

(1) For category I and reserve training:

(I) Complete a vertical jump of not less than 11.5 inches.

(II) Complete not less than 24 sit-ups in 1 minute.

(III) Complete not less than 18 push-ups.

(IV) Run 300 meters in not more than 1 minute and 22 seconds.

(V) Walk or run 1.5 miles in not more than 20 minutes and 20 seconds.

(VI) Complete an agility run in not more than 23.4 seconds.

(2) For category II training:

(I) Complete a vertical jump of not less than 12 inches.

(II) Complete not less than 23 sit-ups in 1 minute.

(III) Complete not less than 12 push-ups.

(IV) Run 300 meters in not more than 1 minute and 36 seconds.

(V) Walk or run 1.5 miles in not more than 24 minutes and 10 seconds.

(VI) Complete an agility run in not more than 24.9 seconds.

(3) For category III training:

(I) Complete a vertical jump of not less than 12 inches.

(II) Complete not less than 16 push-ups.

(III) Run 300 meters in not more than 1 minute and 29 seconds.

(IV) Walk or run 1.5 miles in not more than 21 minutes and 10 seconds.

(V) Complete an agility run in not more than 24.5 seconds.

(c) Each course submitted to the Executive Director for certification must have a curriculum that contains the following elements:

(1) Each topic of instruction for which the Commission has not established standardized performance objectives must have specifically defined objectives for the performance of the students which are based upon known work requirements;

(2) Each topic of instruction for which the Commission has established standardized performance objectives must include, at a minimum, the standardized performance objectives established by the Commission;

(3) Each topic of instruction must have a detailed lesson plan that specifically describes what the student is taught; and

(4) Each topic of instruction must be assigned a specific amount of time.

(d) Each course must employ performance-oriented instructional methods that provide opportunities for each student to demonstrate achievement of the objectives.

(e) For each course, there must be a system of written or practical examinations, or both, that will measure on a pass or fail basis the success of each student in achieving the objectives, including an examination at the beginning and end of each course.

(f) Each agency submitting a course for certification shall provide an instructional facility that meets the following requirements:

(1) A classroom with adequate heating, cooling, ventilation, lighting and space and an environment conducive to learning;

(2) Comfortable chairs with tables or arms for writing;

(3) Audiovisual equipment necessary to support the course;

(4) Instructional films and videotapes necessary to support the course; and

(5) A firing range adequate to train officers safely in the use of firearms.

(g) If an agency authorizes the use of the carotid restraint or the lateral vascular neck restraint, the course must include at least 8 hours of instruction in that restraint and include presentations on the use of force, the rules of the agency relating to safety, medical implications, approved techniques, and instruction on care and control measures. The course provided by such an agency must also include a written test of at least 10 questions requiring a minimum score of 70 percent and a proficiency test requiring a minimum score of 85 percent. The agency shall maintain records of each student's performance in the course.

2. Certification of courses will be made and maintained on the basis of on-site inspections conducted by the Executive Director or the staff of the Executive Director. Inspections will be conducted at the discretion of the Executive Director. The agency shall notify the Executive Director of any proposed changes regarding courses, instructors and facilities.

3. The Executive Director shall deny, suspend or revoke the certification of any course for failure of the agency to maintain the minimum curriculum, qualified instructors or requirements for the facility established by the Commission. The

Executive Director shall automatically suspend the certification of a course that ceases operation for 24 consecutive months.

4. An agency requesting certification of a course shall make the request in writing to the Executive Director at least 60 days before the course is scheduled to begin. The training course must be reviewed and the request signed by the administrator of the agency and the legal adviser. The Executive Director shall acknowledge receipt of the request within 5 working days. The Executive Director shall respond with a detailed review of the course within 30 days and rule on the request within 45 days after receipt of the request.

[Peace Officers' Standards & Training Com., § VII, eff. 5-7-82]—(NAC A 12-17-87; 8-24-90; 4-28-94; R024-97, 10-1-97; R169-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R005-01, 11-1-2001; R100-02, 11-12-2002; R166-05, 6-1-2006, eff. 1-1-2007; R118-09, 1-28-2010)

REVISER'S NOTE.

The regulation of the Peace Officers' Standards and Training Commission filed with the Secretary of State on January 28, 2010 (LCB File No. R118-09), which amended this section, contains the following provision not included in NAC:

“1. The amendatory provisions of sections 3 and 7 of this regulation [NAC 289.200 and 289.205] apply only to a person who enrolls in any peace officer training course required pursuant to section 7 of this regulation [NAC 289.200] on or after January 28, 2010.

2. The amendatory provisions of section 9 of this regulation [NAC 289.300] apply only to a basic training course that begins on or after January 28, 2010.”

COMMISSION MEETING WORKSHOP
09/26/2002

9/26/02

WORKSHOP 16

1 JOE CALLO: Joe Callo. Thank you, Mr. Jensen, for your
2 help, and, sheriff, we're all okay with that in this room at this time.

3 GENE HILL: Thank you, Mr. Callo. Carson City, any
4 additional comments?

5 GLEN WHORTON: No.

6 GENE HILL: Thank you, Carson City. Elko, any
7 ~~X~~ comments out of Elko? Hearing none, we shall move on. Next one
8 is item E, amend to modify language allowing the Commission to
9 approve courses of basic training and moves the state physical-fitness
10 standards from this section to NAC 289.200 as a housekeeping
11 measure to move all physical-fitness standards to one section.
12 Director Clark, would you expound on that?

13 DICK CLARK: Thank you, Mr. Chairman. Dick Clark for
14 the record. This again is merely a housekeeping issue. We're
15 changing some verbiage to ensure that the Commission does have
16 the -- the ability to sponsor and present courses of basic training.

17 GENE HILL: Thank you, director. Carson City, any
18 comments?

19 GLEN WHORTON: Not at this time, thank you.

20 GENE HILL: Thank you. Las Vegas, any comments?

21 JOE CALLO: Yes. One comment, Joe Callo.

22 CSABA MACZALA: This is Csaba Maczala, Las Vegas
23 Metro PD training academy. I'm sorry, I need to go back for one
24 moment because I don't have the proper documentation in front of
25 me. 289.200 Subsection 4 where it addresses that if an individual

COMMISSION MEETING
09/26/2002

9/26/02

1 motion passes. Okay.

2 DICK CLARK: The last ones are going to go quicker.

3 GENE HILL: Let's go to -- let's go to section E. Amend
4 to modify language allowing the Commission to approve courses of
5 basic training and moves the state physical-fitness standards from this
6 section to NAC 289.200 as a housekeeping measure to move all
7 physical-fitness standards to one section. Director Clark, I'll refer this
8 to you.

9 DICK CLARK: No clarification I don't believe is needed
10 on this. It's straight forward just as you've read it.

11 GENE HILL: Thank you, sir. Las Vegas, any discussion?

12 APRIL LAVERGNE: No discussion in Las Vegas.

13 GENE HILL: Thank you, Las Vegas. And we have
14 Carson City up on the monitor but there doesn't appear to be anybody
15 in the room. So we'll move from Carson City in Elko. Any discuss?
16 Hearing no discussion I would enter -- let's see. I'll call for the vote.
17 All in favor say aye.

18 COMMISSIONERS: "Aye."

19 GENE HILL: All opposed say no. The ayes have it.

20 Motion carries. Moving to section F.

21 JOHN DOTSON: Did we have a motion (inaudible)?

22 LOU PASCOE: We didn't have a motion.

23 JOHN DOTSON: Who made the motion?

24 GENE HILL: Oh, I'm sorry. Did I -- you know, it's been
25 a long, hard day here. I'm glad somebody's got me pulled into order

COMMISSION MEETING
07/25/2002

1 meeting.

2 GENE HILL: Thank you, Mr. Clark. Any further
3 discussion? Hearing none, I'll call for the question. All in favor
4 say aye.

5 COMMISSION MEMBERS: "Aye."

6 GENE HILL: Any opposed? Any abstentions? So
7 moved.

8 MARSHALL EMERSON: Mr. Chairman, thank you very
9 much. I appreciate it.

10 GENE HILL: Thank you, gentlemen. And since we're at
11 item 8B, let's move backwards to 8A. We'll finish section 8 while
12 we're here. And this is the Commissions' Activities Bureau
13 Supervisor's report.

14 GORDON WALDAIAS: Thank you, Mr. Chairman. For
15 the record Gordon Waldaias. 8A discuss proposed language and staff
16 request to approval -- for approval to proceed with the rule-making
17 process to amend NAC 289.300, Section One, to allow the Executive
18 Director to certify basic training courses presented by agencies and/or
19 sponsored by the Commission.

20 For the record, 289.300 currently is in the rule-making process.
21 There has been an addition to that, which has gone to the Legislative
22 Counsel Bureau. The change made in Section One gives the P.O.S.T.
23 Executive Director the authority to certify basic courses presented by
24 agencies and/or sponsored by the Commission. And now I'll defer to
25 Mr. Clark.

1 DICK CLARK: Thank you.

2 GENE HILL: Mr. Clark, you go right ahead.

3 DICK CLARK: Thank you, Mr. Chairman. For the record
4 Dick Clark. A couple of issue on this specific request to enter the
5 rule-making process to change the NAC verbiage.

6 First, because of the wording here, the verbiage, you know,
7 we're always picking up those areas that are weak points or that we
8 need to patch up over the years and when things come to light we try
9 and do that. This specific section, the NAC says that we, the
10 Commission, can certify or the Executive Director can certify courses
11 presented by agencies.

12 Well, agencies -- technically an agency is a law enforcement
13 entity or agency within the state of Nevada. So that poses a bit of a
14 problem because we, the P.O.S.T. Commission, put on an academy
15 and we are not an agency. We are not a law enforcement agency.
16 So that language needs to be rectified to make sure that we can
17 present and sponsor trainings that -- that are appropriate and that
18 we're allowed to do that by the NAC. So that needs to be patched
19 up.

20 There is another issue, too, and I'll go more into depth with it
21 when I give my report, but it has to do with an agency of the state of
22 Nevada. It would be difficult for us to accommodate a training
23 program, which we are entering into with the Nevada Police Corps
24 program, which is going to be a regional training situation that's going
25 to be done in Utah. The training and the curriculum will be identical

AGENDA ITEM 6

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

6. Request from the Nevada Department of Public Safety for their employee Captain Charles Powell for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

POST ID#

13183

Officer's Name

Powell Charles E

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

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

Meets the following requirements:

Intermediate (NAC 289.240)

Has an Intermediate Certificate and meets the following requirements:

Advanced (NAC 289.250)

Meets the following requirements:

Supervisor (NAC 289.255)

Has Advanced and Supervisor Certificates and meets the following:

Management (NAC 289.260)

Has a Management Certificate and meets the following:

Executive (NAC 289.270)

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

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:

Tanya Drew

Submitters Phone:

(775) 687-1610

Submitters E-Mail:

tdrew@dps.state.nv.us

Submission number: 29346

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

Education

Credit Hours

Date Achieved

Approved By:

Comments:

Certification Date:

Brian Sandoval
Governor



James M. Wright
Director

Jackie Muth
Deputy Director

Director's Office

555 Wright Way
Carson City, Nevada 89711-0525
Telephone (775) 684-4808 • Fax (775) 684-4809

July 22, 2016

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

Dear Mike,

I am writing this letter in support of Captain Charles E. Powell's application for the Executive P.O.S.T. Certificate. For the past year, Captain Powell has held an executive level position with the Nevada Highway Patrol as the Commander for the Northern Command East. The Northern Command East is one of three major commands of the Highway Patrol and is a significant geographic area that contains 93 of the division's 569 employees. I have reviewed Nevada Administrative Codes 289.270 and 289.047 and verify that Captain Powell meets the minimum requirements.

Captain Powell has the authority to develop and submit for approval both department policy and division directive. Captain Powell has vast experience writing and developing department policy to include the records management and retention, mobile data computer and the division directive on body worn cameras.

As the regional executive position, Captain Powell participates in and/or administers the regional biennial budget to ensure adequate funding and budget compliance. To complete this task, he is responsible for evaluating the effects of approved funding and programs against submitted requests. Additional responsibilities require this position to determine and approve adjustments to previously planned programs, activities and priorities; report problem areas and provide alternative solutions with impact statements.

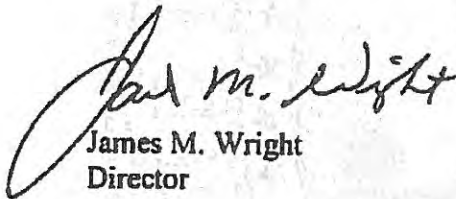
Captain Powell manages commissioned and civilian personnel to ensure law enforcement and support activities are performed efficiently and effectively. These duties require this position to direct personnel deployment and assignments to ensure compliance with laws, regulations, policies and procedures and divisional and departmental needs.

Captain Powell's position also reviews, recommends, administers discipline and accommodations/awards from subordinate supervisors through guidance, counseling and leadership.

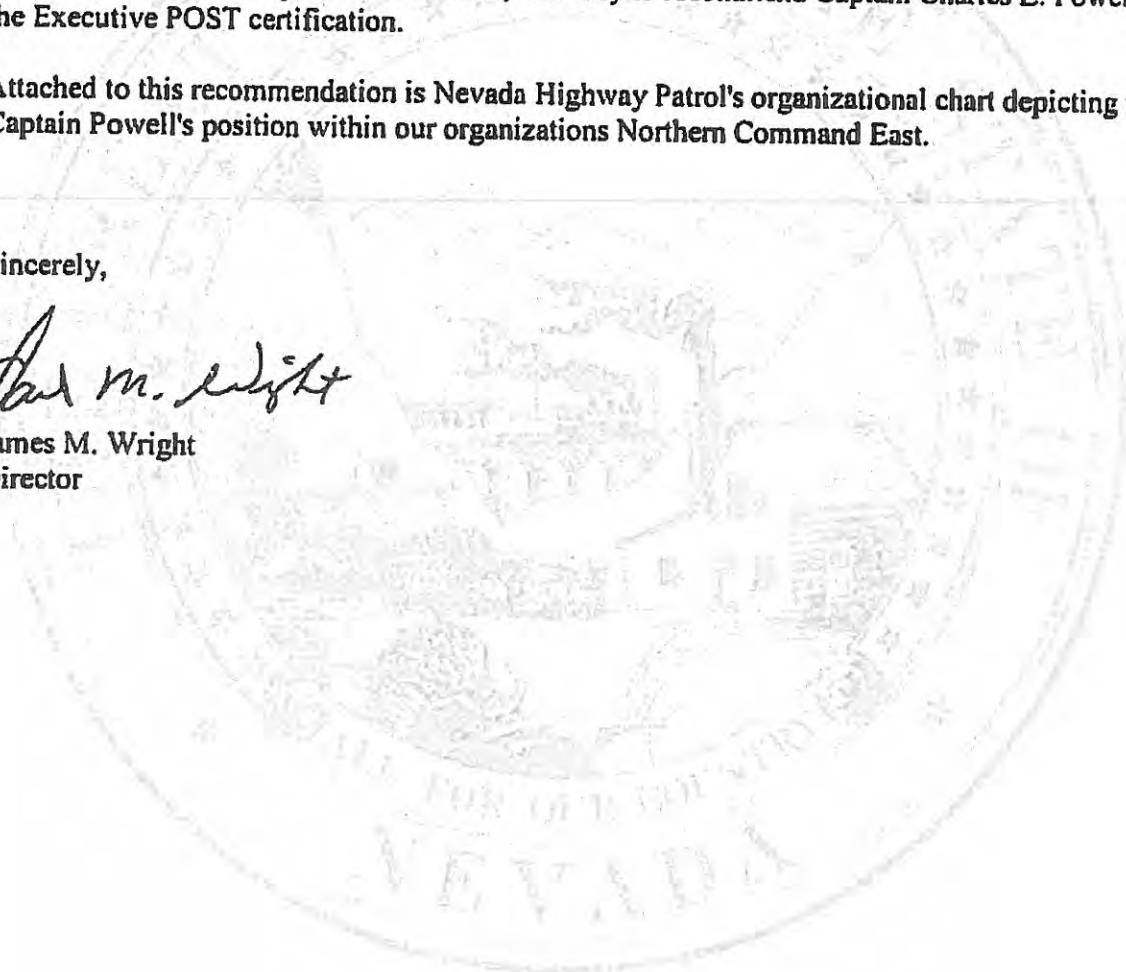
Captain Powell maintains cooperative relationships with stakeholders. These stakeholders include, but are not limited to other state and federal agencies, local law enforcement and governmental officials, representatives of the State Legislature, public safety interest groups, the public, and the media. Captain has recently accomplished his educational goals, to include a Master's of Science as well as earning the Project Management Professional (PMP) certification. Based on these outlined executive level position requirements, performance while completing these requirements and position functions, it is easy to recommend Captain Charles E. Powell for the Executive POST certification.

Attached to this recommendation is Nevada Highway Patrol's organizational chart depicting the Captain Powell's position within our organizations Northern Command East.

Sincerely,



James M. Wright
Director



Uniform Staff NCE= 83

Captain = 1

Lieutenant = 4

Sergeant = 12

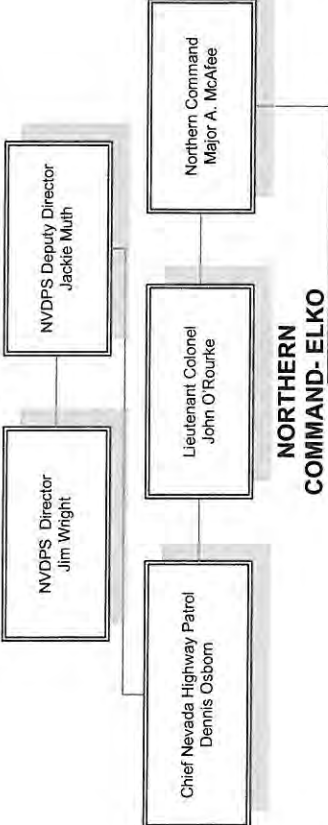
Platoon-2, Traffic-10

Copier = 66

EO-1, MIRT-3, Canine-1, Comm-11, Traffic-50

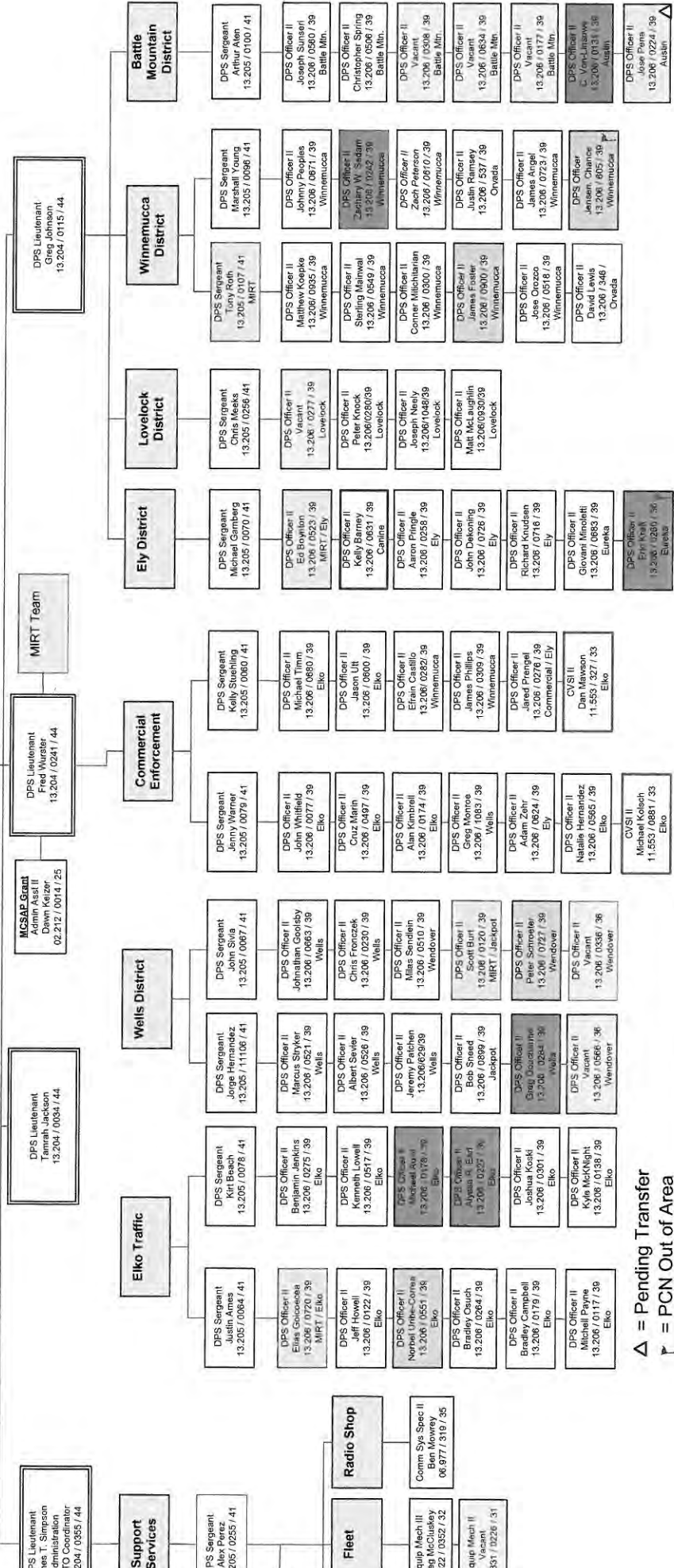
Highway Patrol Division

Civilian Staff NC
Com. Spec. II-
Mechanic III-
Mechanic II-
CVSI-
AA III-
AA II-



**NORTHERN
COMMAND-ELKO**

Commander
DPS Captain
Charles E. Powell
13.203 / 0114 / 46



Δ = Pending Transfer

∇ = PCN Out of Area

ACADEMY 73
Approximate Report
July 14, 2018

Transfers
Out
Pena - December
In
Simon - July

ACADEMY 74
Approximate Report
January, 2017



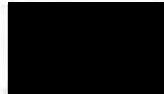
NORTHWESTERN
UNIVERSITY

School of Continuing Studies
NORTHWESTERN UNIVERSITY
339 East Chicago Avenue
Chicago, Illinois 60611-3008
(312) 503-6951

ACADEMIC TRANSCRIPT

Name (Last, First, Middle)

Powell, Charles E.



Center for Public
Safety

DEGREE GRANTED:

YEAR:

MAJOR FIELD:

Minor Field

Course					Course				
Dept.	No.	Title of Course	Qtr. Hrs.	Grade	Dept.	No.	Title of Course	Qtr. Hrs.	Grade
Class Dates: 6/25/07 - 9/7/07									
ACCT	250	Managerial Accounting	4	A- ✓					
ORG_BEH	301	Organizational Behavior	4	B ✓					
ORG_BEH	367	Strategic Planning & Management	4	A- ✓					
PSYCH	222	Psychology of Training & Development	4	B+ ✓					
ORG_BEH	309	Human Resource Management	4	A ✓					
ORG_BEH	390-1	Current Issues in Management	4	A- ✓					
PSYCH	306	Psychology of Personnel Methods	4	A ✓					
ORG_BEH	390-A	Leadership and Decision Making	4	B ✓					

390 HRS

REGISTRAR

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

Intermediate Certificate

To

CHARLES E. POWELL

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

Tommy Robinson

Governor

Richard H. Wells

Executive Director, Commission on Peace Officers' Standards and Training

Presented this 28th day of November, 2000

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the


Advanced Certificate

To

CHARLES E. POWELL

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


Governor


Executive Director, Commission on Peace Officers'
Standards and Training

Presented this 22nd day of October, 2002

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

Supervisor Certificate

To

Charles E. Powell

For having fulfilled the requirements for Certification as prescribed by Nevada Administrative Codes.

Handwritten signature

(Signature)

Handwritten signature

Executive Director, Commission on Peace Officers' Standards and Training

POST ID No. 13183

Presented this 15th day of October, 2015

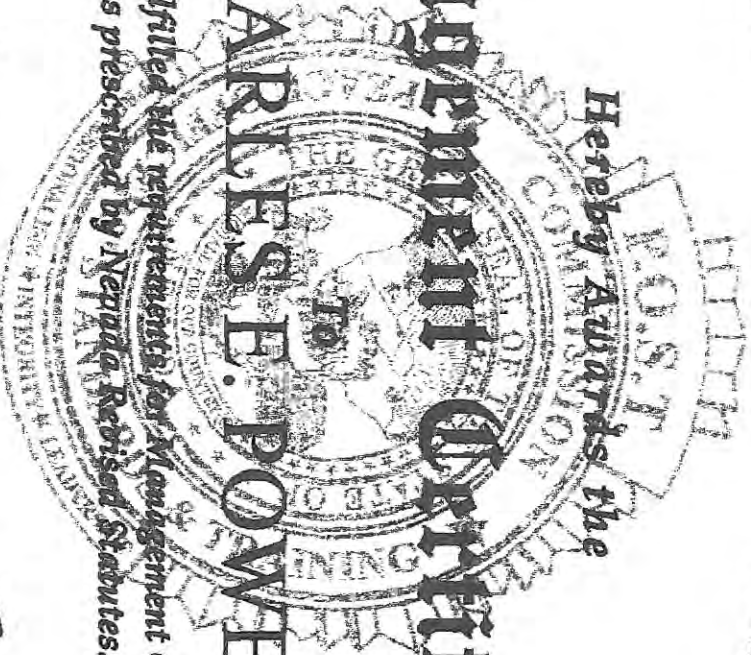
STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Management Certificate

CHARLES E. POWELL

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



Herby Awards the


Governor


Executive Director, Commission on Peace Officers' Standards and Training

Presented this 25th day of October, 2004

AGENDA ITEM 7

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

7. Request from the Las Vegas Metropolitan Police Department for their employee Captain Christopher Tomaino for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

Officer's Name

POST ID#

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)

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:

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:

Submitters Phone:

Submitters E-Mail:

Submission number: 21429

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

Education	Credit Hours	Date Achieved	Approved By:
<input type="text"/>	<input type="text"/>	<input type="text" value="//"/>	<input type="text"/>

Comments: **Certification Date:**

June 21, 2016

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 Christopher Tomaino


Dear Mr. Sherlock,

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

Captain Christopher Tomaino 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 Las Vegas Metropolitan Police Department (LVMPD).

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

Respectfully,



Tim Kelly, Deputy Chief
Professional Standards Division

Tomaino, Christopher D. (15682)

Employment Summary

LV Metro PD	- Active	Total Service: 22 Years 114 Days
Hired: 2-22-1994	Last Action 2-22-1994	Hired

Assignment: **Pos/Rank:**
Level: Management **Class:**
Shift: :

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 9-30-2013	Active	9-30-2013			
Professional: Supervisor 7-30-2013	Active	7-30-2013			
Professional: Advanced 3-14-2007	Active	3-14-2007			
Professional: Intermediate 3-14-2007	Active	3-14-2007			
Basic: Category I 7-01-1995	Active	7-01-1995			



FBI National Academy Student Transcript

Christopher David Tomaino
FBI Academy, Quantico, Virginia
Session: NA262 - 10/05/2015 - 12/18/2015

This is to certify the student listed above attended the following courses of the FBI National Academy.

0595	National Academy Networking and Enrichment	0	0
3200	Basic Psychology of Leadership	45	3
3400	Fitness in Law Enforcement	30	2
3490	Legal Issues Impacting Law Enforcement Operations	45	3
3610	Behavioral Science for Law Enforcement Leadership	45	3
3720	Contemporary Issues in Police and Media Relations	45	3
4820	Leadership in Investigative Strategies for Violent Crime	45	3

In addition to the above identified course of study, all students participated in several plenary sessions dealing with selected National Law Enforcement issues, additional time was allocated for staff consultation, study and research and voluntary participation in the National Academy enrichment and physical fitness challenge programs.

225 HRS



OFFICE OF FINANCE
CFO Richard Hoggan
Taniaka Wilson
1365/1366

OFFICE OF THE SHERIFF
Joseph Lombardo
Cornie Gardulla
323/73232

OFFICE OF INTERGOVERNMENTAL SERVICES
Dir. Chuck Callaway
Neo Vada
553/75539

OFFICE OF GENERAL COUNSEL
Gfc Ueal Freadman
Caira Murphy
3310

INTERNAL AFFAIRS BUREAU
Cpt Brett Pinas
Jennifer Rioschi
3425/4432

UNDERSHERIFF
Kevin McMahill
Kathy Hawkins
3438/3439

OFFICE OF PUBLIC INFORMATION
Dir. Carla Alston
Michelle Alley
408/2748

POLICE EMPLOYEES ASSISTANCE PROGRAM (PEAP)
Dir. Lisa Hank
3357

INTERNAL OVERSIGHT AND CONSTITUTIONAL POLICING
Cpt Shawn Andersen
Robin Bahrok
4460/2452

LAW ENFORCEMENT INVESTIGATIONS AND ADMINISTRATION GROUP
Asst. Sheriff Thomas Roberts
Patty Serrano
8380

LAW ENFORCEMENT OPERATIONS GROUP
Asst. Sheriff Todd Fasulo
Lori Emery
1526/1523

OFFICE OF COMMUNITY ENGAGEMENT
Lt. Sasha Larkin
5762

ADMINISTRATIVE AND SCIENCES DIVISION
D/D Barbara Doran
Suzi Walsh
0152/0150

HOME AND SECURITY DIVISION
D/D Patrick Naville
Diane Ferrito
3370/3486

INVESTIGATIVE SERVICES DIVISION
D/D Bret Zimmerman
Imene Moreno
3511

PROFESSIONAL STANDARDS DIVISION
D/D Tim Kaily
Diane Gonzalez
3520/5850

TECHNOLOGY AND SUPPORT DIVISION
D/D Charles Hank
Meygan Jones
8230/8220

DETENTION SERVICES DIVISION
D/D Herbert Sney
Janet Hauger
828-2802/2203

COMMUNITY POLICING DIVISION
D/D James Owens
Tara Peltzer
5699/2754

TOURIST SAFETY DIVISION
D/D Gary Schofield
Jill Domingue
5755/5760

CRIMINALISTICS BUREAU
E/D Tracy Birch
Elianae Nully
3809/2812

EMERGENCY OPERATIONS BUREAU
Cpt Peter Bortelli
Imene Garcia
7263/8363

HOMICIDE AND SEX CRIMES BUREAU
Cpt Jason Letkewitz
Rovena Kolbe
8376

OFFICE OF HUMAN RESOURCES
Cpt Christopher Jones
Debbie Collins
1872/2023

COMMUNICATIONS BUREAU
Cpt Matthew McCarthy
Gayle Hulsizer
7172/7196

CENTRAL BOOKING BUREAU
Cpt Andrew Perella
Marilyn Seider
871-3938/3954

BOLDEN AREA COMMAND
Cpt Robert Plummer
Linda Nelson
3221/4581

AIRPORT BUREAU
Cpt Vincent Cantillo
Tori Anderson
8387/8388

LOGISTICS BUREAU
Dir. John Krueger
Evangeline Jackson
3413/4059

ORGANIZED CRIME BUREAU
Cpt John McGrath
Tina Malcom
3253/8385

MAJOR VIOLATOR/NARCOTICS CRIMES BUREAU
Cpt William Scott
Dustin Payton
5659/5904

OFFICE OF LABOR RELATIONS
D/D Jamie Frost
3993/4989

INFORMATION TECHNOLOGIES BUREAU
D/D William Sagel
Renae Corderos
5536/27250

NORTH TOWER BUREAU
Cpt Gary Driscoll
Gloria Major
671-3953/2958

ENTERPRISE AREA COMMAND
Cpt Rosanne McDarr
Marie Coleman
2875/2968

CONVENTION CENTER AREA COMMAND
Cpt Christopher Tomalino
Lisa Valier
4555/4597

RECORDS AND FINGERPRINT BUREAU
Dir. Susana McCurdy
Kara Bailey
847/4464

SOUTHERN NEVADA CO-DIVISION TERRORISM CENTER
Cpt Christopher Darcy
Ginger Miskick
4046/4022

THEFT CRIMES BUREAU
Cpt David O'Leary
Brenda Thirn
5999/5992

ORGANIZATIONAL DEVELOPMENT BUREAU
Cpt James Seebok
Sarah Di Luna
3053/4572

PROJECT MANAGEMENT AND VIDEO BUREAU
Cpt David Lewis
Kelley Demoy
0224/0227

SOUTH TOWER BUREAU
Cpt Fred Meyer
Marnell Barba
671-3955/3960

NORTHEAST AREA COMMAND
Cpt James Lerochelle
Dorise Kage
871/872705

DOWNTOWN AREA COMMAND
Cpt Andrew Walsh
Fonda Gonsion
4188/4208

METRO VOLUNTEER PROGRAM
MVP Coordinator
Sharon Harding
5609

SPECIAL WEAPONS AND TACTICS BUREAU
Cpt Dawn Ballard
Chris DeMello
2713/3195

PROTECTIVE SERVICES BUREAU
Cpt David Lewis
Kelley Demoy
0224/0227

RADIO SYSTEMS BUREAU
Dir. Michael Barabock
Colleen Lozano
3433/3870

STAFF/ADMIN OPERATIONS BUREAU
Cpt William Todd
Antionette Timmer
671-3962/3963

NORTHWEST AREA COMMAND
Cpt Richard Fletcher
Shonda Siegrud
3751/2770

SOUTHEAST AREA COMMAND
Cpt Jack Owen
Audrey Lewis
3159/3157

SUPPORT OPERATIONS BUREAU
Cpt Brian Greenway
Elizabeth Valasquez
3569/3573

DSD RECORDS BUREAU
Dir. Marsha McMahill
Kerla Silis
871-3913/3914

CIVIL/CONSTABLE BUREAU
Cpt Richard Fortius
Becfi Johnson
455-0892/5359

SOUTH CENTRAL AREA COMMAND
Cpt Robert Duval
Elizabeth Murphy
8270/8269

CIVILIAN AFFAIRS BUREAU
Cpt Richard Fortius
Becfi Johnson
455-0892/5359

SOUTH CENTRAL AREA COMMAND
Cpt Robert Duval
Elizabeth Murphy
8270/8269

SOUTH CENTRAL AREA COMMAND
Cpt Robert Duval
Elizabeth Murphy
8270/8269

TRAFFIC BUREAU
Cpt Michael Dalley
Doreen Reynolds
4073/4074

TRAFFIC BUREAU
Cpt Michael Dalley
Doreen Reynolds
4073/4074



March 12, 2016



AGENDA ITEM 8

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

8. Request from the Las Vegas Metropolitan Police Department for their employee Captain James J. Seebock for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

POST ID# **Officer's Name**

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)

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:

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:

Submitters Phone:

Submitters E-Mail:

Submission number: 25526

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

Education **Credit Hours** **Date Achieved** **Approved By:**

Comments: **Certification Date:**



June 21, 2016

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 James Seebock

Dear Mr. Sherlock,

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

Captain Seebock 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 Las Vegas Metropolitan Police Department (LVMPD).

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

Respectfully,

Tim Kelly, Deputy Chief
Professional Standards Division



Seebeck, James J. (18300)

Employment Summary

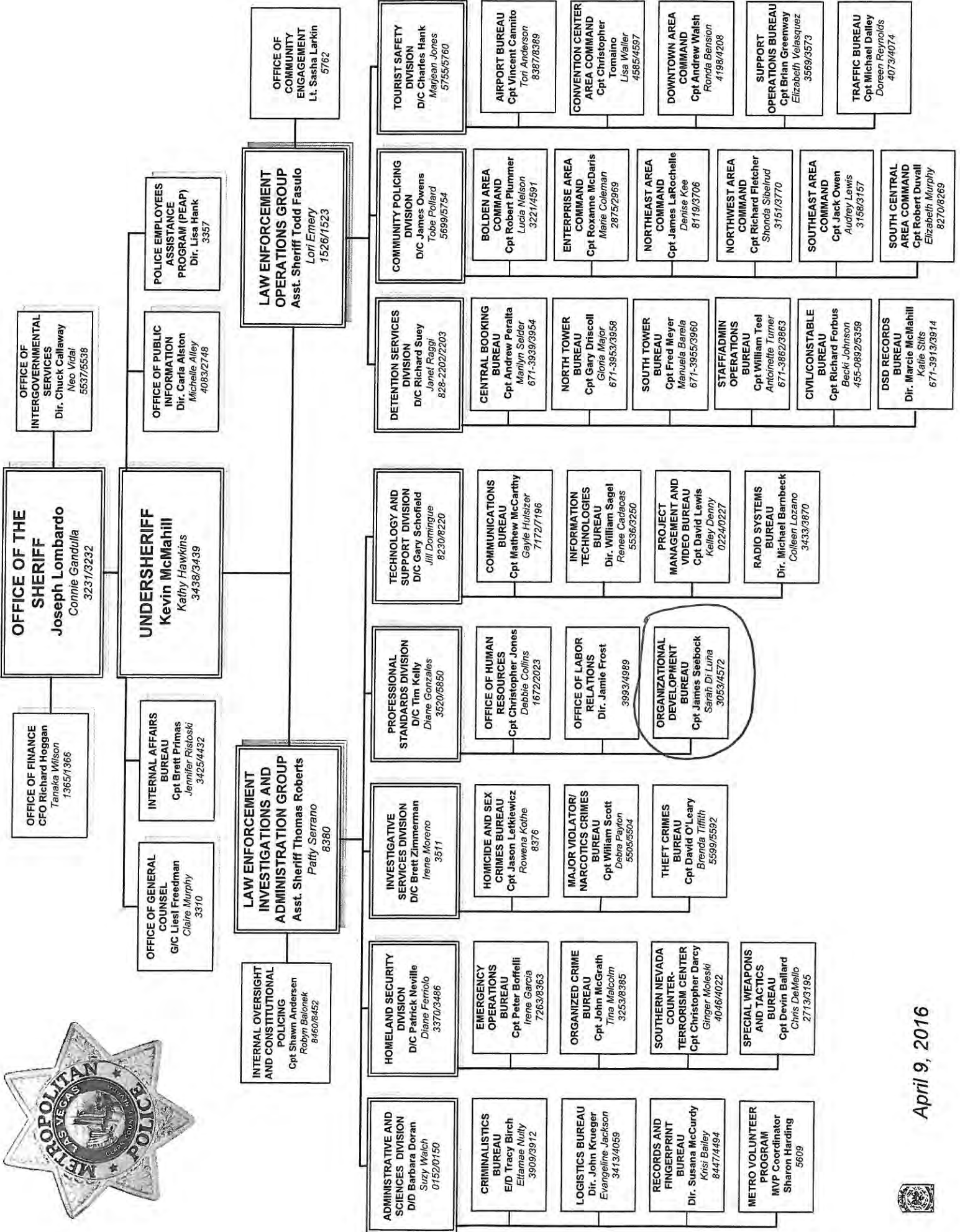
LV Metro PD	- Active	Total Service: 22 Years 349 Days
Hired: 7-02-1993	Last Action 7-02-1993	Hired

Assignment:
Level: Management
Shift:

Pos/Rank:
Class:
:

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 5-24-2011	Active	5-24-2011			
Professional: Advanced 10-05-2007	Active	10-05-2007			
Professional: Intermediate 10-05-2007	Active	10-05-2007			
Basic: Category I 12-04-2002	Active	12-04-2002			



April 9, 2016



Seebock, James J. (18300)

Certification						
Date	Status	Certified	Expires	Probation	Cert #	
Professional: Management 5-24-2011	Active	5-24-2011				
Professional: Advanced 10-05-2007	Active	10-05-2007				
Professional: Intermediate 10-05-2007	Active	10-05-2007				
Basic: Category I 12-04-2002	Active	12-04-2002				

SEEBOCK, JAMES J

01/18/2011 1 1

SEEBACK, JAMES J

H00006515

RES-NEVADA

BACHELOR OF PUBLIC ADMINISTRATION
LAW ENFORCEMENT
05/08/2010 3.12

ADVANCED PLACEMENT TRANSFER 4.0 0.00
COLLEGE LEVEL EXAMINATIO TRANSFER 12.0 0.00
COLLEGE OF SOUTHERN NEVA TRANSFER 43.0 3.31
UNIVERSITY OF NEVADA LAS TRANSFER 17.0 3.20

SPRING 2006 NON NON U00
LANGUAGE OF FILM FIS 110 3.0 A
AVE ERND GR PTS GPA BAL
TUND 3.0 3.0 12.00 4.00 6.00

FALL 2006 AS BPA-LA UD2
PRINC MGMT & ORG BEHAVIOR MGT 301 3.0 C
AVE ERND GR PTS GPA BAL
TUND 3.0 3.0 6.00 2.00 0.00

SUMMER 2008 NON NONAPS U00
EXECUTIVE LEADERSHIP PSC 461 3.0 B-
AVE ERND GR PTS GPA BAL
TUND 3.0 3.0 8.10 2.70 2.10

FALL 2008 LAS BPA-LA U03
LEAD & ADM IN PROB SOLV CRJ 412 3.0 B
EFFECTIVE ORG COMM PSC 306 3.0 B
AVE ERND GR PTS GPA BAL
TUND 6.0 6.0 18.00 3.00 6.00

SPRING 2009 LAS BPA-LA U03
AMERICAN EXP & CONST CHNG CH 203 3.0 B
DILEMMAS IN LAW ENF CRJ 413 3.0 A
MASS MEDIA AND THE POLICE PSC 308 3.0 B
AVE ERND GR PTS GPA BAL
TUND 9.0 9.0 30.00 3.33 12.00

SUMMER 2009 LAS BPA-LA U03
ANCIENT & MEDIEVAL CULTUR CH 201 3.0 B-
AVE ERND GR PTS GPA BAL
TUND 3.0 3.0 8.10 2.70 2.10

FALL 2009 LAS BPA-LA U04
ADV ORGANIZATIONAL MGMT MGT 492 3.0 A
LEG ISS COMND LVL OFCRS PSC 307 3.0 B
LAW ENFORCEMENT MGMT PSC 403 3.0 B+
PRIN OF EDUCATIONAL PSYCH PSY 307 3.0 C+
AVE ERND GR PTS GPA BAL
TUND 12.0 12.0 37.80 3.15 13.80

SPRING 2010 LAS BPA-LA U04
PUBLIC FINANCIAL ADMIN PSC 441 3.0 A
PUBLIC PERSONNEL ADMIN PSC 442 3.0 B
CONTEMP ISSUES IN LAW ENF PSC 464 3.0 B
AVE ERND GR PTS GPA BAL
TUND 9.0 9.0 30.00 3.33 12.00
AVE ERND GR PTS GPA BAL
UCAH 48.0 48.0 150.00 3.12 54.00
UTRN 76.0
UTOT 48.0 124.0 150.00 3.12 54.00

END OF TRANSCRIPT



THIS TRANSCRIPT IS PRINTED ON BURNT ORANGE SCRIP-SAFE® PAPER AND DOES NOT REQUIRE A RAISED SEAL

THE OFFICIAL SIGNATURE IS WHITE AND IS IMPOSED UPON THE INSTITUTIONAL SEAL

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

Patricia M. Ring, Registrar

Below I have referenced the college courses that we would like to use for Captain James Seebock's Executive Certificate (200 executive training hours). I have listed the course number and title as it appears on the college transcripts and then in brackets is the full name of the course, and below that is a description of the course. All class listed are related to the tasks that Captain Seebock does for the Las Vegas Metropolitan Police Department.

PSC 306 - EFFECTIVE ORG COMM (EFFECTIVE ORGANIZATIONAL COMMUNICATION) ----- 3 Credits = 45 Post Hours

Develop strategies for assessing and improving the agency and individual communication in a law enforcement agency. Learn how the values of an organization are generated through nonverbal communication.

CRJ 413 - DILEMMAS IN LAW ENF (DILEMMAS IN LAW ENFORCEMENT) ----- 3 Credits = 45 Post Hours

Legal, moral and social implications of issues including police discretion, deadly force, victimless crimes, surveillance, entrapment, plea bargaining, judicial discretion and other controversial issues.

PSC 308 - MASS MEDIA AND THE POLICE (MASS MEDIA AND THE POLICE) ----- 3Credits = 45 Post Hours

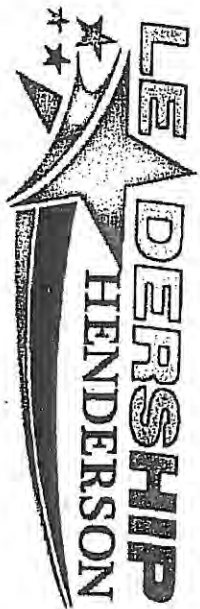
Police/media relations' issues and the impact on society. The role of mass media in society. The ethical and legal impact on providing information to the mass media. Issuing press releases during critical incidents. The role of the public information officer (PIO) with the mass media.

Leadership Henderson

The program is an eight-month course devoted to educating and empowering civic-minded professionals with a goal of building and maintaining a strong network of effective community leaders. Through panel presentations by community leaders and experts, simulations, plus hands-on experiences, participants learn about current issues pertaining to local economy, government, social services, health, gaming, business and education that effect the residents and businesses that call Henderson home. The program includes over 30 hours of professional leadership development by Elements Consulting. Selection of participants (both acknowledged and aspiring leaders) is based upon demonstrated leadership experience, potential, and abilities. The cost of the program is \$2,500.

Opening Session – A two-day retreat serves as an overall introduction to Leadership Henderson and the study of leadership. Activities focus on developing strong working relationships between participants, identifying and evaluating the characteristics of leadership, and distinguishing each participant's leadership style.

Monthly Sessions – Full-day sessions are the first Friday of every month, held at various locations throughout the community and consist of panel discussions, lectures, community tours and interactive exercises, which include face-to-face discussions with top-level business, civic and governmental leaders.



This certifies that

Jim Sebeck

Has successfully completed the program requirements for

**Leadership Henderson
Class 2016**

and is duly recognized for this accomplishment on May 13, 2016

Jim Sebeck
Oct 2015 - May 2016
HRS
100

Bob Anderson, Board Chairman
Henderson Chamber of Commerce Foundation

Victor Leach, Chairman
2016 Steering Committee

AGENDA ITEM 9

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

9. Request from the Washoe County Sheriff's Office for their employee Captain Frank Schumann for an Executive Certificate.

State of Nevada - POST

Professional Certificate Application

Officer's Name

POST ID#

21864

Schumann Frank M

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

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

Meets the following requirements:

Intermediate (NAC 289.240)

Has an Intermediate Certificate and meets the following requirements:

Advanced (NAC 289.250)

Meets the following requirements:

Supervisor (NAC 289.255)

Has Advanced and Supervisor Certificates and meets the following:

Management (NAC 289.260)

Has a Management Certificate and meets the following:

Executive (NAC 289.270)

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

Click the Attachments button to submit Only the following documents as REQUIRED:

- > Intermediate & Advanced - copy of degree or proof of required credits (if no degree)
- > Management - a letter confirming job level, org. chart
- > Executive - a letter confirming job level, org. chart, and proof of 200 hrs. advanced managemet 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:

Yolanda LeBlanc

Submitters Phone:

(775) 328-3040

Submitters E-Mail:

yleblanc@washoecounty.us

Submission number: 20557

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

Education

Credit Hours

Date Achieved

Approved By:

Comments:

Certification Date:

WASHOE COUNTY SHERIFF

Commitment to Community



Chuck Allen
Sheriff

March 23, 2016

Commission on Peace Officer Standard and Training
5587 Wa Pai Shone Avenue
Carson City, Nevada 89701

Dear P.O.S.T. Commission:

Captain Frank M. Schumann POST #21864 is applying for the P.O.S.T. Executive Certificate. Please accept this letter as confirmation that Captain Schumann meets all POST requirements for the Executive Certificate.

As current Captain of the Patrol Division, he has operational command of our Reno Patrol Units, Gerlach Patrol, Crime Scene Investigations, Motor Unit, M.A.I.T unit, Incline Patrol and Special Events.

Captain Schumann's duties and responsibilities include but are not limited to administrative responsibility for the Patrol Division, management over the Patrol Division, and issues related to our Patrol Division staff.

Please accept this as part of the application requirements for the issuance of the P.O.S.T. Executive Certificate for Captain Schumann. If you have any questions, please don't hesitate to contact me.

Sincerely,



Chuck Allen, Sheriff *For Sheriff Allen*

Schumann, Frank M. (21864)

Employment Summary

Washoe Co SO	- Active	Total Service: 22 Years 269 Days
Hired: 9-20-1993	Last Action 9-20-1993	Hired

Assignment:

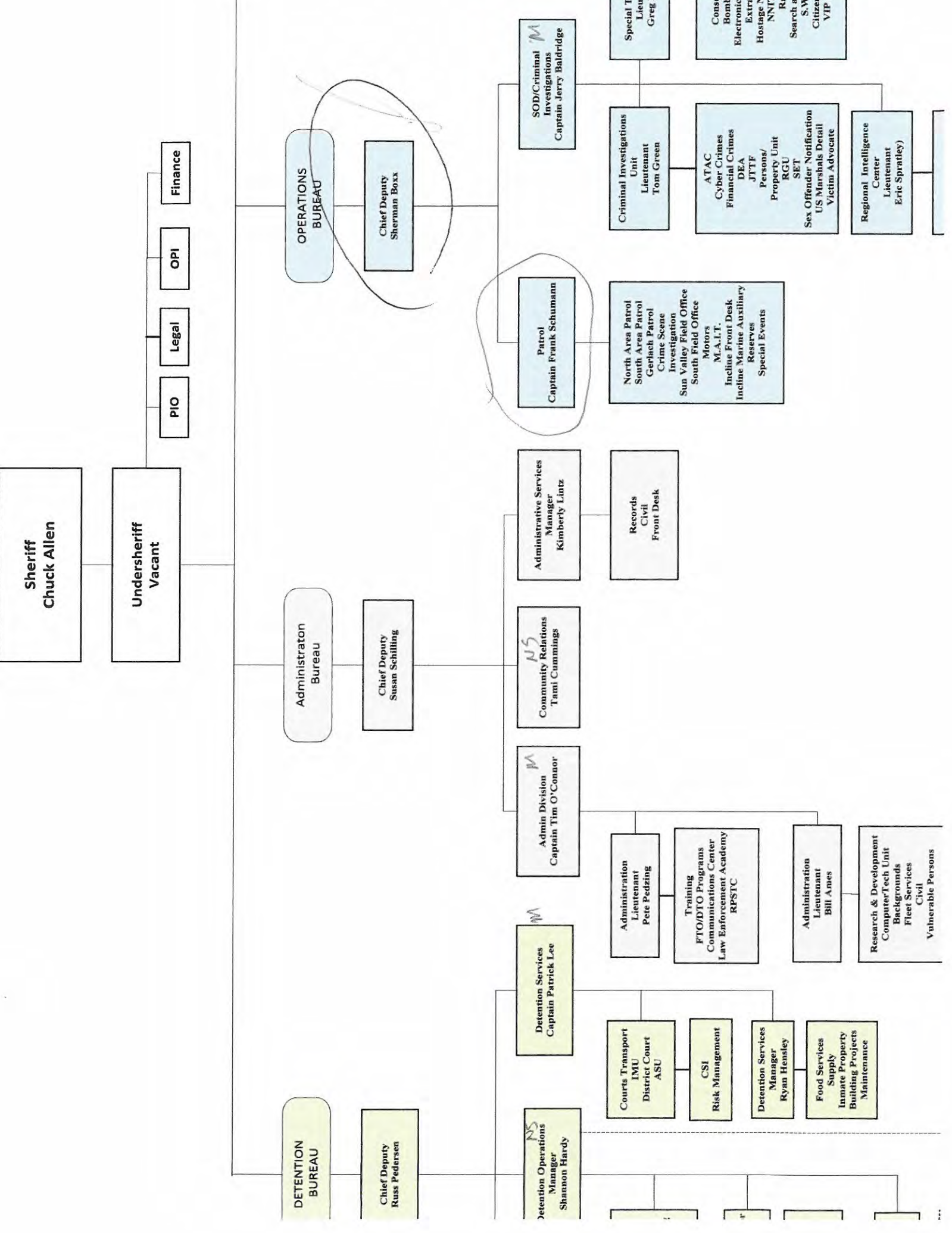
Level: Management
Shift:

Pos/Rank:

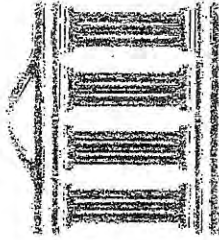
Class:
:

Certification

Date	Status	Certified	Expires	Probation	Cert #
Professional: Management 11-18-2008	Active	11-18-2008			
Professional: Advanced 2-28-2006	Active	2-28-2006			
Professional: Intermediate 12-17-1997	Active	12-17-1997			
Basic: Category I 4-26-1996	Active	4-26-1996			
Basic: Category III 11-08-1993	Active	11-08-1993			



Senior Management Institute for Police



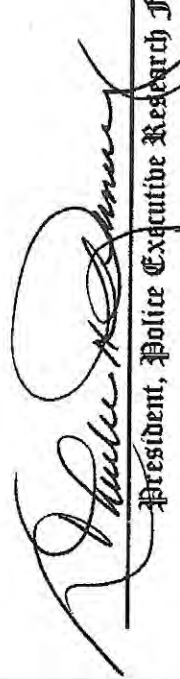
POLICE EXECUTIVE
RESEARCH FORUM

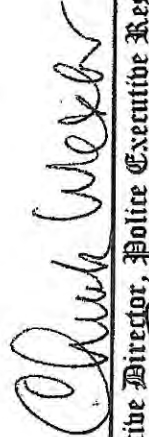
hereby certifies that

Frank M. Schumann

is a graduate of this course of study in
executive strategic management.

Presented this Twenty-Third day of June, 2011.


President, Police Executive Research Forum


Executive Director, Police Executive Research Forum


Institute Director, Senior Management Institute for Police

NATIONAL SHERIFFS' ASSOCIATION

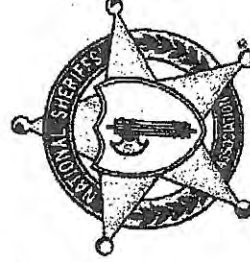
This is to certify that

Frank Schumann

has successfully completed 34 hours of
First Responder Program training
AWR-198

THIS 19TH DAY OF FEBRUARY, 2010

OK



Aaron D. Kennard

Aaron D. Kennard
Executive Director
National Sheriffs' Association

National Domestic Preparedness Coalition



NDPCI Certification Programs Members News Contact Donations Emergency Preparedness Store

National Sheriffs' Association

MAY 16-19, 2011

**National Domestic Preparedness Headquarters
Exeter, Rhode Island
First Responder Training**

(Certified Department of Homeland Security Course # AWR-198)

National Terrorism Advisory System

The degree to which a community's response to an emergency is successful is directly related to the level of training and preparedness of its cadre of first responders. The National Sheriffs' Association's First Responder Training was designed by experts in the field, and tailored to prepare first responders to use the first critical minutes of their response to lay a framework for an effective, efficient and successful response.

This four-day training sensitizes responders to their communities, provides insights into the hazards that may threaten their own safety as they respond, and it delivers a variety of skills that enhance their individual abilities to guide the response in its initial, critical stages.

First Responder training focuses upon the actions required in the initial phase of a response - the crucial fifteen to thirty minutes that elapse between occurrence of the event, and response by incoming emergency teams. This residential program provides 32 hours of classroom learning and tabletop exercises, as well as practical exercises that will provide knowledge and tools for a controlled and safe response to these events.

Participants will receive training in the following areas:

- Site Assessment, Vulnerability, Intelligence and Target Indicators
- Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) Training
- Incident Command System (ICS) and National Incident Management System (NIMS)
- Bomb Threats, Booby Traps, and Explosives
- Crowd Control and Evacuation

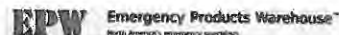
Agencies requesting training include NSA constituents, the US Secret Service, TSA (Transportation Safety Administration), FBI, and U.S. Military forces. Inquiries have also been received from Canada and various international organizations.

To inquire about attending this training program in May, contact Lynn Topp, Course Manager at 1-800-424-7827, ext 333 or via [email](#).


NDPCI News



Special Offer



10% Member Discount. Visit the Members' site for details.

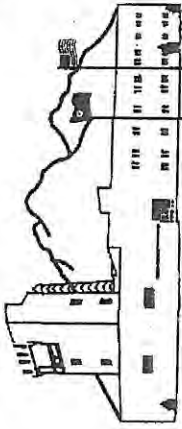
 Follow us on Facebook

 Follow us on Twitter

NDPCI Partners' Training Announcement



Regional Public Safety Training Center



CERTIFICATE OF TRAINING

This certifies that

Frank Schumann

Has successfully completed 24 hours of

Supervisory Update Seminar

Completed December 16, 2009

Presented by Ron Cristando/Cristando House, Inc



CRISTANDO HOUSE, INC.
Criminal Justice Consultants, Established 1980

✉ EMAIL US

(650) 394-8578

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Email Address...

"In our recent strategic planning retreat, Joe and Ron Cristando guided and helped us navigate through the perilous waters of ever shrinking resources. Our investment of almost two days time on operational efficiencies and how we intend to enhance them will be repaid many times. In spite of the many challenges confronting our office, we came away with a renewed commitment to our core prosecutorial mission."

**Jeff Reisig, District Attorney
County of Yolo**

POST and STC Management Update

This three day management update is specifically designed for middle and top managers working in law enforcement agencies who seek to strengthen their leadership, change management and facilitation skills. Emerging best practices in police management will be examined. Participants will also examine operational efficiency and how the old cliché of "doing more with less" is no longer viable nor is the notion that more resources doing the same old thing will produce a higher level of service. Strategies to more efficiently use existing resources will be identified. (POST and STC Certified)

June 1 - 3, 2016

San Mateo Co. Sheriff's Office

[Register For This Course](#)

October 11 - 13, 2016

Escondido Police Dept.

[Register For This Course](#)

POST and STC Supervisory Update

Think you know everything about managing and leading people? Think again. Leadership is an adventure, and in our three day supervisory/leadership course we excel in presenting new perspectives on leadership, motivation and accountability. Participants are shown how to fuel their own and their employees' potential. Inspiration is standard. Since 1980 over 18,000 law enforcement executives, managers and supervisors have attended, many saying this was the best management/leadership course they have ever attended. (Certified by CA & NV POST and CA STC)

May 24 - 26, 2016

Nevada Dept. of Public Safety (Carson City)

[Register For This Course](#)

July 26 - 28, 2016

San Mateo Co. Probation Dept.- This Class is Full

[Register For This Course](#)

August 16 - 18, 2016

Escondido Police Dept.

[Register For This Course](#)

New Patterns of Leadership

Civilians are a growing segment of the law enforcement community and play an increasingly important role in the leadership and supervision of their departments. This two-day course, designed for civilian managers, supervisors and potential supervisors, will introduce participants to the contemporary leadership philosophies and concepts necessary for effective leadership in today's law enforcement agencies. Topics covered in the course include, developing a clear and compelling purpose or vision for their unit, aligning that vision or purpose to the overall department mission and developing a high performance team. In addition, participants will also examine methods and strategies to raise the performance bar and will identify techniques to more effectively manage the multi-generational workforce. The course is highly interactive and emphasis is placed on the practical application of the covered material. (POST and STC Certified)

May 24 - 25, 2016

Folsom Police Dept. (Civilian Police Leadership) -

[Register For This Course](#)

This Class is Full

October 5 - 6, 2016

Walnut Creek Police Dept. (Civilian Police

[Register For This Course](#)

Leadership)

Certificate of Completion

Be it Known That

FRANK SCHUMANN

Has Successfully Completed 24 Hours of training at

The BASIC COLLECTIVE BARGAINING CLASS

SEPTEMBER 26/28TH 2002



**RICK DAVIS, PORAC TRAINING
MANAGER**

C

Certificate of Completion

Be it Known That

FRANKSCHUMANN

Has Successfully Completed 16 Hours of training in

PORAC

Internal Affairs

January 17 & 18, 2002



RICK DAVIS, PORAC TRAINING
POST # 99003212001002

AGENDA ITEM 10

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

10. Hearing pursuant to NAC 289.290(1)(g) on the revocation of Patrick Gail Taylor, formerly of the Las Vegas Metropolitan Police Department, certification based on a felony conviction for Possession Of Visual Presentation Depicting Sexual Conduct Of A Child. The Commission will decide whether to revoke Mr. Taylor's Category I Basic Certificate.



STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

BRIAN SANDOVAL
Governor

MICHAEL D. SHERLOCK
Executive Director

AMENDED NOTICE OF INTENT TO REVOKE

July 20, 2016

Patrick Gail Taylor

Dear Mr. Taylor:
POST PIN #: 18392

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

I have included a copy of Nevada Administrative Code 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:

POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD, NRS 200.700, 200.730, a Category B Felony.

Case No.: **C309545**

Dept No. **III**

Jurisdiction: **District Court of Clark County**

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



Written requests can be made to:

NEVADA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

**5587 Wa Pai Shone Avenue
Carson City, NV 89701**

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

Date: August 24, 2016

Time: 10:00 am

Location: Nevada Gaming Control Board, Room 100, at 1919 E. College Parkway, Carson City, Nevada and video conferenced to the Grant Sawyer Building, Suite 2450, at 555 E. Washington Avenue Las Vegas, Nevada.

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

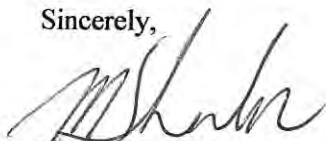
If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing, or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable.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

The hearing will cover the following: 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 P.O.S.T. at (775) 687-7678.

Sincerely,



Michael D. Sherlock
Executive Director
Peace Officer Standards and Training

MS/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen
File
Ron Pierini – Commission Chairman

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

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

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's ability to perform his or her full range of duties.
- (c) Chronic drinking or drunkenness on duty.
- (d) Addiction to or the unlawful use or possession of narcotics or other drugs.
- (e) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed.
- (f) Failure to comply with the standards established in this chapter.
- (g) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction or entry of a plea of guilty, guilty but mentally ill or nolo contendere, the certificate will be revoked.
- (h) Conviction of a misdemeanor. If the employing agency recommends suspension or revocation following conviction of the employee for a misdemeanor, suspension or revocation may be imposed. In determining whether to suspend or revoke the certificate, the Commission will consider the type of conviction and other information provided by the agency indicating unprofessional conduct or similar undesirable activity by the officer that resulted in disciplinary action.

2. Denial, suspension or revocation procedures will not be considered by the Commission in cases where the employment of an officer is terminated for violations of the policies, general orders or

similar guidelines of operation of the employing agency which do not constitute any of the causes for denial, suspension or revocation specified in subsection 1.

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

4. The Commission will notify the officer by certified mail at the officer's last known address of any pending revocation or suspension action and of the nature of the charges and the officer's right to appear and answer the charges. The officer shall, within 15 days after the date on the certified mail receipt, respond in writing, notifying the Commission of his or her intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his or her intention to appear in answer to the pending action, the Commission will:

(a) Consider the case on its own merits, using the statement from the head of the employing agency or the substantiated information derived from any independent investigation it deems necessary;

(b) Take no action pending the outcome of possible criminal action which may be filed against the officer; and

(c) Take no action pending the outcome of an appeal.

⇒ The Commission's decision will be determined by a majority vote of the members of the Commission present.

6. When an officer notifies the Commission of his or her intention to appear and answer the charges pending against him or her, the Commission will elect to sit as a whole at a hearing or designate an independent hearing officer to hear the matter and make recommendations in writing to

the Commission. The Commission will review the recommendations of any such hearing officer and arrive at a decision by majority vote of the members present.

7. The Commission will notify the officer of its decision within 15 days after the hearing.

8. An applicant for a certificate who has not been previously certified, but who would be subject to revocation for any cause set out in subsection 1, will not be granted a certificate.

9. If, upon receiving a written allegation that a peace officer is in violation of any provision of subsection 1 and that the facts and circumstances indicate that suspension rather than revocation would be in the best interests of the agency and law enforcement in general, the Commission will suspend the officer's certificate.

10. The Commission will provide each peace officer whose certificate is suspended with written notice of the suspension by certified registered mail. The suspension becomes effective 24 hours after receipt of the certified notice. The notice will contain a statement advising the officer of the right to a hearing.

11. Suspension of a certificate is not a bar to future revocation of the certificate and any prior suspensions may be considered as a factor if revocation is being considered by the Commission.

12. Five years after the revocation of a certificate, an officer may submit a written request to the Commission to allow him or her to reinstate his or her certificate. The Commission will schedule a hearing to consider whether to reinstate the officer's certificate. The Commission will notify the agency that requested the revocation of the date and time of the hearing. After the hearing, the Commission will determine whether to reinstate the certificate. If the certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in revocation.



STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

BRIAN SANDOVAL
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, Victoria Bruni, served the foregoing Amended Notice of Intent to Revoke the P.O.S.T. basic certificate, which was issued pursuant to NRS 241.033 and NAC 289.290 which may include matters related to character, alleged misconduct, professional competence, physical or mental health, by personally serving:

Individual's Name: PATRICK GAIL TAYLOR

at 215 E Bonanza Rd. Las Vegas, NV 89101 on this
(location)

25th day of July, 2016.
Day Month Year

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

Executed on this 25th day of July, 2016.
Day Month Year

Victoria Bruni

Signature of person serving the Notice

Victoria Bruni

Printed name of person serving the Notice



State of Nevada - POST
UPDATE - Personnel Action Report (PAR)

Post ID Number:

Last Name:

First Name:

MI: Suffix:

Name Change?

Last Name:

First Name:

MI: Suffix:

Address Change?

Street Address:

City:

State:

Zip Code:

County:

E-Mail:

Level Change? Line Supervisor Management Executive
 Part Time Full Time

Position Change requiring additional certification? Click this checkbox if an additional Basic Certificate will be awarded to this officer within 1 year from the Effective Date on this form (date of position change).

Select the Certification:

Enter Academy Name:

Status Change? Deceased Retired Separated

NAC289.290 Notification

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 yes, provide details in the Comment field.**

Comments\Additional Information:

Effective Date:

Submitters Name:

Submitters Phone:

Submitters E-Mail:



STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

Basic Certificate

To

PATRICK G. TAYLOR

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

TRAINING CATEGORY I LVMPD ACADEMY 2/89, 708 HRS

B. L. Miller
Governor

[Signature]
Director, Department of Motor Vehicles and Public Safety

Presented this 12 day of January, 19 91

EXHIBIT
D

Alana D. Shuman
CLERK OF THE COURT

1 INFM
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 CRAIG HENDRICKS
6 Chief Deputy District Attorney
7 Nevada Bar #4360
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

12 I.A. 10/1/15
13 10:00 AM
14 G. GUYMON

15 THE STATE OF NEVADA,
16 Plaintiff,

CASE NO: C-15-309545-1

17 -vs-

DEPT NO: III

18 PATRICK GAIL TAYLOR,
19 #1013987
20 Defendant.

INFORMATION

21 STATE OF NEVADA }
22 COUNTY OF CLARK } ss.

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

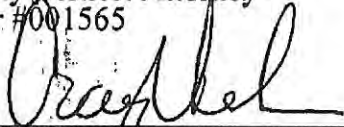
25 That PATRICK GAIL TAYLOR, the Defendant(s) above named, having committed
26 the crime of **POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL**
27 **CONDUCT OF A CHILD (Category B Felony - NRS 200.700, 200.730 - NOC 50374)**, on
28 or between January 3, 2015 and March 19, 2015, within the County of 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 wilfully, unlawfully, feloniously, and
knowingly have in his possession a film, photograph, or other visual presentation depicting a
child under the age of 16 years of age as the subject of a sexual portrayal or engaging in,
simulating, or assisting others to engage in or simulate sexual conduct, to-wit: a video with

EXHIBIT
E

1 two (2) prepubescent female children in bed, wearing shirts and underwear, the children are
2 seen taking off their underwear and the camera zooms in on one of the child's genitals.

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

6 BY


7 CRAIG HENDRICKS
8 Chief Deputy District Attorney
9 Nevada Bar #4360

10
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22 MAR 01 2016

23 CERTIFIED COPY
24 DOCUMENT ATTACHED IS A
25 TRUE AND CORRECT COPY
26 OF THE ORIGINAL ON FILE


27 CLERK OF THE COURT

28 15F07659X /jm/SVU
LVMPD EV#1501271802
(TK11)

ORIGINAL

1 GPA
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 CRAIG HENDRICKS
6 Chief Deputy District Attorney
7 Nevada Bar #4360
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

OCT 13 2015

BY 
DEBORAH MILLER, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

C-15-309545-1
GPA
Guilty Plea Agreement
4494423



9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

CASE NO: C-15-309545-1

12 PATRICK GAIL TAYLOR,
13 #1013987

DEPT NO: III

14 Defendant.

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: **POSSESSION OF VISUAL PRESENTATION**
17 **DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony - NRS 200.700,**
18 **200.730 - NOC 50374)**, as more fully alleged in the charging document attached hereto as
19 Exhibit "1".

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

22 The State and Defense stipulate to Defendant receiving probation for a term not to
23 exceed three (3) years. The State retains the right to argue the terms and conditions of
24 probation. If the Defendant receives an honorable discharge from probation he may withdraw
25 his plea and plead guilty to Unlawful Dissemination of Intimate Image, a felony and receive
26 credit for time served. Both parties waive any/all defects in the pleadings.

27 //

28 //



1 I agree to the forfeiture of any and all electronic storage devices, computers, and/or
2 related equipment and/or weapons or any interest in any electronic storage devices, computers
3 and/or related equipment and/or weapons seized and/or impounded in connection with the
4 instant case and/or any other case negotiated in whole or in part in conjunction with this plea
5 agreement.

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

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

17 CONSEQUENCES OF THE PLEA

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

20 I understand that as a consequence of my plea of guilty the Court must sentence me to
21 imprisonment in the Nevada Department of Corrections for a minimum term of not less than
22 ONE (1) year and a maximum term of not more than SIX (6) years. The minimum term of
23 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I
24 understand that I may also be fined up to \$5,000.00. I understand that the law requires me to
25 pay an Administrative Assessment Fee.

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

1 reimburse the State of Nevada for any expenses related to my extradition, if any.

2 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
3 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or
4 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation
5 and may receive a higher sentencing range.

6 I understand that pursuant to NRS 176.139 and my plea of guilty to a sexual offense for
7 which the suspension of sentence or the granting of probation is permitted, P&P shall arrange
8 for a psychosexual evaluation as part of the Division's Presentence Investigation (PSI) Report
9 to the court.

10 I understand that I am not eligible for probation pursuant to NRS 176A.110 unless the
11 psychosexual evaluation certifies that I do not represent a high risk to reoffend based upon a
12 currently accepted standard of assessment. I understand that, except as otherwise provided by
13 statute, the question of whether I receive probation is in the discretion of the sentencing judge.

14 I understand that, before I am eligible for parole a panel consisting of the Administrator
15 of the Mental Health and Developmental Services of the Department of Human Resources or
16 his designee; the Director of the Department of Corrections or his designee; and a psychologist
17 licensed to practice in this state or a psychiatrist licensed to practice medicine in this state
18 certifies that I was under observation while confined in an institution of the department of
19 corrections and that I do not represent a high risk to reoffend based upon a currently accepted
20 standard of assessment.

21 I understand that the Court will include as part of my sentence, in addition to any other
22 penalties provided by law, pursuant to NRS 179D.441 to 179D.550, inclusive, I must register
23 as a sex offender within forty-eight (48) hours of release from custody onto probation or parole.

24 I understand that I must submit to blood and/or saliva tests under the direction of P&P
25 to determine genetic markers and/or secretor status.

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

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

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

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

7 I understand that if the State of Nevada has agreed to recommend or stipulate a
8 particular sentence or has agreed not to present argument regarding the sentence, or agreed not
9 to oppose a particular sentence, such agreement is contingent upon my appearance in court on
10 the initial sentencing date (and any subsequent dates if the sentencing is continued). I
11 understand that if I fail to appear for the scheduled sentencing date or I commit a new criminal
12 offense prior to sentencing the State of Nevada would regain the full right to argue for any
13 lawful sentence.

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

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

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

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

28 //

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

7 WAIVER OF RIGHTS

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

- 10 1. The constitutional privilege against self-incrimination, including the right
11 to refuse to testify at trial, in which event the prosecution would not be
12 allowed to comment to the jury about my refusal to testify.
- 13 2. The constitutional right to a speedy and public trial by an impartial jury,
14 free of excessive pretrial publicity prejudicial to the defense, at which
15 trial I would be entitled to the assistance of an attorney, either appointed
16 or retained. At trial the State would bear the burden of proving beyond
17 a reasonable doubt each element of the offense(s) charged.
- 18 3. The constitutional right to confront and cross-examine any witnesses who
19 would testify against me.
- 20 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 21 5. The constitutional right to testify in my own defense.
- 22 6. The right to appeal the conviction with the assistance of an attorney,
23 either appointed or retained, unless specifically reserved in writing and
24 agreed upon as provided in NRS 174.035(3). I understand this means I
25 am unconditionally waiving my right to a direct appeal of this conviction,
26 including any challenge based upon reasonable constitutional,
27 jurisdictional or other grounds that challenge the legality of the
28 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.

24 VOLUNTARINESS OF PLEA

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

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

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

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


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

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

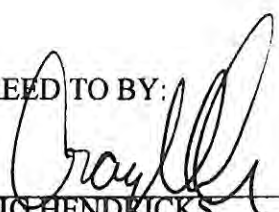
10 I am not now under the influence of any intoxicating liquor, a controlled substance or
11 other drug which would in any manner impair my ability to comprehend or understand this
12 agreement or the proceedings surrounding my entry of this plea.

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

15 DATED this 17 day of October, 2015.

16
17 
18 PATRICK GAIL TAYLOR
19 Defendant

19 AGREED TO BY:

20 
21 CRAIG HENDRICKS
22 Chief Deputy District Attorney
23 Nevada Bar #4360
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
3 the court 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
7 restitution that the Defendant may be ordered to pay.
- 8 3. I have inquired of Defendant facts concerning Defendant's immigration
9 status and explained to Defendant that if Defendant is not a United States
10 citizen any criminal conviction will most likely result in serious negative
11 immigration 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
17 Federal Government based on the conviction and immigration
18 status.

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

- 24 4. All pleas of guilty offered by the Defendant pursuant to this agreement
25 are consistent with the facts known to me and are made with my advice
26 to the Defendant.
- 27 5. To the best of my knowledge and belief, the Defendant:
- 28 a. Is competent and understands the charges and the consequences of
pleading guilty as provided in this agreement,
 - b. Executed this agreement and will enter all guilty pleas pursuant
hereto voluntarily, 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.

Dated: This 17 day of October, 2015.


~~ATTORNEY FOR DEFENDANT~~

jm/SVU

Alan D. Schuman
CLERK OF THE COURT

1 INFM
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 CRAIG HENDRICKS
6 Chief Deputy District Attorney
7 Nevada Bar #4360
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

7 I.A. 10/1/15
8 10:00 AM
9 G. GUYMON

9 THE STATE OF NEVADA,
10 Plaintiff,
11 -vs-
12 PATRICK GAIL TAYLOR,
13 #1013987
14 Defendant.

CASE NO: C-15-309545-1

DEPT NO: III

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 PATRICK GAIL TAYLOR, the Defendant(s) above named, having committed
20 the crime of **POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL**
21 **CONDUCT OF A CHILD (Category B Felony - NRS 200.700, 200.730 - NOC 50374)**, on
22 or between January 3, 2015 and March 19, 2015, within the County of Clark, State of Nevada,
23 contrary to the form, force and effect of statutes in such cases made and provided, and against
24 the peace and dignity of the State of Nevada, did wilfully, unlawfully, feloniously, and
25 knowingly have in his possession a film, photograph, or other visual presentation depicting a
26 child under the age of 16 years of age as the subject of a sexual portrayal or engaging in,
27 simulating, or assisting others to engage in or simulate sexual conduct, to-wit: a video with
28

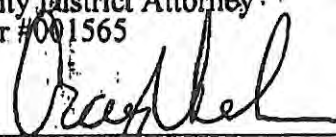
EXHIBIT "1"

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two (2) prepubescent female children in bed, wearing shirts and underwear, the children are seen taking off their underwear and the camera zooms in on one of the child's genitals.

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

BY



CRAIG HENDRICKS
Chief Deputy District Attorney
Nevada Bar #4360

MAR 01 2016

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



CLERK OF THE COURT

15F07659X /jm/SVU
LVMPD EV#1501271802
(TK11)

CLERK OF THE COURT

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DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

PATRICK GAIL TAYLOR, #1013987

Defendant.

CASE NO. C309545-1

DEPT. NO. III

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 POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony – NRS 200.700, 200.730), thereafter, on the 9th day of February, 2016, the Defendant was present in court for sentencing with his counsel GARY GUYMON, Esq., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee, including testing to determine genetic markers, \$3.00 DNA Collection fee, and a \$250.00 Fine, Defendant is sentenced to a MINIMUM OF TWENTY-FOUR (24) MONTHS and a MAXIMUM of SEVENTY-TWO (72) MONTHS in the Nevada Department of Corrections (NDC); said sentence is SUSPENDED with the Defendant

- | | |
|---|--|
| <input type="checkbox"/> Jolie 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 | |

EXHIBIT
9

1 being placed on PROBATION for an indeterminate period not to exceed THREE (3)
2 YEARS with the following SPECIAL CONDITIONS:

3 1. SPECIAL CONDITIONS under NRS 176.410:

4 (a) Submit to a search and seizure of his person, residence or vehicle or any
5 property under his control, at any time of the day or night, without a warrant, by any
6 parole and probation officer or any peace officer, for the purpose of determining
7 whether the defendant has violated any condition of probation or suspension of
8 sentence or committed any crime;

9 (b) Reside at a location only if it has been approved by the parole and probation
10 officer assigned to the defendant and keep the parole and probation officer informed
11 of his current address;

12 (c) Accept a position of employment or a position as a volunteer only if it has
13 been approved by the parole and probation officer assigned to the defendant and
14 keep the parole and probation officer informed of the location of his position of
15 employment or position as a volunteer;

16 (d) Abide by any curfew imposed by the parole and probation officer assigned
17 to the defendant;

18 (e) Participate in and complete a program of professional counseling approved
19 by the Division;

20 (f) Submit to periodic tests, as requested by the parole and probation officer
21 assigned to the defendant, to determine whether the defendant is using a controlled
22 substance;

23 (g) Submit to periodic polygraph examinations, as requested by the parole and
24 probation officer assigned to the defendant;

25 (h) Abstain from consuming, possessing or having under his control any
26 alcohol;

27 (i) Does not apply;
28

1 (j) Not use aliases or fictitious names;

2 (k) Not obtain a post office box unless the defendant receives permission from
3 the parole and probation officer assigned to the defendant;

4 (l) Not ordered unless deemed necessary by Parole and Probation;

5 (m) Does not apply;

6 (n) Comply with any protocol concerning the use of prescription medication
7 prescribed by a treating physician, including, without limitation, any protocol
8 concerning the use of psychotropic medication;

9 (o) Not possess any sexually explicit material that is deemed inappropriate by
10 the parole and probation officer assigned to the defendant;


11 (p) Not patronize a business which offers a sexually related form of
12 entertainment and which is deemed inappropriate by the parole and probation officer
13 assigned to the defendant;

14 (q) Not ordered. However, Defendant is to keep Parole and Probation Officer
15 aware of any and all electronic devices and internet access Defendant is engaging in;

16 (r) Inform the parole and probation officer assigned to the defendant if the
17 defendant expects to be or becomes enrolled as a student at an institution of higher
18 education or changes the date of commencement or termination of his enrollment at
19 an institution of higher education. As used in this paragraph, institution of higher
20 education has the meaning ascribed to it in NRS 179D.045.

21 COURT FURTHER ORDERED, the Defendant shall register as a sex offender
22 within 48 hours of adjudication and sentencing.

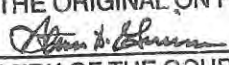
23 DATED this 10th day of February, 2016.

24
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26 
27 DOUGLAS W. HERNDON
28 DISTRICT JUDGE

msf

MAR 01 2016

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


CLERK OF THE COURT

AGENDA ITEM 11

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

11. Hearing pursuant to NAC 289.290(1)(g) on the revocation of Michael Anthony Horn, formerly of the Nye County Sheriff's Office, certification based on two felony convictions for Misconduct of Public Officer and Possession of Controlled Substance. The Commission will decide whether to revoke Mr. Horn's Category I Basic Certificate.



STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

BRIAN SANDOVAL
Governor

MICHAEL D. SHERLOCK
Executive Director

AMENDED NOTICE OF INTENT TO REVOKE

July 20, 2016

Michael Anthony Horn
[REDACTED]

Dear Mr. Horn:
POST PIN #: 19655

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

I have included a copy of Nevada Administrative Code 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 – MISCONDUCT OF PUBLIC OFFICER, NRS 197.110, a Category E Felony

Count III- POSSESSION OF A CONTROLLED SUBSTANCE, NRS 453.336 a Category E Felony

Case No.: **CR7790**

Dept No. **1P**

Jurisdiction: **Fifth Judicial District Court**

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

EXHIBIT
A

Written requests can be made to:

NEVADA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

**5587 Wa Pai Shone Avenue
Carson City, NV 89701**

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

Date: August 24, 2016

Time: 10:00 am

Location: Nevada Gaming Control Board, Room 100, at 1919 E. College Parkway, Carson City, Nevada and video conferenced to the Grant Sawyer Building, Suite 2450, at 555 E. Washington Avenue Las Vegas, Nevada.

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

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

The hearing will cover the following: 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 P.O.S.T. at (775) 687-7678.

Sincerely,



Michael D. Sherlock
Executive Director
Peace Officer Standards and Training

MS/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen
File
Ron Pierini - Commission Chairman

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

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

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's ability to perform his or her full range of duties.
- (c) Chronic drinking or drunkenness on duty.
- (d) Addiction to or the unlawful use or possession of narcotics or other drugs.
- (e) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed.
- (f) Failure to comply with the standards established in this chapter.
- (g) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction or entry of a plea of guilty, guilty but mentally ill or nolo contendere, the certificate will be revoked.
- (h) Conviction of a misdemeanor. If the employing agency recommends suspension or revocation following conviction of the employee for a misdemeanor, suspension or revocation may be imposed. In determining whether to suspend or revoke the certificate, the Commission will consider the type of conviction and other information provided by the agency indicating unprofessional conduct or similar undesirable activity by the officer that resulted in disciplinary action.

2. Denial, suspension or revocation procedures will not be considered by the Commission in cases where the employment of an officer is terminated for violations of the policies, general orders or

similar guidelines of operation of the employing agency which do not constitute any of the causes for denial, suspension or revocation specified in subsection 1.

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

4. The Commission will notify the officer by certified mail at the officer's last known address of any pending revocation or suspension action and of the nature of the charges and the officer's right to appear and answer the charges. The officer shall, within 15 days after the date on the certified mail receipt, respond in writing, notifying the Commission of his or her intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his or her intention to appear in answer to the pending action, the Commission will:

(a) Consider the case on its own merits, using the statement from the head of the employing agency or the substantiated information derived from any independent investigation it deems necessary;

(b) Take no action pending the outcome of possible criminal action which may be filed against the officer; and

(c) Take no action pending the outcome of an appeal.

↳ The Commission's decision will be determined by a majority vote of the members of the Commission present.

6. When an officer notifies the Commission of his or her intention to appear and answer the charges pending against him or her, the Commission will elect to sit as a whole at a hearing or designate an independent hearing officer to hear the matter and make recommendations in writing to

the Commission. The Commission will review the recommendations of any such hearing officer and arrive at a decision by majority vote of the members present.

7. The Commission will notify the officer of its decision within 15 days after the hearing.

8. An applicant for a certificate who has not been previously certified, but who would be subject to revocation for any cause set out in subsection 1, will not be granted a certificate.

9. If, upon receiving a written allegation that a peace officer is in violation of any provision of subsection 1 and that the facts and circumstances indicate that suspension rather than revocation would be in the best interests of the agency and law enforcement in general, the Commission will suspend the officer's certificate.

10. The Commission will provide each peace officer whose certificate is suspended with written notice of the suspension by certified registered mail. The suspension becomes effective 24 hours after receipt of the certified notice. The notice will contain a statement advising the officer of the right to a hearing.

11. Suspension of a certificate is not a bar to future revocation of the certificate and any prior suspensions may be considered as a factor if revocation is being considered by the Commission.

12. Five years after the revocation of a certificate, an officer may submit a written request to the Commission to allow him or her to reinstate his or her certificate. The Commission will schedule a hearing to consider whether to reinstate the officer's certificate. The Commission will notify the agency that requested the revocation of the date and time of the hearing. After the hearing, the Commission will determine whether to reinstate the certificate. If the certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in revocation.



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

BRIAN SANDOVAL
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, BRYAN GENTRY, served the foregoing Amended Notice of Intent to Revoke the P.O.S.T. basic certificate, which was issued pursuant to NRS 241.033 and NAC 289.290 which may include matters related to character, alleged misconduct, professional competence, physical or mental health, by personally serving:

Individual's Name: Michael Anthony Horn

at 2250 E. POSTAL RD SUITE 5 PARRIP NV 89018 on this
(location)

4TH day of AUGUST, 2016.
Day Month Year

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

Executed on this 04TH day of AUGUST, 2016.
Day Month Year

Bryan Gentry
Signature of person serving the Notice

BRYAN GENTRY
Printed name of person serving the Notice

EXHIBIT
B

State of Nevada - POST
UPDATE - Personnel Action Report (PAR)

Post ID Number:

Last Name:

First Name:

MI:

Suffix:

Name Change?

Last Name:

First Name:

MI:

Suffix:

Address Change?

Street Address:

City:

State:

Zip Code:

County:

E-Mail:

Level Change?

- Line Supervisor Management Executive
 Part Time Full Time

Position Change requiring additional certification?

Click this checkbox if an additional Basic Certificate will be awarded to this officer within 1 year from the Effective Date on this form (date of position change).

Select the Certification:

Enter Academy Name:

Status Change?

- Deceased Retired Separated

NAC289.290 Notification

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 yes, provide details in the Comment field.**

Comments\Additional Information:

NONE

Effective Date:

Submitters Name:

Submitters Phone:

Submitters E-Mail:



STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING



Tommy Williams
Governor

Presented this 6th day of September, 2002

Richard W. Clark
Executive Director, Commission on Peace Officers' Standards and Training

EXHIBIT

D

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

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Case No. CR7793

*The undersigned affirms that
this document does not contain
the social security number of
any person.*

FILED
2014 APR 23 PM 4:26
[Signature]
CLERK
NYE COUNTY

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

vs.

INFORMATION

MICHAEL ANTHONY HORN,

Defendant. /

BRIAN T. KUNZI, District Attorney within and for the County of Nye, State of Nevada, informs the Court that MICHAEL ANTHONY HORN, before the filing of this Information, did then and there, in Nye County, Nevada, commit the following offenses, to wit:

COUNT I

OPPRESSION UNDER COLOR OF OFFICE, in violation of NRS 197.200, A GROSS MISDEMEANOR, committed in the following manner, to wit: That ON OR ABOUT JANUARY 25, 2014, at 1200 W. Mesquite Avenue, in Pahrump Township, Nye County, Nevada, said Defendant did unlawfully and maliciously, under pretense or color of official authority, arrest or detain another against the victim's will, seize or levy another's property or did any act causing injury to the victim's person, property or rights without the use of, or immediate threat of, physical force, by using his influence and while being in uniform and acting in an official capacity as a deputy of the Nye County Sheriff to obtain prescription medications belonging to Henriette Delpierre;

EXHIBIT
E

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COUNT II

MISCONDUCT OF PUBLIC OFFICER, in violation of **NRS 197.110, A CATEGORY 'E' FELONY**, committed in the following manner, to wit: That ON OR ABOUT BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014, in Pahrump Township, Nye County, Nevada said Defendant did employ or use property under the public officer's official control or direction, or in the public officer's official custody, for the private benefit or gain of the public officer or another by obtaining, on diverse occasions and as part of a continuing course of conduct, prescription medications intended to be destroyed pursuant to a medication disposal program operated through the Nye County Sheriff's Office and appropriating said medications to his own personal use and/or benefit or gain;

COUNT III

THEFT AGAINST PERSON 60 YEARS OF AGE OR OLDER, in violation of **NRS 205.0832 and NRS 193.167, A CATEGORY 'C' FELONY**, committed in the following manner, to wit: That ON OR ABOUT JANUARY 25, 2014, at 1200 Mesquite Avenue, in Pahrump Township, Nye County, Nevada, said Defendant did, willfully, unlawfully, knowingly, and without lawful authority, control the property of another person with the intent to deprive that person of the property OR did convert, make an unauthorized transfer of an interest in, or without authorization control property of another person entrusted to him or placed in his possession for a limited, authorized period of determined or prescribed duration or for a limited use OR did obtain personal property of another person by a material misrepresentation with intent to deprive that person of the property, by taking prescription medications belonging to Henriette Delpierre, a person 76 years of age, by creating the false impression the medications were required to be disposed of through the medication disposal program operated through the Nye County Sheriff's Office, said property having a value of in excess of \$650.00, but less than \$3,500.00;

COUNT IV

THEFT, in violation of **NRS 205.0832, A CATEGORY 'B' FELONY**, committed in the following manner, to wit: That ON OR ABOUT BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014, in Pahrump Township, Nye County, Nevada, said Defendant did, willfully, unlawfully, knowingly, and without lawful authority, control the property of another person with the intent to deprive that person of the property OR did convert, make an unauthorized transfer of an interest in, or without authorization control property of another person entrusted to him or placed in his possession for a limited, authorized period of determined or

1 prescribed duration or for a limited use, by obtaining prescription
2 medications, on multiple occasions and as part of a continuing course of
3 conduct, and converting said medications to his own personal use, which
4 medications were given to the Nye County Sheriff for the disposal of
5 unused or expired medications and having a value in excess of
6 \$3,500.00;

7 **COUNT V**

8 **POSSESSION OF A CONTROLLED SUBSTANCE**, in violation of NRS
9 **453.336, A CATEGORY 'E' FELONY**, committed in the following
10 manner, to wit: That ON OR ABOUT JANUARY 25, 2014, in Pahrump
11 Township, Nye County, Nevada, said Defendant did willfully, unlawfully,
12 and knowingly have in his possession and under his dominion and
13 control a Schedule II controlled substance, to wit: **MORPHINE AND/OR**
14 **HYDROCODONE**, without having a valid prescription or order of a
15 physician, dentist, podiatrist, or veterinarian, while acting in the course of
16 his professional practice;

17 **COUNT VI**

18 **FRAUDULENT APPROPRIATION OF PROPERTY**, in violation of NRS
19 **197.210, A CATEGORY 'D' FELONY** committed in the following manner,
20 to wit: That ON OR ABOUT BETWEEN OCTOBER 21, 2013, AND
21 JANUARY 25, 2014, in Pahrump Township, Nye County, Nevada, said
22 Defendant, a public officer, did fraudulently appropriate to his own use or
23 to the use of another person, or secretes with the intent to appropriate to
24 such a use, any money, evidence of debt or other property entrusted to
the officer by virtue of his office, said property having a value in excess
of \$650.00, by appropriating to his own use, on diverse occasions and as
part of a continuing course of conduct, prescription medications
entrusted to him by virtue of his office as a deputy with the Nye County
Sheriff's Office.

All of which is contrary to the form, force, and effect of the statutes in such
cases made and provided, and against the peace and dignity for the State of Nevada.

Witnesses and their addresses known to the District Attorney of Nye County,
State of Nevada, at the time of the filing of this Information:

DETECTIVE TREVOR MEADE
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DETECTIVE DAVID BORUCHOWITZ
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

1 DETECTIVE SCOTT WILLIAMS
2 NYE COUNTY SHERIFF'S OFFICE
3 PAHRUMP, NEVADA

DEPUTY CHRISTOPHER GELSON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

3 SHARON WEHRLY
4 1520 EAST BASIN AVE.
5 PAHRUMP, NEVADA

DEPUTY CRYSTAL BARAJAS
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

5 SHERIFF ANTHONY DEMEO
6 NYE COUNTY SHERIFF'S OFFICE
7 PAHRUMP, NEVADA

HENRIETTE DELPIERRE
1200 WEST MESQUITE
PAHRUMP, NEVADA

7 CAPTAIN WILLIAM BECHT
8 NYE COUNTY SHERIFF'S OFFICE
9 PAHRUMP, NEVADA

TINA SEAVEY
1600 CHOWCHILLA CIRCLE
PAHRUMP, NEVADA

9 LIEUTENANT FRANK JARVIS
10 NYE COUNTY SHERIFF'S OFFICE
11 BEATTY, NEVADA

BENJAMIN GULLEY
4330 W RETREAD RD
PAHRUMP, NEVADA

11 SERGEANT DAN THOMASSIAN
12 NYE COUNTY SHERIFF'S OFFICE
13 PAHRUMP, NEVADA

DEPUTY ALEX J. COX
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

13 DETECTIVE MICHAEL EISENLOFFEL
14 NYE COUNTY SHERIFF'S OFFICE
15 PAHRUMP, NEVADA

15 DETECTIVE MORGAN DILLON
16 NYE COUNTY SHERIFF'S OFFICE
17 PAHRUMP, NEVADA

18 **DATED** this 7th day of April, 2014.

BRIAN T. KUNZI
NYE COUNTY DISTRICT ATTORNEY

20 The document to which this certificate is attached
21 is a full, true and correct copy of the original
22 on file and of record in my office.
23 Date Pls. to 5-19-14
24 Sandra L. Merlino, clerk of the Fifth Judicial
District Court, in and for the
County of Nye, State of Nevada
By J. Cox Deputy
Per NRS 239 Sec. 6 the SSN may be redacted,
but in no way affects the legality of the document

By B. T. Kunzi
BRIAN T. KUNZI
District Attorney

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

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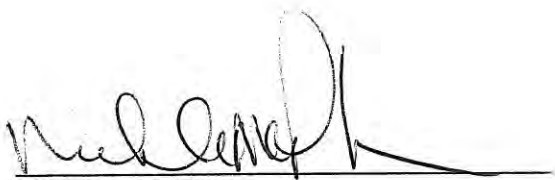
CERTIFICATE OF SERVICE BY MAIL

I, Nichole McPherson, Executive Legal Secretary, Office of the Nye County District Attorney, P.O. Box 39, Pahrump, Nevada 89041, do hereby certify that I have served the following:

**INFORMATION in
5TH JDC Case No(s). CR7793
STATE v. MICHAEL ANTHONY HORN**

upon said Defendant(s) herein by mailing a true and correct copy thereof, postage prepaid, on 4-7-14 to the following:

IAN M MCMENEMY ESQ
SHUMWAY VAN & HANSEN ATTORNEY AT LAW
8985 S. EASTERN AVE, SUITE 100
LAS VEGAS, NEVADA 89123


Nichole McPherson

BY A Shoultz

APR 10 2014 11:28

FILED

FILED
2014 APR 10 11:36
Clerk

1 PJC Case No. 14CR00419
2 PJC Dept: A
3 DC Case No. CR7793

4 IN THE JUSTICE COURT OF PAHRUMP TOWNSHIP
5 COUNTY OF NYE, STATE OF NEVADA

6 * * * * *

7 THE STATE OF NEVADA,
8 Plaintiff,

9 vs

AMENDED BINDER OVER ORDER

10 MICHAEL ANTHONY HORN,
11 Defendant. /

12 IT APPEARS to the court that public offenses, namely, **COUNT I: OPPRESSION UNDER**
13 **COLOR OF OFFICE, in violation of NRS 197.200, A GROSS MISDEMEANOR; COUNT II:**
14 **MISCONDUCT OF PUBLIC OFFICER, in violation of NRS 197.110, A CATEGORY 'E'**
15 **FELONY; COUNT III: THEFT AGAINST PERSON 60 YEARS OF AGE OR OLDER, in**
16 **violation of NRS 205.0832 and NRS 197.167, A CATEGORY 'C' FELONY; COUNT IV:**
17 **THEFT, in violation of NRS 205.0832; COUNT V: POSSESSION OF A CONTROLLED**
18 **SUBSTANCE, in violation of NRS 453.336, A CATEGORY 'E' FELONY; COUNT VI:**
19 **FRAUDULENT APPROPRIATION OF PROPERTY, in violation of NRS 197.210, A**
20 **CATEGORY 'D' FELONY, have been committed and it further appears to the court that the**
21 **defendant, above-named, MICHAEL ANTHONY HORN, has unconditionally waived his right to a**
22 **preliminary hearing in this matter.**

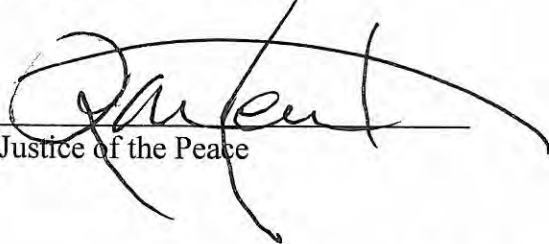
24 EXHIBIT
25 F

1 IT IS THEREFORE ORDERED that the defendant, MICHAEL ANTHONY HORN, be and
2 are hereby ordered bound over to the 5th Judicial District Court, and there held to answer to said
3 charge(s).

4 IT IS FURTHER ORDERED that the defendant, MICHAEL ANTHONY HORN, appear in
5 the District Courtroom of the Nye County Government Center, 1520 E Basin Avenue, Pahrump,
6 Nevada,
7 for arraignment on said charge(s) on Friday, August 1, 2014 at 9:00 o'clock a.m.

8 IT IS FURTHER ORDERED that the defendants be admitted to bail in the sum of FIVE
9 THOUSAND DOLLARS (\$5,000.00) CASH.

10 DONE IN OPEN COURT this 7th day of April 2014.

11
12
13 
14 Justice of the Peace

15 The document to which this certificate is attached
16 is a full, true and correct copy of the original
on file and of record in my office.
17 Date 05-19-2016
Sandra L. Merlino, clerk of the Fifth Judicial
District Court, in and for the
County of Nye, State of Nevada
18 By [Signature] Deputy
Per NRS 239Sec.6 the SSN may be redacted,
but in no way affects the legality of the document
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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

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Case No. CR7793

Dept. No. 1

*The undersigned affirms that
this document does not contain
the social security number of
any person.*

FILED
FIFTH JUDICIAL DISTRICT COURT

JAN 22 2016

NYE COUNTY DEPUTY CLERK
DEPUTY



IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

vs.

AMENDED INFORMATION

MICHAEL ANTHONY HORN,

Defendant. _____ /

ANGELA A. BELLO, District Attorney within and for the County of Nye, State of Nevada, informs the Court that MICHAEL ANTHONY HORN, before the filing of this Amended Information, did then and there, in Nye County, Nevada, commit the following offenses, to wit:

COUNT I

MISCONDUCT OF PUBLIC OFFICER, in violation of NRS 197.110, A CATEGORY 'E' FELONY, committed in the following manner, to wit: That ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014, in Pahrump Township, Nye County, Nevada said Defendant did employ or use property under the public officer's official control or direction, or in the public officer's official custody, for the private benefit or gain of the public officer or another by obtaining, on diverse occasions and as part of a continuing course of conduct, prescription medications intended to be destroyed pursuant to a medication disposal program operated through the Nye County Sheriff's Office and appropriating said medications to his own personal use and/or benefit or gain;

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EXHIBIT
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COUNT II

THEFT, in violation of **NRS 205.0832, A CATEGORY 'B' FELONY**, committed in the following manner, to wit: That **ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014**, in Pahrump Township, Nye County, Nevada, said Defendant did, willfully, unlawfully, knowingly, and without lawful authority, control the property of another person with the intent to deprive that person of the property OR did convert, make an unauthorized transfer of an interest in or, without authorization, control property of another person entrusted to him or placed in his possession for a limited, authorized period of determined or prescribed duration or for a limited use, by obtaining prescription medications, on multiple occasions and as part of a continuing course of conduct, and converting said medications to his own personal use, which medications were given to the Nye County Sheriff for the disposal of unused or expired medications and having a value of \$3,500.00 or more;

COUNT III

POSSESSION OF A CONTROLLED SUBSTANCE, in violation of **NRS 453.336, A CATEGORY 'E' FELONY**, committed in the following manner, to wit: That **ON OR ABOUT JANUARY 25, 2014**, in Pahrump Township, Nye County, Nevada, said Defendant did willfully, unlawfully, and knowingly have in his possession and under his dominion and control a Schedule II controlled substance, to wit: **MORPHINE AND/OR HYDROCODONE**;

COUNT IV

OBTAINING CONTROLLED SUBSTANCE BY FRAUD, in violation of **NRS 453.331(1)(d), A CATEGORY 'E' FELONY**, committed in the following manner, to wit: That **ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014**, in Pahrump Township, Nye County, Nevada, said Defendant did knowingly or intentionally acquire or obtain or attempt to acquire or obtain possession of a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge or alteration, to wit: he obtained **MORPHINE** and/or **HYDROCODONE** by misrepresenting that he would safely and lawfully dispose of unwanted or expired prescription medications through the Nye County Sheriff's Office's prescription drug disposal program;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

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COUNT V

UNLAWFUL POSSESSION OF FIREARM, in violation of NRS 202.360(1), **A CATEGORY 'B' FELONY**, committed in the following manner, to wit: That **ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014**, in Nye County Nevada, said Defendant did willfully and unlawfully own or have in his or her possession or under his or her custody or control any firearm while an unlawful user of, or addicted to, any controlled substance, to wit: carried his service weapon as a peace officer with the Nye County Sheriff's Office while an unlawful user of and/or addicted to controlled substances, including but not limited to, **MORPHINE** and/or **HYDROCODONE**;

All of which is contrary to the form, force, and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

Witnesses and their addresses known to the District Attorney of Nye County, State of Nevada, at the time of the filing of this Amended Information:

- | | |
|--|---|
| DETECTIVE TREVOR MEADE
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | FRANK JARVIS, RETIRED
NYE COUNTY SHERIFF'S OFFICE
BEATTY, NEVADA |
| SERGEANT DAVID BORUCHOWITZ
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | DEPUTY DAN THOMASSIAN
INYO COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA |
| SCOTT WILLIAMS, RETIRED
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | SERGEANT MICHAEL EISENLOFFEL
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA |
| SHERIFF SHARON WEHRLY
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | DETECTIVE MORGAN DILLON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA |
| ANTHONY DEMEO, RETIRED
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | OFFICER CHRISTOPHER GELSON
BOULDER CITY POLICE DEPT.
BOULDER CITY, NEVADA |
| WILLIAM BECHT, RETIRED
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | INVESTIGATOR CRYSTAL BARAJAS
NYE COUNTY DA'S OFFICE
PAHRUMP, NEVADA |

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

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HENRIETTE DELPIERRE
1200 WEST MESQUITE
PAHRUMP, NEVADA


TINA SEAVEY
1600 CHOWCHILLA CIRCLE
PAHRUMP, NEVADA

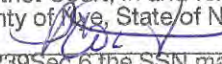
BENJAMIN GULLEY
4330 W RETREAD RD
PAHRUMP, NEVADA

DEPUTY ALEX J. COX
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

DATED this 4th day of January, 2016.

ANGELA A. BELLO
NYE COUNTY DISTRICT ATTORNEY

By 
PATRICK A. FERGUSON
Deputy District Attorney

The document to which this certificate is attached
is a full, true and correct copy of the original
on file and of record in my office.
Date 05-19-2016
Sandra L. Merlino, clerk of the Fifth Judicial
District Court, in and for the
County of Nye, State of Nevada
By  Deputy
Per NRS 239Sec.6 the SSN may be redacted,
but in no way affects the legality of the document

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CERTIFICATE OF SERVICE BY MAIL

I, Nichole McPherson, Executive Legal Secretary, Office of the Nye County District Attorney, P.O. Box 39, Pahrump, Nevada 89041, do hereby certify that I have served the following:

**AMENDED INFORMATION in
5TH JDC Case No(s). CR7793
STATE v. MICHAEL ANTHONY HORN**

upon said Defendant herein by mailing a true and correct copy thereof, postage prepaid, on 1-22-14 to the following:

BRENT D. HUNTLEY, ESQ.
SHUMWAY VAN & HANSEN ATTORNEY AT LAW
8985 S. EASTERN AVE, SUITE 100
LAS VEGAS, NEVADA 89123


Nichole McPherson

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

MAR 04 2016

NYE COUNTY DEPUTY CLERK
DEPUTY *[Signature]*

1 Case No. CR7793

2 Dept. No. 1

3 *The undersigned affirms that*
4 *this document does not contain*
5 *the social security number of*
6 *any person.*

7 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF NYE

9 THE STATE OF NEVADA,

10 Plaintiff,

11 vs.

GUILTY PLEA AGREEMENT

12 MICHAEL ANTHONY HORN,

13 Defendant. _____ /

ORIGINAL

14 COME NOW THE STATE OF NEVADA ("State"), by and through ANGELA A.
15 BELLO, Nye County District Attorney, by PATRICK A. FERGUSON, Deputy District
16 Attorney, and MICHAEL ANTHONY HORN ("Defendant"), and file this Guilty Plea
17 Agreement in the above-entitled case.

18 I, MICHAEL ANTHONY HORN, hereby agree to plead GUILTY to Count I,
19 MISCONDUCT OF PUBLIC OFFICER, a category E felony, in violation of NRS
20 197.110, and Count III, POSSESSION OF A CONTROLLED SUBSTANCE, a
21 category E felony, in violation of NRS 453.336, as more fully alleged in the Amended
22 Information attached hereto as Exhibit 1. My decision to plead guilty is based upon
23 the plea agreement in this case, which is as follows:

24 1. I, MICHAEL ANTHONY HORN, will enter pleas of GUILTY to the
charges of MISCONDUCT OF PUBLIC OFFICER, a category E felony, in violation of

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(775) 751-7080

EXHIBIT
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NYE COUNTY DISTRICT ATTORNEY
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1 NRS 197.110, and **POSSESSION OF A CONTROLLED SUBSTANCE**, a category E
2 felony, in violation of NRS 453.336, as set forth above;

3 2. At sentencing, the State will recommend veterans diversion pursuant to
4 NRS 176A.290 and will not request that any jail time be imposed as a condition of
5 probation. The State has furthermore agreed that, if I am not placed on diversion on
6 both counts, should I receive an honorable discharge from probation, it would agree to
7 allow me to withdraw my pleas to these felonies and dismiss the case.

8 3. I expressly agree to reimburse the Nye County Sheriff's Office \$250.00
9 for the lab fees incurred in this investigation;

10 4. Pursuant to these negotiations, the State has agreed to forego
11 prosecution of all other charges in this case and will dismiss Counts II, IV and V
12 pursuant to negotiations;

13 5. I, **MICHAEL ANTHONY HORN**, further understand and agree that the
14 State's agreement to recommend or stipulate to a particular sentence, to not present
15 argument regarding the sentence, to not oppose a particular sentence or to not seek
16 my punishment as a habitual criminal is contingent upon my conduct between now and
17 sentencing: If I fail to interview with the Division of Parole and Probation, fail to appear
18 at any subsequent hearings in this case, or a magistrate reviews a declaration of
19 arrest and finds probable cause to believe that I have committed a new criminal
20 offense, including reckless driving or DUI, but excluding minor traffic violations, the
21 State will regain the right to argue for any lawful sentence and term of confinement
22 allowable for the crime(s) to which I am pleading, including the use of any prior
23 convictions I may have to increase my sentence as a habitual criminal to 5 to 20 years,
24 life without the possibility of parole, life with the possibility of parole after 10 years, or a

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1 definite 25 year term with the possibility of parole after 10 years.

2 CONSEQUENCES OF THE PLEA

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

5 I understand that as a consequence of my plea of guilty to **MISCONDUCT OF**
6 **PUBLIC OFFICER**, a category E felony, I may be imprisoned for a period of not less
7 than ONE (1) YEAR and not more than FOUR (4) YEARS and/or fined up to FIVE
8 THOUSAND DOLLARS (\$5,000.00).

9 I understand that as a consequence of my plea of guilty to **POSSESSION OF A**
10 **CONTROLLED SUBSTANCE**, a category E felony, I may be imprisoned for a period
11 of not less than ONE (1) YEAR and not more than FOUR (4) YEARS and/or fined up
12 to FIVE THOUSAND DOLLARS (\$5,000.00).

13 I understand that the law requires me to pay an administrative assessment fee
14 of \$25, a DNA administrative assessment fee of \$3, and a chemical analysis fee of
15 \$60. I also understand that the law requires me to provide a biological specimen, if not
16 previously submitted for conviction of a prior offense, to be used for an analysis to
17 determine genetic markers, and to pay the associated fee of \$150.

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

23 I understand that I am eligible for probation for the offense(s) to which I am
24 pleading guilty, and I understand that, except as otherwise provided by statute, the

1 decision to grant or deny probation is in the sole discretion of the sentencing judge.

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

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

8 I have not been promised or guaranteed any particular sentence by anyone. I
9 know that my sentence will be determined by the Court within the limits prescribed by
10 statute. I understand that if my attorney or the State of Nevada or both recommend
11 any specific punishment to the court, the court is not obligated to accept the
12 recommendation.

13 I understand that if I am not a United States citizen, I will likely suffer serious
14 negative immigration consequences including but not limited to: my removal from the
15 United States through deportation; my inability to reenter the United States; my
16 inability to gain United States citizenship or legal residency; my inability to renew
17 and/or retain any legal residency status; and/or an indeterminate term of confinement
18 by the United States federal government based upon this conviction and my
19 immigration status. I also understand, regardless of what I have been told by any
20 attorney, that no one can promise me that this conviction will not result in these
21 negative consequences.

22 I understand that the Division of Parole and Probation of the Department of
23 Public Safety may prepare a written report for the sentencing judge before sentencing.
24 This report will include matters relevant to the issue of sentencing, including my

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(775) 751-7080

1 criminal history. I understand that this report may contain hearsay information
2 regarding my background and criminal history. My attorney and I will each have the
3 opportunity to comment on the information contained in the report, if any, at the time of
4 sentencing.

5 WAIVER OF RIGHTS

6 By entering my plea of guilty, I understand that I have waived the following
7 rights and privileges:

8 1. The constitutional privilege against self-incrimination, including the right
9 to refuse to testify at trial, in which event the State would not be allowed to comment to
10 the jury about my refusal to testify;

11 2. The constitutional right to a speedy and public trial by an impartial jury,
12 free of excessive pretrial publicity prejudicial to the defense, at which trial I would be
13 entitled to the assistance of an attorney, either appointed or retained. At trial, the
14 State would bear the burden of proving beyond a reasonable doubt each element of
15 each offense charged;

16 3. The constitutional right to confront and cross-examine any witnesses
17 who would testify against me;

18 4. The constitutional right to subpoena witnesses to testify on my behalf;

19 5. The constitutional right to testify in my own defense;

20 6. The right to appeal the conviction, with the assistance of an attorney,
21 either appointed or retained, unless the appeal is based upon reasonable
22 constitutional, jurisdictional or other grounds that challenge the legality of the
23 proceedings and except as otherwise provided by subsection 3 of NRS 174.035.

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VOLUNTARINESS OF PLEA

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

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

I have discussed with my attorney any possible defenses and circumstances that might be in my favor.

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

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

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

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

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P.O. BOX 39
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(775) 751-7080

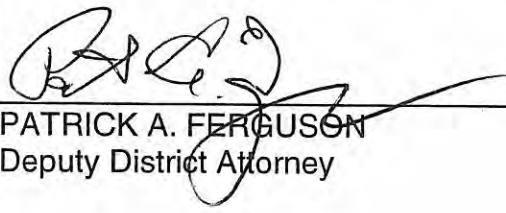
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1 My attorney has answered to my satisfaction all of my questions regarding this
2 Guilty Plea Agreement and its consequences, and I am satisfied with the services
3 provided by my attorney.

4 Dated this 4th day of March, 2016.

5
6 
7 _____
MICHAEL ANTHONY HORN
8 Defendant

9 DATED this 3rd day of March, 2016.

10
11 
12 _____
PATRICK A. FERGUSON
13 Deputy District Attorney

14
15 The document to which this certificate is attached
16 is a full, true and correct copy of the original
on file and of record in my office.
Date 03-19-2016
Sandra L. Merlino, clerk of the Fifth Judicial
17 District Court, in and for the
County of Nye, State of Nevada
By PCW Deputy
18 Per NRS 239Sec.6 the SSN may be redacted,
but in no way affects the legality of the document

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NYE COUNTY DISTRICT ATTORNEY
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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
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(775) 751-7080

CERTIFICATE OF COUNSEL

1
2 I, the undersigned, as the attorney for the defendant named herein and as an
3 officer of the court hereby certify that:

4 1. I have fully explained to the defendant the allegations contained in the
5 charge(s) to which the guilty plea(s) is/are being entered;

6 2. I have advised the defendant of the penalties for each charge and the
7 restitution that the defendant may be ordered to pay;

8 3. I have asked the defendant about his or her citizenship and immigration
9 status and advised him or her that s/he will likely suffer serious negative immigration
10 consequences, as set forth in the Guilty Plea Agreement;

11 4. All pleas of guilty offered by the defendant pursuant to this agreement
12 are consistent with all the facts known to me and are made with my advice to the
13 defendant and are in the best interest of the defendant.

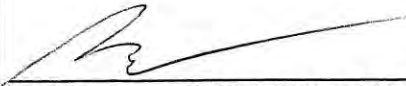
14 5. To the best of my knowledge and belief, the defendant:

15 (a) Is competent and understands the charge(s) and the consequences of
16 pleading guilty as provided in this agreement;

17 (b) Executed this agreement and will enter all guilty pleas pursuant hereto
18 voluntarily; and

19 (c) Was not under the influence of intoxicating liquor, a controlled substance
20 or other drug at the time of the execution of this agreement.

21 DATED this 4th day of March, 2016.

22
23 
24 BRENT D. HUNTLEY, ESQ.
Nevada Bar No. 12405
Attorney for Defendant **MICHAEL ANTHONY HORN**

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

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EXHIBIT 1

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

1 Case No. CR7793

2 Dept. No. 1

3 *The undersigned affirms that*
4 *this document does not contain*
5 *the social security number of*
6 *any person.*

7 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF NYE

9 THE STATE OF NEVADA,

10 Plaintiff,

11 vs.

AMENDED INFORMATION

12 MICHAEL ANTHONY HORN,

13 Defendant. _____ /

14 ANGELA A. BELLO, District Attorney within and for the County of Nye, State of
15 Nevada, informs the Court that MICHAEL ANTHONY HORN, before the filing of this
16 Amended Information, did then and there, in Nye County, Nevada, commit the
17 following offenses, to wit:

18 COUNT I

19 MISCONDUCT OF PUBLIC OFFICER, in violation of NRS 197.110, A
20 CATEGORY 'E' FELONY, committed in the following manner, to wit:
21 That ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY
22 25, 2014, in Pahrump Township, Nye County, Nevada said Defendant
23 did employ or use property under the public officer's official control or
24 direction, or in the public officer's official custody, for the private benefit
or gain of the public officer or another by obtaining, on diverse occasions
and as part of a continuing course of conduct, prescription medications
intended to be destroyed pursuant to a medication disposal program
operated through the Nye County Sheriff's Office and appropriating said
medications to his own personal use and/or benefit or gain;

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COUNT II

THEFT, in violation of **NRS 205.0832, A CATEGORY 'B' FELONY**, committed in the following manner, to wit: That **ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014**, in Pahrump Township, Nye County, Nevada, said Defendant did, willfully, unlawfully, knowingly, and without lawful authority, control the property of another person with the intent to deprive that person of the property OR did convert, make an unauthorized transfer of an interest in or, without authorization, control property of another person entrusted to him or placed in his possession for a limited, authorized period of determined or prescribed duration or for a limited use, by obtaining prescription medications, on multiple occasions and as part of a continuing course of conduct, and converting said medications to his own personal use, which medications were given to the Nye County Sheriff for the disposal of unused or expired medications and having a value of \$3,500.00 or more;

COUNT III

POSSESSION OF A CONTROLLED SUBSTANCE, in violation of **NRS 453.336, A CATEGORY 'E' FELONY**, committed in the following manner, to wit: That **ON OR ABOUT JANUARY 25, 2014**, in Pahrump Township, Nye County, Nevada, said Defendant did willfully, unlawfully, and knowingly have in his possession and under his dominion and control a Schedule II controlled substance, to wit: **MORPHINE AND/OR HYDROCODONE**;

COUNT IV

OBTAINING CONTROLLED SUBSTANCE BY FRAUD, in violation of **NRS 453.331(1)(d), A CATEGORY 'E' FELONY**, committed in the following manner, to wit: That **ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014**, in Pahrump Township, Nye County, Nevada, said Defendant did knowingly or intentionally acquire or obtain or attempt to acquire or obtain possession of a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge or alteration, to wit: he obtained **MORPHINE** and/or **HYDROCODONE** by misrepresenting that he would safely and lawfully dispose of unwanted or expired prescription medications through the Nye County Sheriff's Office's prescription drug disposal program;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

COUNT V

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UNLAWFUL POSSESSION OF FIREARM, in violation of NRS 202.360(1), A CATEGORY 'B' FELONY, committed in the following manner, to wit: That **ON, ABOUT OR BETWEEN OCTOBER 21, 2013, AND JANUARY 25, 2014**, in Nye County Nevada, said Defendant did willfully and unlawfully own or have in his or her possession or under his or her custody or control any firearm while an unlawful user of, or addicted to, any controlled substance, to wit: carried his service weapon as a peace officer with the Nye County Sheriff's Office while an unlawful user of and/or addicted to controlled substances, including but not limited to, **MORPHINE** and/or **HYDROCODONE**;

All of which is contrary to the form, force, and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

Witnesses and their addresses known to the District Attorney of Nye County, State of Nevada, at the time of the filing of this Amended Information:

- | | |
|--|---|
| DETECTIVE TREVOR MEADE
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | FRANK JARVIS, RETIRED
NYE COUNTY SHERIFF'S OFFICE
BEATTY, NEVADA |
| SERGEANT DAVID BORUCHOWITZ
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | DEPUTY DAN THOMASSIAN
INYO COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA |
| SCOTT WILLIAMS, RETIRED
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | SERGEANT MICHAEL EISENLOFFEL
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA |
| SHERIFF SHARON WEHRLY
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | DETECTIVE MORGAN DILLON
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA |
| ANTHONY DEMEO, RETIRED
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | OFFICER CHRISTOPHER GELSON
BOULDER CITY POLICE DEPT.
BOULDER CITY, NEVADA |
| WILLIAM BECHT, RETIRED
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA | INVESTIGATOR CRYSTAL BARAJAS
NYE COUNTY DA'S OFFICE
PAHRUMP, NEVADA |

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1 HENRIETTE DELPIERRE
1200 WEST MESQUITE
2 PAHRUMP, NEVADA
3 TINA SEAVEY
1600 CHOWCHILLA CIRCLE
4 PAHRUMP, NEVADA

BENJAMIN GULLEY
4330 W RETREAD RD
PAHRUMP, NEVADA
DEPUTY ALEX J. COX
NYE COUNTY SHERIFF'S OFFICE
PAHRUMP, NEVADA

5
6 **DATED** this 4th day of January, 2016.

7 **ANGELA A. BELLO**
8 **NYE COUNTY DISTRICT ATTORNEY**

9
10 By _____
11 **PATRICK A. FERGUSON**
12 Deputy District Attorney

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
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CERTIFICATE OF SERVICE BY MAIL

I, Nichole McPherson, Executive Legal Secretary, Office of the Nye County District Attorney, P.O. Box 39, Pahrump, Nevada 89041, do hereby certify that I have served the following:

**AMENDED INFORMATION in
5TH JDC Case No(s). CR7793
STATE v. MICHAEL ANTHONY HORN**

upon said Defendant herein by mailing a true and correct copy thereof, postage prepaid, on _____ to the following:

**BRENT D. HUNTLEY, ESQ.
SHUMWAY VAN & HANSEN ATTORNEY AT LAW
8985 S. EASTERN AVE, SUITE 100
LAS VEGAS, NEVADA 89123**

Nichole McPherson

NYE COUNTY DISTRICT ATTORNEY
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Case No. CR 7793

Dept. 1P

FILED

2016 MAY -21 A 9:35
NYE COUNTY CLERK
BY DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF NYE

THE STATE OF NEVADA,

Plaintiff,

-v-

JUDGMENT OF CONVICTION

MICHAEL ANTHONY HORN,

Defendant.

On the 4th day of March 2016, the Defendant above named, appeared before the Court with his counsel, Brent D. Huntley, Esq., and entered a plea of guilty to the crimes of COUNT I: *Misconduct of Public Officer (F)*, a violation of NRS 197.110, a Category "E" Felony and COUNT III: *Possession of a Controlled Substance (Morphine/Hydrocodone)*, a violation of NRS 453.336, a Category "E" Felony.

On the 22nd day of April, 2016 the Defendant appeared personally and with his counsel, Brent D. Huntley, Esq., for entry of Judgment. No sufficient legal cause was shown by the Defendant as to why judgment should not be pronounced against him. The Court adjudged the Defendant guilty of the crimes of COUNT I: *Misconduct of Public Officer (F)*, a violation of NRS 197.110, a Category "E" Felony and COUNT III: *Possession of a Controlled Substance (Morphine/Hydrocodone)*, a violation of NRS 453.336. The Court ordered that the sentence be on COUNT III deferred pursuant to NRS 453.336.

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES



N.C.D.A.
MAY 11 2016

Petrump

EXHIBIT
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On COUNT I, the Court ordered the Defendant to the Nevada Department of Corrections to serve a minimum term of nineteen (19) months and a maximum term of forty eight (48) months.

On COUNT III, the Court ordered that the sentence be deferred pursuant to NRS 453.336.

Defendant shall receive credit for 1 day presentence incarceration.

On COUNT I said sentence was suspended and Defendant was placed on probation for five (5) years with the following special conditions:

The Defendant shall, at his own expense, enter and successfully complete the Veteran's Court in Las Vegas, Nevada.

The Defendant shall serve the first 180 days of his probation grant on house arrest.

The Defendant must attend and successfully complete an education program, or, in the case of a person dependent upon drugs, a program of treatment and rehabilitation pursuant to NRS 453.580 as required by NRS 453.3363.

The Defendant shall not use, consume or possess any alcohol or illicit drug whatsoever throughout the entire term of his probation.

The Defendant shall not misuse any prescription drug, *including, without limitation, any protocol concerning the use of psychotropic medication*, during the entire term of his probation grant. Defendant shall disclose to his supervising probation officer any medications prescribed by any health care professional.

The Defendant shall not use medical marijuana throughout the entire term of his probation grant.

The Defendant shall not apply for or obtain a medical marijuana card throughout the entire term of probation.



1 The Defendant shall completely abstain from the use, possession or consumption of
2 any alcoholic beverage. Further, that the Defendant shall completely abstain from being
3 present in any cocktail lounge, bar or similar establishment for which the primary purpose
4 is serving alcoholic beverages, unless required to be so present during actual employment.

5 The Defendant shall submit to random drug and/or alcohol testing by Nevada
6 Parole and Probation, or its agent, throughout the entire term of his probation.

7 The Defendant shall obtain and maintain steady, gainful and verifiable full time
8 employment or schooling as approved by Nevada Parole and Probation during the entire
9 time of the probation grant, and if not employed full time, participating in employment and
10 vocational training.

11 The Defendant shall complete 1000 hours of community service work at an amount
12 otherwise determined by Parole and Probation during his probation grant.

13 The Defendant shall pay restitution in the amount of \$250.00 to the Nye County
14 Sheriff's Office during the first year of his probation grant.

15 The Defendant shall sign a civil confession of judgment for the amount of
16 restitution owed and pay all applicable fees and costs, if any, associated with the filing of
17 said judgment.

18 The Defendant shall submit to a search of person, property, vehicle, residence or
19 any area and/or thing under his control, at any time of the day or night, without a warrant,
20 for evidence of any crime or violation of probation by any Parole or Probation Officer or
21 Peace Officer acting under their direction during the entire term of Probation.

22 The Defendant shall, at his own expense, enter and successfully complete any
23 counseling program deemed necessary by Nevada Parole and Probation.

24 The Defendant shall completely abstain from gambling, or from being present in a
25 gambling establishment except for employment purposes.

26 The Defendant shall comply with any imposed curfew deemed necessary by Parole
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1 and Probation.

2 The Defendant shall have no adverse contact with law enforcement during the term
3 of his probation.

4 The Defendant shall be returned to the Court for revocation proceedings upon the
5 first violation of any term of his probation.

6 The Defendant shall submit to a full and complete financial disclosure.

7 The Defendant is ordered to comply fully with the Division of Parole and
8 Probation's Standard Probation Agreement and the Rules and Conditions described therein
9 and shall pay 'supervision fees' as required by NRS 231.1076 and NAC 213.230.

10 The Defendant shall pay a fine in the amount of \$5,000.00.

11 IT IS HEREBY ORDERED on COUNT III that the Defendant be placed on
12 probation for not more than three years with the same probation conditions that were
13 imposed in his probation on COUNT I. COUNT III shall run concurrent to COUNT I.

14 The Defendant shall pay to the clerk of the court an administrative assessment fee
15 of \$25.00, a \$3.00 DNA administrative fee, and a DNA administrative fee of \$150.00.

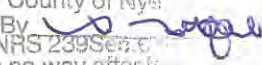
16 IT IS FURTHER ORDERED that any bond in this matter be exonerated,
17 unless previously ordered by this court for forfeiture or any other purpose.

18 Pursuant to NRS 239B.030, the undersigned hereby affirms this document
19 does not contain the social security number of any person.

20 DATED this 2nd day of May, 2016.

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DISTRICT JUDGE

The document to which
is a full, true and
on file and of record
Date 05/11/16
Sandra L. Merlino,
District Court
County of Nye
By 
Per NRS 239B.030
but in no way affects

CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 2nd day of May 2016, she mailed (or hand delivered) copies of the foregoing JUDGMENT OF CONVICTION to the following:

NYE COUNTY DISTRICT ATTORNEY
PAHRUMP, NV
(HAND DELIVERED)

BRENT D. HUNTLEY, ESQ.
SHUMWAY VAN & HANSEN ATTORNEY AT LAW
8985 S. EASTERN AVE, SUITE 100
LAS VEGAS, NV 89123
(DELIVERED BY MAIL)

NEVADA DIVISION OF PAROLE AND PROBATION
PAHRUMP, NV
(HAND DELIVERED)

NYE CO. SHERIFF (DETENTION)
PAHRUMP, NV
(HAND DELIVERED)

Melissa Mevis
MELISSA MEVIS, Secretary to
DISTRICT JUDGE

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES



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MELISSA MEVIS, Secretary to
DISTRICT JUDGE

FIFTH JUDICIAL DISTRICT COURT
ESMERALDA AND NYE COUNTIES



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AGENDA ITEM 12

PUBLIC COMMENT

12. *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.*

AGENDA ITEM 13-14

DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION

13. Schedule upcoming commission meeting.
14. Adjournment.

