



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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT **8:00 A.M. ON THURSDAY, MAY 2, 2024**, THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A PUBLIC HEARING, WORKSHOP AND REGULARLY SCHEDULED MEETING AT THE **POST ADMINISTRATION BUILDING, CLASSROOM #2, 5587 WA PAI SHONE AVE., CARSON CITY, NV 89701**.

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 HEARING

1. Call to order.
2. Roll call of Commission Members.
3. Public Hearing on Proposed Regulations LCB File R032-23RP1, LCB R025-24 and R031-23RP2.

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 HEARING HAS BEEN PREVIOUSLY NOTICED AS REQUIRED BY NRS CHAPTER 233B):

TOPICS

- A. **LCB R032-23RP1** – Amends NAC 289.270 - requirements to qualify for the Executive Certificate.
- B. **LCB R025-24** – Amends NAC 289.200 to change the physical readiness requirements for Category I and II Reciprocity.
- C. **LCB R031-23RP2** – Establish a new regulation for a Command Staff Basic Certificate.

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):

TOPIC

REGULATION

- A. Discussion regarding possible revision to NAC 289.290(1)(i) to add: (i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33) *or conviction of a crime that has as an element the use or attempted use of physical force, or the threatened use of a deadly weapon; and that at the time the offense was committed, the officer was:*
- i. a current or former spouse, partner, parent or guardian of the victim;*
 - ii. a person whom the victim shared a child in common;*
 - iii. A person who was cohabitating with or had cohabited with the victim as a spouse, parent, or guardian; or,*
 - iv. A person who was or had been similarly situated as a spouse, parent, or guardian of the victim.*

NAC 289.290(1)(i)

Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

- B. (4) The Commission will notify the officer by certified mail, *or personal service*, at the officer's last known address....

NAC 289.290(4)

- C. Discussion regarding the creation of a program that would allow an officer whose basic certificate has expired to reinstate their basic certificate if meeting all requirements of NAC 289, and once they complete an in-person course, physical fitness test and state certification exam.

New Regulation

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. **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.

2. **DISCUSSION AND FOR POSSIBLE ACTION.**

Approval of minutes from the February 22, 2024, public hearing, workshop and regularly scheduled meeting.

3. **INFORMATION** Executive Director's report.

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

4. **DISCUSSION AND FOR POSSIBLE ACTION.**

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

- A. **LCB R032-23RP1** – Amends NAC 289.270 – requirements to qualify for the Executive Certificate.
- B. **LCB R025-24** - Amends NAC 289.200 to change the physical readiness requirements for Category I and II Reciprocity.
- C. **LCB R031-23RP2** - Establish a new regulation for a Command Staff Basic Certificate.

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

5. **DISCUSSION AND FOR POSSIBLE ACTION.**

Discussion by the Commission to continue the rulemaking process regarding the revision of NAC 289.290(1)(i). Possible action may include the creation of language.

6. **DISCUSSION AND FOR POSSIBLE ACTION.**

Discussion by the Commission to continue the rulemaking process regarding the revision of NAC 289.290(4). Possible action may include the creation of language.

7. **DISCUSSION AND FOR POSSIBLE ACTION.**

Discussion by the Commission to continue the rulemaking process for the creation of a Recertifying program for expired basic certificates. Possible action may include the creation of language.

8. **DISCUSSION AND FOR POSSIBLE ACTION.**

Request from the Reno Police Department for an Executive Certificate for their employee Assistant Chief Oliver Miller. Possible action may include issuance or denial of the requested Executive Certificate.

9. **DISCUSSION AND FOR POSSIBLE ACTION.**

Request from the Boulder City Police Department for an Executive Certificate for their employee Deputy Chief Aaron Johnson. Possible action may include issuance or denial of the requested Executive Certificate.

10. DISCUSSION AND FOR POSSIBLE ACTION.

Request from the Ely Shoshone Tribal Police Department for a 6-month extension past the one-year requirement (NRS 289.550) in order to meet the requirements for certification for the following employees:

Brent Stark – Date of Hire - 05/15/2023, extension to November 15, 2024.

Michael Lucero – Date of Hire - 07/05/2023, extension to January 5, 2025.

Possible action may include approval or denial of the requested extensions.

11. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) **and/or** NAC 289.290(1)(h) on the revocation of George J. Head's (formerly employed with the White Pine County Sheriff's Office) Category I, II and III basic certificate(s). NAC 289.290(1) allows the Commission to revoke, refuse or suspend the certificate of a peace officer for: (g) conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to a felony; **and/or** (h) Except as otherwise provided in paragraph (i), conviction of a misdemeanor. If the employing agency recommends suspension or revocation following the conviction of the employee for a misdemeanor, suspension or revocation may be imposed.

The conviction(s) which have led to this action are:

Case #091500069

Charge 1 – BURGLARY 2nd Degree Felony,

Charge 2 – THEFT 3rd Degree Felony,

Charge 3 – CRIMINAL MISCHIEF 3rd Degree Felony

Case #091500075

Charge 1- BURGLARY 3rd Degree Felony.

Possible action may be revocation of the Category I, II and III basic certificates.

12. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Lawrence J. Rinetti's (formerly employed with the Las Vegas Metropolitan Police Department) Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to a felony. The conviction(s) which have led to this action are:

Count I: THEFT (Category B Felony, in violation of NRS 205.0832, 205.0835.4)

Count II: ATTEMPT OBTAINING, USING, POSSESSING OR SELLING PERSONAL IDENTIFYING INFORMATION FOR UNLAWFUL PURPOSE BY PUBLIC OFFICER OR PUBLIC EMPLOYEE (Category B Felony, in violation of NRS 205.463(1), NRS 193.153)

Count III: OFFERING A FALSE INSTRUMENT FOR FILING OR RECORD (Category C Felony, in violation of NRS 239.330, 171.085, 171.090, 171.095)

Count IV: RECKLESS DRIVING (Category B Felony, in violation of NRS 484B.653)

Possible action may be revocation of the Category I basic certificate.

13. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Freddy A. Caseres's (formerly employed with the Nevada Taxicab Authority) Category I and II basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to a felony. The conviction(s) which have led to this action are:

Count I: ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category B Felony, in violation of NRS 201.230(2))

Possible action may be revocation of the Category I and II basic certificates.

14. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Stewart E. Handte's (formerly employed with the Reno Sparks Indian Colony Police) Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to a felony. The conviction(s) which have led to this action are:

Count II: BURGLARY, a violation of NRS 205.060, a category B Felony.

Possible action may be revocation of the Category I basic certificate.

15. 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.

16. DISCUSSION AND FOR POSSIBLE ACTION.

Schedule upcoming Commission Meeting – July

17. DISCUSSION AND FOR POSSIBLE ACTION.

Adjournment.

POSTED AT THE FOLLOWING LOCATIONS:

Commission on POST Administrative Office
Carson City, NV 89701

State Library, Archives and Public Records
100 Stewart Street, Carson City

<http://post.nv.gov>

<http://notice.nv.gov>

<http://leg.state.nv.us>

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.