



STATE OF NEVADA  
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

STEVE SISOLAK  
*Governor*

MICHAEL D. SHERLOCK  
*Executive Director*

**NOTICE OF PUBLIC MEETING (NRS 241)**

NOTICE IS HEREBY GIVEN THAT STARTING AT 10:00 A.M. ON THURSDAY, AUGUST 13, 2020 THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A PUBLIC COMMENT HEARING, WORKSHOP, AND REGULARLY SCHEDULED MEETING AT THE RENO POLICE DEPARTMENT, 455 E. 2<sup>ND</sup> ST., RENO, NV 89502

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. PUBLIC COMMENT HEARINGS**

1. Call to order
2. Roll call of Commission Members
3. Public Comment Hearing on Proposed Regulations LCB File R112-19 and LCB File R025-20.

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

**TOPICS**

- A. LCB File R112-19** - Amend NAC 289.200 (9) which allows the Executive Director, at the employing agencies request, to return the basic certificate (category I and II) to active status once the peace officer meets minimum standards of appointment, successfully completes requirements set forth in paragraphs (d), (e) and (f) of subsection 2; and within 5 consecutive years of his/her termination of employment as a category I or II peace officer, became a full time employee of the Commission or full time law enforcement officer of a federal law enforcement agency approved by the Commission, and subsequently, within 5 consecutive years of his/her termination of employment with the Commission or federal law enforcement agency, became employed as a peace officer in the same category of peace officer he/she held immediately prior to his/her employment with the Commission or federal law enforcement agency.

- B. **LCB File R025-20** - Amend NAC 289.230 to require all peace officers to annually complete 12 hours of in-service training in: (1) racial profiling; (2) mental health (3) the well-being of officers; (4) implicit bias recognition; (5) de-escalation; (6) human trafficking; and (7) firearms.

**II. WORKSHOP**

- 1. Workshop on proposed regulation change.

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

<b>TOPIC</b>	<b><u>NAC REGULATION</u></b>
<ul style="list-style-type: none"> <li>A. Discussion regarding possible revisions to NAC 289.200 (4)(b) to clarify when the officer must pass the state physical fitness examination. “If the officer is eligible for certification pursuant to subsection 2, <i>no sooner than 30 days prior to being hired as a peace officer and</i> not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status”.</li> </ul>	<b>289.200(4)(b)</b>
<ul style="list-style-type: none"> <li>B. Discussion regarding possible revisions to NAC 289.110 (1)(d) to clarify when a person has “... successfully completed the 12<sup>th</sup> grade or has been certified by an appropriate authority as having an equivalent education...” for purposes of meeting the minimum standards for appointment as a peace officer in the context of home schooling programs.</li> </ul>	<b>289.110(1)(d)</b>

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

**III. REGULARLY SCHEDULED MEETING AGENDA ITEMS**

- 1. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**
  - a. Approval of minutes from the February 12, 2020 regularly scheduled POST Commission Meeting
- 2. **INFORMATION** Executive Director’s report.
  - a. Training Division
    - COVID 19 issues and precautions
    - Academy in session
    - Advanced training schedule out
  - b. Standards Division
    - Workshop and agenda items
    - Reminder on AB 478 requirements
    - Continued Media inquiries on revocations and a “national database”

- c. Administration
  - Retirements and promotions
  - Legislative update
  - Budget update

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

The Commission to decide whether to continue the rulemaking process to amend NAC 289.200 (4)(b) to clarify when the officer must pass the state physical fitness examination. “If the officer is eligible for certification pursuant to subsection 2, *no sooner than 30 days prior to being hired as a peace officer and not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status*”.

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

The Commission to decide whether to continue the rulemaking process to amend NAC 289.110 (1)(d) to clarify when a person has “...successfully completed the 12<sup>th</sup> grade or has been certified by an appropriate authority as having an equivalent education...” for purposes of meeting the minimum standards for appointment as a peace officer in the context of home schooling programs.

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

The Commission to discuss and take possible action to adopt, amend or repeal their regulations as follows:

- A. **LCB File R112-19** - Amend NAC 289.200 (9) which allows the Executive Director, at the employing agency’s request, to return the basic certificate (category I and II) to active status once the peace officer meets minimum standards of appointment, successfully completes requirements set forth in paragraphs (d), (e) and (f) of subsection 2; and within 5 consecutive years of his/her termination of employment as a category I or II peace officer, became a full time employee of the Commission or full time law enforcement officer of a federal law enforcement agency approved by the Commission, and subsequently, within 5 consecutive years of his/her termination of employment with the Commission or federal law enforcement agency, became employed as a peace officer in the same category of peace officer he/she held immediately prior to his/her employment with the Commission or federal law enforcement agency.
- B. **LCB File R025-20** - Amend NAC 289.230 to require all peace officers to annually complete 12 hours of in-service training in: (1) racial profiling; (2) mental health (3) the well-being of officers; (4) implicit bias recognition; (5) de-escalation; (6) human trafficking; and (7) firearms.

**The Commission to fully consider all written and oral comments received on these proposed regulations before taking any action.**

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

Hearing pursuant to NAC 289.290 (1)(g) on the revocation of Rachel E. Sorkow, formally of the Las Vegas Metropolitan Police Department, certification based upon a guilty plea for Misconduct of a Public Officer, a Category E Felony, in violation of NRS 197.110.

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

Hearing pursuant to NAC 289.290(1)(h) on the revocation of Stephen M. Bryan, formally of the Henderson Police Department, certification based upon a conviction for Harassment (Misdemeanor). The agency has requested to revoke the Basic Certificate, based upon court documents and conviction for Harassment – First Offense, a Misdemeanor, in violation of NRS 200.571. On 02/17/2020, the Commission heard a “blind review” of the facts of this case and motioned to move forward with a hearing.

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

Hearing pursuant to NAC 289.290 (1)(g) on the revocation of Raynaldo J. Ramos, formally of the Nevada Department of Corrections, certification based on a guilty plea of Attempt Performance of Act in Willful or Wanton Disregard of Safety of Persons or Property Resulting in Death, a Category “D” Felony/ Gross Misdemeanor, in violation of NRS 202.595(2) and NRS 193.330.

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

A request from the Mineral County Sheriff's Office requesting a 6-month extension pursuant to NRS 289.550 for their employee Alexander Hart to meet certification requirements. The request would extend the time period to November 25, 2020 in order to meet certification.

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

Request from the Washoe County Sheriff's Office, for their employee Undersheriff Wayne A. Yarbrough, for an Executive Certificate.

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

Request from the Henderson Police Department, for their employee Deputy Chief Michael Denning, for an Executive Certificate.

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

Request from the Las Vegas Metro Police Department, for their employee Captain Jeffrey Coday, for an Executive Certificate.

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

Request from the Las Vegas Metro Police Department, for their employee Captain Nicholas Farese, for an Executive Certificate.

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

Request from the Department of Public Safety Parole and Probation, for their employee Captain Martin A. Mleczko Jr., for an Executive Certificate.

**15. 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.*

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

Schedule upcoming Commission Meeting

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

Adjournment.

**POSTED AT THE FOLLOWING LOCATIONS:**

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

Electronically Posted pursuant to NRS 241.020(4)

Pursuant to NRS 241.020(2)(c), a copy of supporting materials for the meeting may be obtained by contacting POST Standards Division, at (775) 687-7678, ext. 3335, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

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