



NEVADA COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING

WORKSHOP AND POST COMMISSION
MEETING 1:00 P.M., WEDNESDAY, OCTOBER
29, 2025

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT
2725 W. PYLE AVE.
LAS VEGAS, NEVADA 89183

NOTICES



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

REVISED

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Commission on Peace Officer Standards and Training is proposing the adoption and/or amendment of regulations pertaining to Chapter 289 of the Nevada Administrative Code, implementing changes contained in Senate Bill 380 (SB 380) of the 83rd (2025) Nevada Legislative Session.

A workshop is scheduled for **1:00 P.M. ON WEDNESDAY, OCTOBER 29, 2025, AT THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT K9 BUREAU, 2725 W. PYLE AVE., LAS VEGAS, NV 89183**. The purpose of the workshop is to solicit comments from interested persons on the following general topic(s) that may be addressed in the proposed regulations:

TOPIC

NAC REGULATION

A. Discussion regarding revision to NAC 289.230 to comply with SB380 which adds “Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder” to subsection 1.b.

NAC 289.230 (1)(b)

A copy of all materials for the meeting may be obtained by contacting Kathy Floyd, Standards Division Chief, at (775) 687-7678, ext.3335, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. A reasonable fee for copying may be charged.

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

POST Administrative Office, Carson City
Nevada State Library and Archives, Carson City
<http://post.nv.gov>
<http://notice.nv.gov>
<http://leg.state.nv.us>

Electronically Posted pursuant to NRS 241.020(4)

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

NAC 289.230 Basic or reserve certificate: Requirements for maintaining certificate and resuming duties; effect of failure to comply. ([NRS 289.510](#), [289.590](#))

1. Except as otherwise provided in subsections 7 and 8, to maintain a basic certificate or reserve certificate, the officer must annually:

- (a) Satisfy the requirements of subsection 5; and
- (b) Complete not less than 12 hours of continuing education in courses that address:

- (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; *and*

(8) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;

2. The employing agency shall ensure that its officers comply with the requirements of subsection 1. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 4 for failure to comply with this section. After an officer completes the requirements of subsection 1, the employing agency shall submit to the Executive Director by any means approved by the Executive Director verification that the officer has completed those requirements. Verification must be submitted on or before December 31 of the year in which the officer was required to complete the requirements of subsection 1.

3. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before December 31 of the year in which the officer was required to complete those requirements, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 2 and that if the verification is not received on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

4. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the requirements of subsection 1. The Commission will notify each officer and his or her employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not complete the requirements of subsection 1 within 60 days after the date on which he or she received the notice of noncompliance. The Executive Director may temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1. The temporary reinstatement of the suspended certificate is effective upon the Executive Director's approval of the temporary reinstatement and expires on the date on which the Commission determines whether to reinstate the certificate. The Commission will reinstate the suspended certificate or temporarily reinstate certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1.

5. Except as otherwise provided in subsections 7 and 8, in addition to completing the continuing education required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any type of firearm he or she is authorized to use may not carry or use that type of firearm until he or she participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less than lethal weapon, at least annually demonstrate a minimum level of proficiency in the use of each such weapon or device he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any such weapon may not carry or use that weapon until the officer participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(c) If the duties of an officer require him or her to use arrest and control tactics, demonstrate annually a minimum level of proficiency in the use of arrest and control tactics, including, without limitation, techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review annually each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

6. Each employing agency shall establish and provide the courses set forth in subsection 5 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

7. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 4 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 4 consecutive months but not more than 60 consecutive months;

(c) Who, during a period of continuous employment as a peace officer, is absent from his or her duties as a peace officer because of medical leave, military leave or other approved leave for at least 4 consecutive months; or

(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year,

Ê must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 5 and demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use before commencing or resuming his or her duties as a peace officer.

8. An officer who instructs a course pursuant to subsection 5 is not required to comply with the requirements of subsection 5 to which the instruction applies if the officer:

(a) Instructs a course in the subject for which the officer is qualified and approved by the administrator of the officer's agency during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he or she instructs.

9. Each agency shall maintain documentation of the courses provided pursuant to subsection 5. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; R171-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R127-04, 11-8-2004; R003-07, 4-17-2008; R118-09, 1-28-2010; R188-12, 12-23-2013; R121-13, 3-28-2014; R012-17, 12-19-2017; R025-20, 11-2-2020)

CHAPTER.....

AN ACT relating to autism; requiring peace officers to complete certain training concerning developmental disabilities; authorizing certain training concerning autism spectrum disorders to be included as part of the training of peace officers in interacting with persons with developmental disabilities; requiring the Legislative Auditor to conduct an audit of the Board of Applied Behavior Analysis; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a peace officer, as a condition of certification, to complete training concerning identifying and interacting with persons with developmental disabilities, including, without limitation, autism. (NRS 289.605) **Section 3** of this bill authorizes such training to include instruction in certain specific topics relating to autism spectrum disorders. **Section 2** of this bill requires continuing education for peace officers to include training in interactions with persons with developmental disabilities, which may include training on recognizing and responding to persons with an autism spectrum disorder. **Section 1** of this bill defines the term “autism spectrum disorder” for the purposes of **sections 2 and 3**.

Existing law provides for the registration of registered behavior technicians who provide applied behavior analysis services under the supervision of a licensed behavior analyst or assistant behavior analyst to persons with autism spectrum disorder in this State. (NRS 641D.300, 641D.310, 641D.600, 641D.610)

Section 4.5 of this bill requires the Legislative Auditor to conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications. **Section 4.5** requires the Legislative Auditor to present a final written report of the audit to the Audit Subcommittee of the Legislative Commission.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.010 is hereby amended to read as follows:
289.010 As used in this chapter, unless the context otherwise requires:

1. “Administrative file” means any file of a peace officer containing information, comments or documents about the peace officer. The term does not include any file relating to an investigation conducted pursuant to NRS 289.057 or a criminal investigation of a peace officer.



2. "Adult use of cannabis" has the meaning ascribed to it in NRS 678A.075.

3. *"Autism spectrum disorder" means a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association or the edition thereof that was in effect at the time the condition was diagnosed or determined.*

4. "Law enforcement agency" means any agency, office, bureau, department, unit or division created by any statute, ordinance or rule which:

(a) Has a duty to enforce the law; and

(b) Employs any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~{4-}~~ 5. "Medical use of cannabis" has the meaning ascribed to it in NRS 678A.215.

~~{5-}~~ 6. "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~{6-}~~ 7. "Punitive action" means any action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand or transfer of a peace officer for purposes of punishment.

~~{7-}~~ 8. "Screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or other drug.

Sec. 2. NRS 289.510 is hereby amended to read as follows:

289.510 1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in the regulations adopted pursuant to subsection 2.

(d) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(e) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.680, inclusive.



(f) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

(g) Shall develop and approve a standard curriculum of certified training programs in crisis intervention, which may be made available in an electronic format, and which address specialized responses to persons with mental illness and train peace officers to identify the signs and symptoms of mental illness, to de-escalate situations involving persons who appear to be experiencing a behavioral health crisis and, if appropriate, to connect such persons to treatment. A peace officer who completes any program developed pursuant to this paragraph must be issued a certificate of completion.

2. The Commission shall adopt regulations establishing minimum standards for:

(a) The certification and decertification, recruitment, selection and training of peace officers. The standards adopted pursuant to this paragraph must:

(1) Establish requirements for evaluations to be conducted during the recruitment and selection of peace officers, which must identify implicit bias on the part of a peace officer on the basis of race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression;

(2) Establish requirements for basic training for category I, category II and category III peace officers and reserve peace officers;

(3) Establish standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance, which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:

(I) Racial profiling;

(II) Mental health, including, without limitation, crisis intervention;

(III) The well-being of officers;

(IV) Implicit bias recognition;

(V) De-escalation;

(VI) Human trafficking; ~~and~~

(VII) Firearms; *and*

(VIII) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;



(4) Establish qualifications for instructors of peace officers;
(5) Establish requirements for the certification of a course of training;

(6) Require all peace officers to receive training in the handling of cases involving abuse or neglect of children or missing children;

(7) Require all peace officers to receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons;

(8) Not prohibit the certification of an applicant solely on the basis that the applicant has engaged in the adult use of cannabis or the medical use of cannabis;

(9) Not require the decertification of a peace officer solely on the basis that the peace officer has engaged in the adult use of cannabis or the medical use of cannabis; and

(10) Require the decertification of a peace officer upon a determination by the Commission that the peace officer knowingly provided false or misleading information in his or her application for certification.

(b) An annual behavioral wellness visit for peace officers to aid in preserving the emotional and mental health of the peace officer and assessing any conditions that may affect the performance of duties by the peace officer.

(c) The reciprocity of a person who has been certified as a category III peace officer or its equivalent by the certifying authority of another state or who has successfully completed a federal law enforcement training program that is equivalent to a category III peace officer in this State.

3. The regulations adopted by the Commission pursuant to subsection 2:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers; and

(b) May require that training be carried on at institutions which it approves in those regulations.

4. Nothing in this section shall be construed to prohibit a law enforcement agency from adopting a policy that requires a peace officer to submit to a screening test as:

(a) A condition precedent to employment; or

(b) A condition for continued employment.

Sec. 3. NRS 289.605 is hereby amended to read as follows:

289.605 1. The Commission shall require, as a condition of the certification of each peace officer, the completion of training concerning identifying and interacting with persons with



developmental disabilities. *Such training may include, without limitation, training concerning:*

(a) The nature and manifestation of autism spectrum disorders;

(b) Appropriate techniques for interviewing or interrogating a person with an autism spectrum disorder;

(c) Techniques for locating a person with an autism spectrum disorder who is missing and in danger, with as little stress as possible for the person with an autism spectrum disorder;

(d) Techniques for recognizing the agency of a person with an autism spectrum disorder while identifying potentially abusive or coercive situations;

(e) Techniques for deescalating a potentially dangerous situation involving a person with an autism spectrum disorder to protect the safety of the peace officer and the person with an autism spectrum disorder;

(f) Techniques for differentiating between a person with an autism spectrum disorder and a person who does not have an autism spectrum disorder but is acting belligerently, uncooperatively or otherwise similarly to a person with an autism spectrum disorder;

(g) Procedures to identify and address challenges related to the safety of persons with an autism spectrum disorder in correctional facilities; and

(h) The impact of interacting with peace officers on persons with autism spectrum disorders.

2. Training completed pursuant to this section also satisfies the requirement for such training prescribed by NRS 450B.160 or 450B.180, if applicable.

3. As used in this section, “developmental disability” has the meaning ascribed to it in NRS 435.007.

Sec. 4. (Deleted by amendment.)

Sec. 4.5. 1. During the 2025-2027 biennium, the Legislative Auditor shall conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications submitted pursuant to NRS 641D.300.

2. On or before January 31, 2027, the Legislative Auditor shall present a final written report of the audit performed pursuant to this section to the Audit Subcommittee of the Legislative Commission.



Sec. 5. 1. This section and section 4.5 of this act become effective upon passage and approval.

2. Sections 1 to 4, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On October 1, 2025, for all other purposes.

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STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
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Carson City, Nevada 89701
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JOE I. OMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

SMALL BUSINESS IMPACT STATEMENT
LCB FILE NO. TBD
EFFECTIVE DATE OF REGULATION :
Upon filing with the Nevada Secretary of State

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

Pursuant to NRS 233B.0608(1), the Commission on Peace Officer Standards and Training (or "POST") made a concerted effort to determine whether the proposed regulation is likely to impose a direct and significant economic burden upon small business or directly restrict the formation, operation or expansion of a small business. POST determined that no such burdens or restrictions are applicable here. A workshop is scheduled for October 29, 2025, starting at 1:00 p.m. at the Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183, where public comment will be accepted during the workshop and regularly scheduled meeting held immediately after the workshop. The notice and the regulation to be amended, pursuant to NRS 241.020(4), will be provided via electronic mean to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice will be physically posted at the Commission on Peace Officer Standards and Training Administration Office at 5587 Wa Pai Shone Ave., Carson City, NV and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended will be available upon request by contacting the POST Standards Division at (775) 687-3335.

2. The manner in which the analysis was conducted:

This regulation change does not apply to small businesses. The Commission on Peace Officer Standards and Training has authority to adopt regulations regarding the certification and training of peace officers. The regulations apply to peace officers and employing state, local and government agencies regulated by POST.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

a. Both adverse and beneficial effects:

- i. Adverse effects:** There are no adverse effects on small business as POST regulations do not apply to small business.
- ii. Beneficial effects:** There are no beneficial effects on small business as POST regulations do not apply to small business.

b. Both direct and indirect effects

- i. Direct effects:** There will be no direct effect on small business as POST regulations do not apply to small business.
- ii. Indirect effects:** There will be no indirect effect on small business as POST regulations do not apply to small business.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:

There will be no impact to small business.

5. The estimated cost to the agency for enforcement of the proposed regulation:

There will be no fiscal impact to the agency.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

There be no new fees or increases to existing fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:

There are no duplicative or more stringent provisions with this regulation change.

8. The reason for the conclusions of the agency regarding the impact of a regulation on small businesses:

The proposed regulation has no impact on small businesses.

I certify that, to the best of my knowledge or belief, the information contained in this statement was prepared properly and is accurate. (NRS 233B.0609(2))



**Michael Sherlock, Executive Director
NV Commission on POST**



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JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE AND AGENDA OF WORKSHOP AND PUBLIC MEETING

DATE AND TIME: Wednesday, October 29, 2025, starting at 1:00 p.m.

LOCATION: Las Vegas Metropolitan K9 Bureau
2725 W. Pyle Ave.
Las Vegas, NV 89183

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. Call to Order

II. Roll call of Commission Members

III. WORKSHOP

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.

THE PURPOSE OF THE WORKSHOP 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

NAC REGULATION

A. Discussion regarding revision to NAC 289.230 to comply with SB380 which adds "Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder" to subsection (1)(b).

NAC 289.230 (1)(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.

IV. REGULARLY SCHEDULED MEETING

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 July 17, 2025, regularly scheduled meeting.

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

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

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

Discussion by the Commission to continue the rulemaking process regarding the revision of NAC 289.230 to comply with SB 380 which adds "Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder" to subsection (1)(b). Possible action may include approval of proposed language.

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

Request from the Lyon County Sheriff's Department for an Executive Certificate for their employee Sheriff Brad Pope, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

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

Request from the Nye County Sheriff's Office for an Executive Certificate for their employee Captain Harry Means, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

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

Request from the Las Vegas Metropolitan Police Department for an Executive Certificate for their employee Sheriff Kevin McMahon, pursuant to NAC 289.270(1)(b). Possible action may include approval or denial of the requested Executive Certificate.

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

Request from Humboldt County Juvenile Services for a 6-month extension past the one-year requirement (NRS 289.550) in order to meet the requirements for certification for their employee, Madison Krause. Hire date September 30, 2024, extension to March 30, 2026.

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

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

Request from Esmeralda County Sheriff's Office for a 6-month extension past the one-year requirement (NRS 289.550) in order to meet the requirements for certification for their employee Deputy Travis Smalley. Hire date October 22, 2024, extension to April 22, 2026.

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

10. **DISCUSSION AND FOR POSSIBLE ACTION.**

Request pursuant to NAC 289.290 (12) from Stephen Bryan for reinstatement of his eligibility to be certified. Mr. Bryan's category I basic certificate was revoked August 13, 2020, pursuant to NAC 289.290(1)(h) based on a conviction of a misdemeanor.

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

11. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) and NAC 289.290 (1)(g) for the possible revocation of the category I basic certificate held by Louis F. Ashby, former employee of the White Pine County Sheriff's Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and felony. The convictions that have led to this action are:

COUNT 1: OPEN AND GROSS LEWDNESS, a gross misdemeanor, in violation of NRS 201.210

COUNT 2: ATTEMPT SEXUAL ASSAULT, a category "B" felony, in violation of NRS 200.366(2)(b) and NRS 193.153

Possible action may include revocation of the category I basic certificate.

12. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) for the possible revocation of the category III basic certificate held by Joseph Billey, former employee of the Nevada Department of Corrections, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. The conviction(s) that have led to this action are:

Count I: BATTERY ON A HEALTH CARE PROVIDER (Gross Misdemeanor) in violation of NRS 200.481(2)(d)

Possible action may include revocation of the category III basic certificate.

13. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) for the possible revocation of the category I basic certificate held by David E. Boruchowitz, former employee of the Nye County Sheriff's Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction(s) that have led to this action are:

COUNT 1: DEPRIVATION OF RIGHTS UNDER COLOR OF LAW, AIDING AND ABETTING (Misdemeanor)

COUNT 4: FRAUD BY WIRE, AIDING AND ABETTING (Felony)

Possible action may include revocation of the category I basic certificate.

14. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) and NAC 289.290 (1)(g) for the possible revocation of the category I basic certificate held by Kevin Menon, former employee of the Las Vegas Metropolitan Police Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and felony. The conviction(s) that have led to this action are:

CASE NO: C-24-386532-1

COUNT 1: OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor) in violation of NRS 199.200(2)(B)

COUNT 2: SUBORNATION OF PERJURY (Category D Felony) in violation of NRS 199.120

COUNT 3: BATTERY ON A PROTECTED PERSON (Gross Misdemeanor) in violation of NRS 200.481

COUNT 4: OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL FORCE (Category D Felony) in violation of NRS 197.200

CASE NO: C-24-387164-1

COUNT 1: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730

COUNT 2: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730

COUNT 3: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730

COUNT 4: CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (Gross Misdemeanor) in violation of NRS 200.604

Possible action may include 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 Public Hearing and regularly scheduled meeting – February?

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(3)(c), a copy of supporting materials for the meeting may be obtained by contacting the Commission on Peace Officer Standards and Training, ATTN: Chief Kathy Floyd, 5587 Wa Pai Shone Ave., Carson City, NV 89701 or by going to the Nevada POST Website at https://post.nv.gov/Meetings/Commission_Meetings/.

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.

**WORKSHOP TO SOLICIT COMMENTS ON PROPOSED
REGULATIONS**



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

REVISED

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Commission on Peace Officer Standards and Training is proposing the adoption and/or amendment of regulations pertaining to Chapter 289 of the Nevada Administrative Code, implementing changes contained in Senate Bill 380 (SB 380) of the 83rd (2025) Nevada Legislative Session.

A workshop is scheduled for **1:00 P.M. ON WEDNESDAY, OCTOBER 29, 2025, AT THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT K9 BUREAU, 2725 W. PYLE AVE., LAS VEGAS, NV 89183**. The purpose of the workshop is to solicit comments from interested persons on the following general topic(s) that may be addressed in the proposed regulations:

TOPIC

NAC REGULATION

A. Discussion regarding revision to NAC 289.230 to comply with SB380 which adds “Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder” to subsection 1.b.

NAC 289.230 (1)(b)

A copy of all materials for the meeting may be obtained by contacting Kathy Floyd, Standards Division Chief, at (775) 687-7678, ext.3335, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. A reasonable fee for copying may be charged.

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

POST Administrative Office, Carson City
Nevada State Library and Archives, Carson City
<http://post.nv.gov>
<http://notice.nv.gov>
<http://leg.state.nv.us>

Electronically Posted pursuant to NRS 241.020(4)

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

NAC 289.230 Basic or reserve certificate: Requirements for maintaining certificate and resuming duties; effect of failure to comply. ([NRS 289.510](#), [289.590](#))

1. Except as otherwise provided in subsections 7 and 8, to maintain a basic certificate or reserve certificate, the officer must annually:

- (a) Satisfy the requirements of subsection 5; and
- (b) Complete not less than 12 hours of continuing education in courses that address:

- (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; *and*

(8) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;

2. The employing agency shall ensure that its officers comply with the requirements of subsection 1. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 4 for failure to comply with this section. After an officer completes the requirements of subsection 1, the employing agency shall submit to the Executive Director by any means approved by the Executive Director verification that the officer has completed those requirements. Verification must be submitted on or before December 31 of the year in which the officer was required to complete the requirements of subsection 1.

3. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before December 31 of the year in which the officer was required to complete those requirements, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 2 and that if the verification is not received on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

4. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the requirements of subsection 1. The Commission will notify each officer and his or her employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not complete the requirements of subsection 1 within 60 days after the date on which he or she received the notice of noncompliance. The Executive Director may temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1. The temporary reinstatement of the suspended certificate is effective upon the Executive Director's approval of the temporary reinstatement and expires on the date on which the Commission determines whether to reinstate the certificate. The Commission will reinstate the suspended certificate or temporarily reinstate certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1.

5. Except as otherwise provided in subsections 7 and 8, in addition to completing the continuing education required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any type of firearm he or she is authorized to use may not carry or use that type of firearm until he or she participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less than lethal weapon, at least annually demonstrate a minimum level of proficiency in the use of each such weapon or device he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any such weapon may not carry or use that weapon until the officer participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(c) If the duties of an officer require him or her to use arrest and control tactics, demonstrate annually a minimum level of proficiency in the use of arrest and control tactics, including, without limitation, techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review annually each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

6. Each employing agency shall establish and provide the courses set forth in subsection 5 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

7. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 4 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 4 consecutive months but not more than 60 consecutive months;

(c) Who, during a period of continuous employment as a peace officer, is absent from his or her duties as a peace officer because of medical leave, military leave or other approved leave for at least 4 consecutive months; or

(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year, must satisfy the requirements of paragraphs (b) to (c), inclusive, of subsection 5 and demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use before commencing or resuming his or her duties as a peace officer.

8. An officer who instructs a course pursuant to subsection 5 is not required to comply with the requirements of subsection 5 to which the instruction applies if the officer:

(a) Instructs a course in the subject for which the officer is qualified and approved by the administrator of the officer's agency during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he or she instructs.

9. Each agency shall maintain documentation of the courses provided pursuant to subsection 5. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; R171-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R127-04, 11-8-2004; R003-07, 4-17-2008; R118-09, 1-28-2010; R188-12, 12-23-2013; R121-13, 3-28-2014; R012-17, 12-19-2017; R025-20, 11-2-2020)

CHAPTER.....

AN ACT relating to autism; requiring peace officers to complete certain training concerning developmental disabilities; authorizing certain training concerning autism spectrum disorders to be included as part of the training of peace officers in interacting with persons with developmental disabilities; requiring the Legislative Auditor to conduct an audit of the Board of Applied Behavior Analysis; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a peace officer, as a condition of certification, to complete training concerning identifying and interacting with persons with developmental disabilities, including, without limitation, autism. (NRS 289.605) **Section 3** of this bill authorizes such training to include instruction in certain specific topics relating to autism spectrum disorders. **Section 2** of this bill requires continuing education for peace officers to include training in interactions with persons with developmental disabilities, which may include training on recognizing and responding to persons with an autism spectrum disorder. **Section 1** of this bill defines the term “autism spectrum disorder” for the purposes of **sections 2 and 3**.

Existing law provides for the registration of registered behavior technicians who provide applied behavior analysis services under the supervision of a licensed behavior analyst or assistant behavior analyst to persons with autism spectrum disorder in this State. (NRS 641D.300, 641D.310, 641D.600, 641D.610)

Section 4.5 of this bill requires the Legislative Auditor to conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications. **Section 4.5** requires the Legislative Auditor to present a final written report of the audit to the Audit Subcommittee of the Legislative Commission.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.010 is hereby amended to read as follows:
289.010 As used in this chapter, unless the context otherwise requires:

1. “Administrative file” means any file of a peace officer containing information, comments or documents about the peace officer. The term does not include any file relating to an investigation conducted pursuant to NRS 289.057 or a criminal investigation of a peace officer.



2. "Adult use of cannabis" has the meaning ascribed to it in NRS 678A.075.

3. *"Autism spectrum disorder" means a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association or the edition thereof that was in effect at the time the condition was diagnosed or determined.*

4. "Law enforcement agency" means any agency, office, bureau, department, unit or division created by any statute, ordinance or rule which:

(a) Has a duty to enforce the law; and

(b) Employs any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~{4-}~~ 5. "Medical use of cannabis" has the meaning ascribed to it in NRS 678A.215.

~~{5-}~~ 6. "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~{6-}~~ 7. "Punitive action" means any action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand or transfer of a peace officer for purposes of punishment.

~~{7-}~~ 8. "Screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or other drug.

Sec. 2. NRS 289.510 is hereby amended to read as follows:

289.510 1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in the regulations adopted pursuant to subsection 2.

(d) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(e) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.680, inclusive.



(f) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

(g) Shall develop and approve a standard curriculum of certified training programs in crisis intervention, which may be made available in an electronic format, and which address specialized responses to persons with mental illness and train peace officers to identify the signs and symptoms of mental illness, to de-escalate situations involving persons who appear to be experiencing a behavioral health crisis and, if appropriate, to connect such persons to treatment. A peace officer who completes any program developed pursuant to this paragraph must be issued a certificate of completion.

2. The Commission shall adopt regulations establishing minimum standards for:

(a) The certification and decertification, recruitment, selection and training of peace officers. The standards adopted pursuant to this paragraph must:

(1) Establish requirements for evaluations to be conducted during the recruitment and selection of peace officers, which must identify implicit bias on the part of a peace officer on the basis of race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression;

(2) Establish requirements for basic training for category I, category II and category III peace officers and reserve peace officers;

(3) Establish standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance, which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:

(I) Racial profiling;

(II) Mental health, including, without limitation, crisis intervention;

(III) The well-being of officers;

(IV) Implicit bias recognition;

(V) De-escalation;

(VI) Human trafficking; ~~and~~

(VII) Firearms; *and*

(VIII) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;



(4) Establish qualifications for instructors of peace officers;
(5) Establish requirements for the certification of a course of training;

(6) Require all peace officers to receive training in the handling of cases involving abuse or neglect of children or missing children;

(7) Require all peace officers to receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons;

(8) Not prohibit the certification of an applicant solely on the basis that the applicant has engaged in the adult use of cannabis or the medical use of cannabis;

(9) Not require the decertification of a peace officer solely on the basis that the peace officer has engaged in the adult use of cannabis or the medical use of cannabis; and

(10) Require the decertification of a peace officer upon a determination by the Commission that the peace officer knowingly provided false or misleading information in his or her application for certification.

(b) An annual behavioral wellness visit for peace officers to aid in preserving the emotional and mental health of the peace officer and assessing any conditions that may affect the performance of duties by the peace officer.

(c) The reciprocity of a person who has been certified as a category III peace officer or its equivalent by the certifying authority of another state or who has successfully completed a federal law enforcement training program that is equivalent to a category III peace officer in this State.

3. The regulations adopted by the Commission pursuant to subsection 2:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers; and

(b) May require that training be carried on at institutions which it approves in those regulations.

4. Nothing in this section shall be construed to prohibit a law enforcement agency from adopting a policy that requires a peace officer to submit to a screening test as:

(a) A condition precedent to employment; or

(b) A condition for continued employment.

Sec. 3. NRS 289.605 is hereby amended to read as follows:

289.605 1. The Commission shall require, as a condition of the certification of each peace officer, the completion of training concerning identifying and interacting with persons with



developmental disabilities. *Such training may include, without limitation, training concerning:*

(a) The nature and manifestation of autism spectrum disorders;

(b) Appropriate techniques for interviewing or interrogating a person with an autism spectrum disorder;

(c) Techniques for locating a person with an autism spectrum disorder who is missing and in danger, with as little stress as possible for the person with an autism spectrum disorder;

(d) Techniques for recognizing the agency of a person with an autism spectrum disorder while identifying potentially abusive or coercive situations;

(e) Techniques for deescalating a potentially dangerous situation involving a person with an autism spectrum disorder to protect the safety of the peace officer and the person with an autism spectrum disorder;

(f) Techniques for differentiating between a person with an autism spectrum disorder and a person who does not have an autism spectrum disorder but is acting belligerently, uncooperatively or otherwise similarly to a person with an autism spectrum disorder;

(g) Procedures to identify and address challenges related to the safety of persons with an autism spectrum disorder in correctional facilities; and

(h) The impact of interacting with peace officers on persons with autism spectrum disorders.

2. Training completed pursuant to this section also satisfies the requirement for such training prescribed by NRS 450B.160 or 450B.180, if applicable.

3. As used in this section, “developmental disability” has the meaning ascribed to it in NRS 435.007.

Sec. 4. (Deleted by amendment.)

Sec. 4.5. 1. During the 2025-2027 biennium, the Legislative Auditor shall conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications submitted pursuant to NRS 641D.300.

2. On or before January 31, 2027, the Legislative Auditor shall present a final written report of the audit performed pursuant to this section to the Audit Subcommittee of the Legislative Commission.



Sec. 5. 1. This section and section 4.5 of this act become effective upon passage and approval.

2. Sections 1 to 4, inclusive, of this act become effective:

- (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
- (b) On October 1, 2025, for all other purposes.

20 ~~~~~ 25



83rd Session (2025)



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 I. OMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

SMALL BUSINESS IMPACT STATEMENT
LCB FILE NO. TBD
EFFECTIVE DATE OF REGULATION :
Upon filing with the Nevada Secretary of State

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

Pursuant to NRS 233B.0608(1), the Commission on Peace Officer Standards and Training (or "POST") made a concerted effort to determine whether the proposed regulation is likely to impose a direct and significant economic burden upon small business or directly restrict the formation, operation or expansion of a small business. POST determined that no such burdens or restrictions are applicable here. A workshop is scheduled for October 29, 2025, starting at 1:00 p.m. at the Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183, where public comment will be accepted during the workshop and regularly scheduled meeting held immediately after the workshop. The notice and the regulation to be amended, pursuant to NRS 241.020(4), will be provided via electronic mean to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice will be physically posted at the Commission on Peace Officer Standards and Training Administration Office at 5587 Wa Pai Shone Ave., Carson City, NV and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended will be available upon request by contacting the POST Standards Division at (775) 687-3335.

2. The manner in which the analysis was conducted:

This regulation change does not apply to small businesses. The Commission on Peace Officer Standards and Training has authority to adopt regulations regarding the certification and training of peace officers. The regulations apply to peace officers and employing state, local and government agencies regulated by POST.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

a. Both adverse and beneficial effects:

- i. Adverse effects:** There are no adverse effects on small business as POST regulations do not apply to small business.
- ii. Beneficial effects:** There are no beneficial effects on small business as POST regulations do not apply to small business.

b. Both direct and indirect effects

- i. Direct effects:** There will be no direct effect on small business as POST regulations do not apply to small business.
- ii. Indirect effects:** There will be no indirect effect on small business as POST regulations do not apply to small business.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:

There will be no impact to small business.

5. The estimated cost to the agency for enforcement of the proposed regulation:

There will be no fiscal impact to the agency.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

There be no new fees or increases to existing fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:

There are no duplicative or more stringent provisions with this regulation change.

8. The reason for the conclusions of the agency regarding the impact of a regulation on small businesses:

The proposed regulation has no impact on small businesses.

I certify that, to the best of my knowledge or belief, the information contained in this statement was prepared properly and is accurate. (NRS 233B.0609(2))



**Michael Sherlock, Executive Director
NV Commission on POST**

IV. REGULARLY SCHEDULED MEETING

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 July 17, 2025, regularly scheduled meeting.

1 STATE OF NEVADA

2 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

3
4 A Workshop and Regularly Scheduled Meeting of
5 the Commission on Peace Officer Standards and Training was held
6 on Thursday, July 17, 2025 commencing at 2:00 p.m. at 5587 Wa
7 Pai Shone Avenue, Carson City, Nevada.

8
9 COMMISSIONERS:

10 Oliver Miller, Chairman

11 Dan Coverley

12 Kevin McKinney

13 Russ Niel

14 Jamie Prosser

15 George Togliatti

16 Tiffany Young

17 STAFF:

18 Kathy Floyd, POST F

19 Geordan Goebel, Attorney General's Office

20 Mike Sherlock, POST F

21
22 TRANSCRIBED BY: Marsha Steverman-Meech
23
24
25

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11. Hearing pursuant to NAC 289.290(1)(g) for the possible revocation of the category III basic certificate held by Mario Caballeros, former employee of the Nevada Department of Corrections, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. 25

12. Hearing pursuant to NAC 289.290(1)(g) for the possible revocation of the category I and III basic certificates held by Joseph M. Ortega, former employee of the Las Vegas Metropolitan Police Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. 26

13. Hearing pursuant to NAC 289.290(1)(g) for the possible revocation of the category I, II and III basic certificates held by Harvey S. Velazquez, former employee of the Las Vegas Metropolitan Police Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. 28

14. Public Comment 29

15. Schedule upcoming Workshop and Regularly scheduled meeting. Tentatively set for October 29, 2025 in Las Vegas. 30

16. Adjournment 32

PROCEEDINGS

MCKINNEY: The POST Commission Meeting is called Order July 17th, 2025, and the time is 2:00 PM. Let's start off with Deputy Director Mike Sherlock for information on today's meeting.

SHERLOCK: Sure. Mike Sherlock for the record, Director Sherlock but, you know, I can get demoted if he's not here. The Deputy Director.

MCKINNEY: Oh, sorry, my mistake.

SHERLOCK: I don't care. So, you know, as y'all know, with the retirement of Chief Trouten, we have currently no chairperson. Just so everyone knows the statute simply says that a chairperson is elected via majority vote of the Commissioners. After speaking with our attorney, we decided the best course of action was to have our senior Commissioner, Chief McKinney open the meeting. He's our longest serving Commissioner currently, and had him get the meeting going. One of the first items that he'll go to will be the election of the chairperson. Whoever is elected, whether it's Chief McKinney or someone else, will at that moment simply hand over the script and the ability for that new chairperson to run the meeting from that point on. Just so everyone knows who may be interested, again, the statute simply describes the duties of the chairperson as the one who calls the meetings and they're elected by majority vote. That's all it says for the

1 chairperson. A little thin from the statutory standpoint.
2 Considering we have a quorum here today, the quorum shall elect
3 by majority vote that chairperson. Just from a practical
4 standpoint, the chairperson does have some administrative duties
5 such as signing particular documents that staff needs signed and
6 on occasion may be called upon to speak in front of legislative
7 committees or the legislature. Although, to be honest with you,
8 it's pretty rare. The questions we get from the legislature are
9 usually day to day questions on procedure and that kind of
10 thing, but it could happen. Procedurally for you, I think
11 there's some flexibility. I know it's awkward to have an
12 election in a public meeting, but being that the statute just
13 calls for a majority vote, we can do a secret ballot. I think
14 we can trust Kathy to count the ballots if that's the way you
15 choose to go with the vote itself and that's up to you from that
16 that perspective. So, with that, I'll leave it up to you,
17 Chief, to continue the meeting to that agenda item.

18 MCKINNEY: Thank you. I meant Executive Director.
19 My apologies. Okay. Next we'll have Kathy Floyd regarding the
20 information on the legal postings and open meeting compliance.

21 FLOYD: Thank you. The meeting agenda has been
22 posted in compliance with NRS 241.020. The agenda was
23 physically posted at the POST administrative building and the
24 Nevada State Library in Carson City, and electronically posted
25 at the website at POST.nv.gov, the State of Nevada website at

1 notice.nv.gov, and emailed to all single point of contacts and
2 the agency administrators on the POST listserv.

3 MCKINNEY: Okay. Thank you. Item Number 1 -- oh,
4 I'm sorry. We'll skip that. Item Number 2, introductions. I'm
5 Kevin McKinney with the Carlin Police Department. We'll go to
6 my right.

7 GOEBEL: Geordan Goebel, Attorney General's
8 Office.

9 SHERLOCK: Mike Sherlock from POST.

10 FLOYD: Kathy Floyd from POST.

11 NIEL: Russ Niel, State Gaming Control Board.

12 PROSSER: Jamie Prosser, Las Vegas Metro.

13 YOUNG: Tiffany Young, Community member.

14 COVERLEY: Dan Coverley, Douglas County Sheriff's
15 Office.

16 TOGLIATTI: George Togliatti, Nevada Department of
17 Public Safety.

18 MILLER: Oliver Miller, Reno Police Department.

19 MCKINNEY: Thank you. Okay, we'll go to Item
20 Number 3, public comment. The Commission may not take action on
21 any matter considered under this item until the matter is
22 specifically included on an agenda as an action item. We will
23 have another opportunity for public comment at the end of the
24 meeting. Do we have any public comment at this time? Okay.
25 Seeing none, we'll go to Item Number 4, discussion, public

1 comment, and for possible action, the nomination and election of
2 the new POST chairperson. Director Sherlock, do you have any
3 further information on this?

4 SHERLOCK: No. Sorry, Mike Sherlock for the
5 record. it's totally up to you guys --

6 MCKINNEY: Okay.

7 SHERLOCK: -- how you want to run that. Again,
8 it's just a majority vote.

9 MCKINNEY: Okay. All right. At this point, do we
10 have any nominations for the position of chairperson? Again,
11 you can nominate yourself or nominate another member. I as a
12 frame of reference, I would be honored to do it. I would be
13 willing to do it if no one else is interested. However, if
14 there are other people interested we could move forward. So, do
15 we have any nominations or any recommendations?

16 PROSSER: Jamie Prosser. I nominate Ollie Miller.

17 MCKINNEY: Excellent.

18 COVERLEY: Second.

19 MCKINNEY: Okay. All right. Any other discussion?
20 Okay. Seeing that we only have one nomination, I don't see a
21 need for I guess a secret ballot. All those in favor? All
22 those in favor?

23 MEMBERS: Aye.

24 MCKINNEY: I vote aye as well. Congratulations,
25 Mr. Miller. You're now the chairperson.

1 MILLER: All right, very excited and honored.
2 Thank you, everyone.

3 PROSSER: All right.

4 MCKINNEY: I'm going to give this to you now. Oh,
5 I'm going to switch places. Well, or do we need to?

6 SHERLOCK: You don't need to.

7 MCKINNEY: No, just right here. I just -- we'll
8 just go this way.

9 MILLER: Luckily, I brought my glasses today.
10 Let's go.

11 SHERLOCK: So we're on Number 5 in terms of the
12 agenda, Chief.

13 MILLER: Item Number 5, approval of the minutes
14 from the May 1st, 2025, regularly scheduled POST Commission
15 meeting. Any public comment today. All right. Seeing that
16 there are none, any comments from our Commissioners? Okay,
17 looking for a motion to approve the minutes.

18 PROSSER: Jamie Prosser, so moved.

19 COVERLEY: Dan Coverley, second.

20 MILLER: Seeing that we have a motion, moving on
21 to Item Number 6.

22 COVERLEY: Oh, no, we got to vote.

23 MILLER: Oh, we got to vote on it. Okay.
24 Doesn't say anything about a vote here, but we'll get there.

25 SHERLOCK: We'll get there. We'll get there.

1 MILLER: Let's go ahead and take our vote. All
2 those in favor say aye.

3 MEMBERS: Aye.

4 MILLER: All opposed? Motion carries. Moving on
5 to Item 6. Let's go to Mike Sherlock for the POST report.

6 SHERLOCK: All right, first, congratulations, Mr.
7 Chairperson. I think you'll do a great job. The other thing, I
8 want to acknowledge and recognize Commissioner Young, I see we
9 have her name plate needs to be corrected.

10 YOUNG: Yeah.

11 SHERLOCK: It is now Dr. Young, completed her PhD.
12 So congratulations.

13 YOUNG: Thank you.

14 SHERLOCK: So, just a few things going on. Just to
15 share with you, we started a new academy with Day Zero
16 yesterday. Our academy classes are continuing to trend higher.
17 We started with 46. At the same time, we've begun our new
18 hybrid Category II Academy that have -- that class has nine
19 recruits that will be integrated into our Cat I for skills
20 training. So they'll show up for firearms or arrest control,
21 that type of thing, and frankly, you know, we like the bigger
22 classes. We want every seat filled. We know there's a need out
23 there, and we're just happy to see that agencies are apparently
24 doing a better job and the ability to recruit. So our classes
25 are trending up. As we do periodically, we sent a couple of our

1 TAC officers down to, we do different academies, but to Metro,
2 again, just to ensure that our people aren't working in a
3 vacuum, you know. We are able to see Metro's Day Zero and also
4 their week nine. We are happy to see -- you know, obviously
5 Metro runs a disciplined, well-run academy, matches sort of our
6 philosophy within our academy. Both are very similar. Their
7 Day Zero is almost exactly the same as ours, but we're always
8 looking for ideas to address common training issues that you
9 find with TAC officers and that kind of thing and ended up
10 getting some really good ideas from Metro, so I thank them for
11 that in terms of training for our TAC officers, that type of
12 thing. So it was a good experience for our people. On the
13 standard side, we are still sort of digesting the bills from the
14 legislature. One area of action that we need to address was SB
15 380. This bill adds developmental disability training to the
16 requirements of the current 12 hours that we do now for annual
17 compliance or required training. The bill doesn't change the
18 number of hours, and it doesn't address critical skills, but
19 it's those areas that we already train in. We believe that most
20 agencies already cover that, and the current mental health
21 requirements or de-escalation requirements. That being said, we
22 still need to update the regulation at this point, and for us to
23 ensure that agencies are meeting that requirement annually for
24 their people. But you'll see a workshop at the next October
25 meeting to update the regulation to include in that mandated

1 training on dealing with developmental disabilities. Right now
2 we believe that's the only bill that is going to require a
3 regulation change that came out of this session. We were able
4 to sort of pull out of that mandated sort of regulatory for the
5 other bills that we were tracking so we did good there. Last
6 area, I know I brought this up many times, but again, working
7 with our DAG and looking at our constant public records
8 requests, I think that we've come up with a good response again,
9 thanks to our attorney that helps us address these large public
10 records requests, you know, and some of the case law, frankly,
11 coming out of Metro and some of these other areas has helped us
12 out. In terms of what we have to give, it's always been
13 uncomfortable for POST because we don't maintain all records for
14 all peace officers, right? Their employing agency is generally
15 the better record if that's what they really want and so we get
16 caught in the middle where they're asking for training records.
17 Well, we don't maintain all of the agency's training records, we
18 maintain their POST training records, which is different, and so
19 it's not giving a fair look at that. So we're basically limited
20 to or advising those, asking for records that we can only
21 provide certification records and related to certification, not
22 to employment, not to hiring, not to training, whatever it may
23 be. And the other area that I think has helped us is where
24 they're asking for specific individuals and all records on an
25 individual, we're trying to put that back on the employing

1 agency because that's really where the records are. So anyway,,
2 we continue to get a lot of these requests, but I think we're
3 doing a better job again, thanks to the AG's office and how we
4 deal with these large media requests and that kind of thing, and
5 so that's moving along quite well I think, has helped us out.
6 Finally, with the final budget approval, we did get approved for
7 a new data management system. It looks like we're probably
8 going to be able to add LMS to that data management system that
9 we are getting. We hope to get moving on it right away and roll
10 that out as soon as possible. We're kind of on the edge with
11 the old data management that we're with right now, and so we're
12 hopefully to get that moving very soon. Looks like we're not
13 even going to have to go to RFP with -- we're going with Acadis
14 (phonetic), they were the best bid, and because they're state
15 contractors, we don't have to go to RFP. So it should be fairly
16 quick on getting that into place and rolling it out. So with
17 that, that's our synopsis of POST for this period.

18 MILLER: Is it appropriate for you to take
19 questions now?

20 SHERLOCK: Sure.

21 MILLER: Questions for Director Sherlock. All
22 right, this is not an action item, so we'll move on to Item
23 Number 7, discussion, and for possible action request from the
24 Henderson Police Department for an executive certificate for
25 their employee, Deputy Chief Brandon Brooks, pursuant to NAC

1 289.270(1)(b). Possible action may include approval or denial
2 of the requested executive certificate. Let's go to Mike
3 Sherlock.

4 SHERLOCK: Thanks. Mike Sherlock for the record.
5 So staff has reviewed the application submitted for Chief Brooks
6 and find that that application shows that he meets or exceeds
7 the requirements for the executive certificate. And based on
8 that application, we would recommend issuance.

9 TOGLIATTI: Chair, George Togliatti for the record.
10 Is he still employed? I don't believe he's employed at
11 Henderson Police Department.

12 SHERLOCK: I think he's out, right?

13 FLOYD: Is this the one that -- I can't -- I
14 can't --

15 SHERLOCK: Yeah, I don't know that we've actually
16 gotten the PAR yet. So I --

17 PROSSER: Jamie Prosser for the record. I believe
18 he is retiring as of August 1st officially, but he is currently
19 not working in this capacity.

20 TOGLIATTI: There was a lot of back and forth with
21 Henderson over the last, right, month, two months, three months.
22 And I believe he's no longer there. At least that's according
23 to media reports.

24 SHERLOCK: Yeah, but --

25 FLOYD: I don't remember when they applied.

1 SHERLOCK: Mike Sherlock for the record.

2 FLOYD: Maybe back in May.

3 SHERLOCK: Again, that's only for you guys to
4 decide. We can only say that at the time we received the
5 application, that person was employed and met the requirements
6 at that time.

7 PROSSER: Jamie Prosser for the record. I don't
8 really have a concern because he has achieved what he needed to
9 to receive the executive certificate, and he's still technically
10 employed until August. I don't see a reason to deny him because
11 he could potentially use this for future employment and why deny
12 him that opportunity?

13 TOGLIATTI: I would -- again, George Togliatti. I
14 could really -- as far as personally supporting Chief Brooks,
15 I'm all for it. I was just, again, technically speaking a
16 request from the Henderson Police Department. It's not his
17 request, it's the Henderson Police Department. I'm just
18 technically saying if the Henderson Police Department doesn't
19 have him on staff anymore, then they still requesting get to --
20 and they're not -- are they here or representative? I don't
21 know otherwise.

22 PROSSER: Jamie Prosser for the record. Actually,
23 the acting chief that actually signed the letter requesting this
24 is no longer employed there either. So there you have a double
25 conundrum.

1 SHERLOCK: So, yeah, let me -- so Mike Sherlock for
2 the record. I don't understand, we wouldn't know some of that,
3 right? We look at the four corners of that, that application
4 and whether -- but let me say this, that, you know, what you
5 have knowledge of certainly comes into play and the executive
6 certificate is the only certificate that the Commission, you
7 guys, decide and approve. So you certainly can base your
8 decision based on these facts that maybe staff's not aware of in
9 terms of issuing that certificate, but it is solely within your
10 discretion.

11 MILLER: Ollie Miller for the record. Is there
12 any rule in place for an executive POST that an individual has
13 to be employed by the requesting agency?

14 FLOYD: They have to be in a executive position.

15 SHERLOCK: Yeah, so Mike Sherlock for the record.
16 It is inferred that someone who any certificate requires
17 employment, right? So, you know, if someone had separated as
18 he's going to apparently August 1st, he would move to inactive.
19 If they applied at that point, he is not employed and we would
20 not be able to approve or recommend that certificate. We
21 wouldn't even bring it to you, to be honest with you just
22 because employment is an essential part of certification in
23 Nevada. But at the moment that this came to us, he was
24 employed.

1 MILLER: So Ollie Miller for the record. Maybe
2 it's a moot question because we've heard from one of our
3 Commissioners that he is employed until August. He's got --
4 meets statutorily all the requirements for --

5 FLOYD: Right. Yeah. He just has --

6 MILLER: -- POST executive.

7 FLOYD: -- six years' experience, 200 hours.

8 Applicant must present proof that the current assignment meets
9 the criteria. At the time it did.

10 SHERLOCK: And just so the Commission knows and you
11 may remember, Chief, but we have had applicants in the past that
12 had retired but wanted it for their resume or whatever it may be
13 and at the time of their employment, they were eligible and
14 actually went back and had the agency apply for it. But at the
15 time that they were eligible is what they wanted to go back to.
16 So it has happened. Let me just say that.

17 MCKINNEY: Kevin McKinney for the record. I
18 believe since POST hasn't received a PAR, I would still consider
19 him employed at this point and I don't think we have a reason to
20 deny it at this stage.

21 MILLER: Any other comments or questions from our
22 Commissioners? Seeing that there's none, looking for motion to
23 approve the executive certificate for Deputy Chief Brandon
24 Brooks.

25 NIEL: Russ Niel for the record. So moved.

1 MCKINNEY: Kevin McKinney. I'll second.

2 MILLER: All right, seeing we have our motion,
3 our second, all those in favor say aye.

4 MEMBERS: Aye.

5 MILLER: All those opposed? Motion carries.
6 Moving on to Item Number 8, discussion and for possible action,
7 a request from Nevada Gaming Control Board for an executive
8 certificate for their employee Chief Kristi Torgerson, pursuant
9 to NAC 289.270(1)(a). Possible action may include approval or
10 denial of the request for the executive certificate. Let's go
11 to Mike Sherlock.

12 SHERLOCK: So Mike Sherlock for the record. Staff,
13 again, reviewed the application for Chief Torgerson and find she
14 meets or exceeds the requirements for the executive certificate,
15 and staff does recommend issuing that certificate. I think
16 Chief Niel can tell us whether or not she's still working. I
17 think she is so.

18 NIEL: I just talked to her a few minutes ago.

19 SHERLOCK: Oh, yeah. All right.

20 PROSSER: And I saw her (inaudible).

21 NIEL: Quick question for counsel. She's my
22 boss. Do I need to recuse myself on this?

23 GOEBEL: That's entirely up to you.

24 NIEL: Okay. I'll vote.

25 MILLER: All right.

1 TOGLIATTI: I'll snitch her out anyway, so.

2 PROSSER: All right.

3 MILLER: Any further comments from our
4 Commissioners? All right. Seeing that there's none, looking
5 for a motion to approve the executive certificate for Chief
6 Kristi Torgenson.

7 NIEL: Russ Niel. Motion to approve.

8 TOGLIATTI: George Togliatti. Second.

9 MILLER: All right. Seeing that there's a motion
10 and a second, all those in favor say aye.

11 MEMBERS: Aye.

12 MILLER: I am an aye also. All those opposed?
13 Motion carries. Item Number 9, discussion and for possible
14 action hearing pursuant to NAC 289.230(4) and NAC 289.290(1)(f)
15 on the suspension of the category II basic certificate held by
16 Craig Dahlheimer, currently employed with Laughlin Township
17 Constable's Office based on non-compliance with annual training
18 requirements for 2024. Possible action may include suspension
19 of Mr. Dahlheimer's category II basic POST, but first let's go
20 to our DAG Goebel, probably got your last name wrong, right, for
21 foundation for all of our suspensions and revocation hearings
22 today.

23 GOEBEL: Thank you, Chairman Geordan Goebel for
24 the record. We are on Item 9, but for all of the revocation
25 items you'll be considering, items 9 through 13, I'll lay a

1 basis and evidentiary foundation for the admissibility and
2 validity of the materials that you're going to refer to and rely
3 upon in making any decisions here. I'm going to ask Chief Floyd
4 some questions about these documents to establish a record for
5 what they are, their foundation and evidentiary validity for the
6 purposes of your actions on Agenda Items 9 through 13. Chief
7 Floyd, for the records and documents that are contained in these
8 meeting materials for the offenses addressed and issues
9 addressed in Item 9 through 13, did you obtain these documents
10 and records directly from the courts or employing agencies?

11 FLOYD: Yes, I did.

12 GOEBEL: And have you maintained these documents
13 and records in the ordinary course of your record keeping since
14 you obtained them?

15 FLOYD: Yes, I have.

16 GOEBEL: And are the versions of those documents
17 that are contained in the meeting materials true and accurate
18 copies of the original documents?

19 FLOYD: Yes, they are.

20 GOEBEL: Thank you. Based on Chief Floyd's
21 testimony, I can advise the Commission that the materials
22 provided for Agenda Items 9 through 13 constitute valid public
23 records of charges and convictions that uphold the regulatory
24 standard revocation in those matters, and those materials may be
25 admitted for your consideration as to each action item. So

1 having advised you of that, does anyone have any questions for
2 me about the admissibility or legal validity of any of the items
3 that are contained in the revocation packets provided to you?

4 MILLER: All right, no questions for Mr. Goebel.
5 Let's go to Mike Sherlock for background on this hearing.

6 SHERLOCK: Okay. Mike Sherlock for the record. So
7 this first one, Item Number 9 is a bit unusual. Thanks to Kathy
8 and her staff, we just don't bring these before you very often
9 and in recent years, they've been able to work closely with
10 agencies to ensure that all certified officers complete their
11 annual training. So this is the first time in probably a couple
12 years that we've even asked or brought this before the
13 Commission to suspend for failure to complete compliance
14 training. In this case, the employee agency is requesting that
15 the POST certificates be suspended as they have not completed
16 their annual compliance training. Specifically in this case,
17 Deputy Constable Dahlheimer has not completed any compliance
18 training, to include critical skills proficiency, at all for the
19 calendar year 2024 as is required; apparently per the agency is
20 on admin leave; and the agency has requested that a certificate
21 be suspended. Based on the situation, staff would recommend
22 that the POST certificate, basic certificate for Deputy
23 Constable Dahlheimer be suspended until such time as he comes
24 into compliance with the training mandate, and I'll submit it
25 with that.

1 MILLER: All right, we are looking for any
2 Commission comments.

3 MCKINNEY: Kevin McKinney for the record. More of
4 a question. What would be the training requirements to allow
5 him to reinstate it?

6 SHERLOCK: So, and Mike Sherlock for the record.
7 So in this case, he would have to do his critical skills, so
8 defensive tactics, arrest control, use of force, less lethal,
9 firearms at least once, demonstrate proficiency to the employing
10 agency, and also do the 12 hours of continued, right, those
11 seven categories. He's done none of it. So to come into
12 compliance, he would have to do it all, and he hasn't. So it
13 makes sense, at least from our perspective to request that
14 suspension because he hasn't done the training.

15 MCKINNEY: As a follow up question, Kevin McKinney
16 for the record, so will he need to do 2024 training or would the
17 training he takes now make him compliant for 2025?

18 SHERLOCK: So he would -- because of critical
19 skills or proficiency, demonstrating proficiency, if he
20 demonstrates proficiency, you can't do that more than once, so
21 it would count for both years, right, but that 12 hours would
22 not. He would have to do -- he's still missing the 12 hours
23 from 2024, and he would have to do it again for 2025 at some
24 point by the end. And the way the regulation reads, it's a
25 calendar year, so by December 31st.

1 PROSSER: Jamie Prosser for the record. You said
2 he is on admin leave. Is that what's preventing him from
3 completing his training?

4 SHERLOCK: That's our question. The agency would
5 say no but again, from our perspective, whether it's the agency
6 preventing him or him preventing himself from taking the
7 training, he still hasn't had the training and so from staff's
8 perspective, he shouldn't be out exercising peace officer
9 powers, whatever that may be. Now we agree this is an unusual
10 one. He's at on admin leave but again, from our perspective,
11 the fact that he's on admin leave, by definition he's not
12 exercising peace officer powers and so the suspension is simply
13 administrative until he can get the training and come off of
14 admin leave from our perspective. Well, I'll leave it at that.

15 PROSSER: Well, I won't. Jamie Prosser for the
16 record. To me it sounds like we're doing their dirty work, so
17 we suspend his POST certification, then they potentially could
18 move to term because he has no active POST certification.

19 SHERLOCK: Yeah. And I think you guys have heard
20 me talk about that before. We do not want to be the reason
21 someone is terminated but in this case, we're talking about
22 suspension.

23 PROSSER: Not revocation.

1 SHERLOCK: Not revocation until such time as he
2 receives the training, and I think that's why we would recommend
3 that the suspension occur.

4 MILLER: Any other comments from our Commission?

5 COVERLEY: Dan Coverley. So this is just for the
6 calendar year of 2024?

7 SHERLOCK: Yeah.

8 COVERLEY: Do we know if he was on admin leave for
9 that whole year or? So I guess my question is is could he have
10 done some of the training and he just didn't do it in the year
11 2024?

12 SHERLOCK: So Mike Sherlock for the record. We
13 believe that he was not on admin leave the entire year. Some of
14 you from the South may know more than we know.

15 FLOYD: (Inaudible.)

16 SHERLOCK: So yes, it's there. We suspect we'll be
17 back on this. There are criminal charges pending. So.

18 PROSSER: Well, Jamie Prosser moves to suspend.

19 YOUNG: Tiffany Young. I second.

20 SHERLOCK: You forced it out of us. I don't know
21 how much but.

22 MILLER: So just so everyone knows, we were
23 looking for a motion regarding the suspension of Deputy
24 Constable Craig Dahlheimer, and we have a motion and a second.
25 All those in favor say aye.

MEMBERS: Aye.

MILLER: I too am an aye. All those opposed?

Motion carries. Moving on to Item 10, discussion and for possible action hearing pursuant to NAC 289.290(1)(e) for possible revocation of the category III basic certificate held by Elliot Burleigh, a former employee of Nevada Department of Corrections based on the conviction of an entry of a plea of guilty, guilty but mentally ill or nolo contendere to a gross misdemeanor. The convictions that have led to this action are Count I: child endangerment, a gross misdemeanor as defined in NRS 200.508(2)(b)(1). Action may be revocation of the category III basic certificate. Let's go to Mike Sherlock for additional information.

SHERLOCK: Thanks. Mike Sherlock for the record.

So here you can see in the hearing material in your book that conviction is a gross misdemeanor. The employing agency at the time of terminating this former officer requested revocation and I would just add beyond the conviction itself, the officer was placed on probation for up to 18 months and some of those conditions of probation include a search-clause supervision by parole and probation, no weapons, and restrict out-of-state travel to name a few of the restrictions on probation. As such, staff would submit both the conviction and those conditions of that conviction are inconsistent with being a certified peace

1 officer, and we would recommend that the Commission revoke the
2 basic certificate.

3 MILLER: Okay. Looking for comments or questions
4 from our Commissioners? Seeing that we have no comments or
5 questions from our Commissioners, we'll be looking for a motion
6 regarding the revocation of Elliot Burleigh's category III POST
7 certificate.

8 COVERLEY: Dan Coverley. Move to revoke.

9 MILLER: (Inaudible.)

10 MCKINNEY: Kevin McKinney. I'll second.

11 UNIDENTIFIED: All right, you got it. Yes.

12 MILLER: All right, we have a second by Kevin
13 McKinney. All those in favor say aye.

14 MEMBERS: Aye.

15 MILLER: I too am an aye. All those opposed?
16 Motion carries. Moving on to Item Number 11, discussion and for
17 possible action hearing pursuant to NAC 289.290(1)(g), for
18 possible revocation of the category III basic certificate held
19 by Mario Caballeros, former employee of the Nevada Department of
20 Corrections, based on a conviction of, entry of a plea of
21 guilty, guilty but mentally ill, or nolo contendere to a felony.
22 The convictions that have led to this action are Count I,
23 possession of visual presentation depicting sexual contact of a
24 child, Category B in violation of NRS 200.700, NRS 200.730;
25 Count II, preparing, advertising, or distributing materials

1 depicting pornography involving a minor, category B felony in
2 violation of NRS 200.725. Action may be revocation of the
3 category III basic certificate. Let's go to Mike Sherlock for
4 the additional information.

5 SHERLOCK: Thank you. Mike Sherlock for the
6 record. In the evidence or material provided, you can see that
7 the former officer Mario Caballero was convicted of two felony
8 counts, the first being possession visual presentations
9 depicting sexual contact with a minor, and the second for
10 preparing, advertising, or distributing such material. Staff
11 would submit that beyond the felony conviction, the crimes he
12 was convicted of are clearly inconsistent with being a certified
13 officer here in Nevada and staff would recommend that his
14 category III basic certificate be revoked.

15 MILLER: All right. Thank you, Mike. Looking
16 for Commissioner comments, questions. Seeing that there are
17 none, looking for motion regarding the category III certificates
18 for Mario Caballeros and the revocation.

19 COVERLEY: Dan Coverley. So moved.

20 TOGLIATTI: George Togliatti, second.

21 MILLER: We have a motion and a second. All
22 those in favor say aye.

23 MEMBERS: Aye.

24 MILLER: I too am an aye. All those opposed?
25 Motion carries. Moving on to Item Number 12, discussion for

1 possible action hearing pursuant to NAC 289.290(1)(g) for
2 possible revocation of the category I and III basic certificates
3 held by Joseph M. Ortega, a former employee of the Las Vegas
4 Metropolitan Police Department based on the conviction of entry
5 of a plea of guilty, guilty but mentally ill, or nolo contender
6 to a felony. The convictions that have led to this action are:
7 Count 1, child abuse, neglect or endangerment with use of a
8 deadly weapon, Category B felony in violations of NRS 200.508,
9 NRS 193.165; Count 2 through 5, child abuse neglect or
10 endangerment, Category B felonies in violation of NRS 200.508;
11 Count 7, coercion constituting domestic violence, Category B
12 felony in violation of NRS 207.190. Action may be revocation of
13 the category I and III basic certificates. Let's go to Mike
14 Sherlock for additional information.

15 SHERLOCK: Sure. Mike Sherlock for the record. I
16 would just say in this case reflected in your books of some
17 interest is this officer or former officer had been convicted of
18 six counts of child abuse and domestic violence and we don't see
19 a lot of jury trials in any criminal case, but this one went to
20 the jury and jury found him guilty of charges listed, and we
21 would submit the conviction of the felonies along with the
22 specific charges that he was found guilty of are inconsistent
23 with being a certified peace officer in the state of Nevada, and
24 we would recommend the revocation of both the category I and
25 category II basic certificates.

1 MILLER: All right, Ollie Miller for the record,
2 looking for any Commission comment on this. All right, do we
3 have a motion in regard to the category I and III basic
4 certificates for Joseph M. Ortega?

5 YOUNG: Tiffany Young. (Inaudible.) Motion.

6 MILLER: And that's a motion to revoke?

7 YOUNG: Yes.

8 MILLER: We have a motion. Do we have a second?

9 MCKINNEY: Kevin McKinney. I'll second.

10 MILLER: Seeing that there's a motion and a
11 second, all those in favor say aye.

12 MEMBERS: Aye.

13 MILLER: I too am an aye. All those opposed?
14 Motion carries. Moving on to Item Number 13, discussion and for
15 possible action hearing pursuant to NAC 289.290(1)(g) for the
16 possible revocation of the category I, II, and III basic
17 certificates held by Harvey S. Velazquez, former employee of the
18 Las Vegas Metropolitan Police Department, based on the
19 conviction of entry of a plea of guilty, guilty but mentally
20 ill, or nolo contendere to a felony. The convictions that have
21 led to this action are: Count 1, soliciting a child for
22 prostitution, a Category D felony in violation of NRS 201.354;
23 Count 2, luring children or mentally ill persons with the intent
24 to engage in sexual conduct, a Category B felony in violation of
25 NRS 201.560; Count 3, statutory sexual seduction, a Category B

1 felony in violation of NRS 200.364, NRS 200.68.1; and Count 4,
2 attempt to use or permit a minor age 14 or older to be subject
3 of sexual portrayal in a performance, a Category B felony in
4 violation of NRS 200,710.2, NRS 193.153. Action may be
5 revocation of the category I, II, and III basic certificates.
6 Let's go to Mike Sherlock for information regarding this
7 revocation.

8 SHERLOCK: Thank you. Mike Sherlock for the
9 record. So in this case, as you see in your material, former
10 Officer Velazquez was convicted of various felonies related to
11 sexual conduct with minors. The specific crimes themselves
12 along with the felony conviction, Staff recommends the
13 revocation of the category I, II, and III basic certificates.

14 MILLER: Any comments or questions from the
15 Commission? Seeing that there are none, I'll be looking for a
16 motion in regards to the basic category I, II, and III
17 certificates for Harvey S. Velasquez.

18 TOGLIATTI: George Togliatti. I move to revoke.

19 COVERLEY: Dan Coverley, second.

20 MILLER: We have a motion and a second. All
21 those in favor say aye.

22 MEMBERS: Aye.

23 MILLER: I too am an aye. All those opposed?
24 Motion carries. Moving on to Item Number 14, public comment.
25 We have no public comment. Do we have any other public comment

1 today? Seeing that there's none, moving on to Item Number 15,
2 discussion of and for possible action, schedule upcoming meeting
3 in October. We need a location. We can go to Mike Sherlock for
4 further.

5 SHERLOCK: Thank you. Mike Sherlock for the
6 record. So it looks like the Sheriffs and Chiefs will be at
7 South Point once again this year and I've been working with Pam
8 on them accommodating us or facilitating our meeting. As usual,
9 they help us tremendously so I would say subject to the
10 availability of the room in terms of time, we are looking at
11 October 29th at 2025 at the South Point in Las Vegas as our next
12 meeting, if that works for everyone.

13 COVERLEY: So that's a Wednesday?

14 SHERLOCK: Yeah, I believe it is a Wednesday.
15 Yeah.

16 MCKINNEY: Kevin McKinney. I believe the training
17 goes till about 4:00 that day on Wednesday. Typically we've had
18 'em on Thursday after the conference.

19 SHERLOCK: Yeah, Mike Sherlock for the record. So
20 last year I think we did on Wednesday too because she
21 facilitated us during a breakout for them I think, but I can
22 confirm it with her. It'll be during South Point. How about
23 that?

1 COVERLEY: So Dan Coverley for the record. Having
2 to have to travel back, we typically do that on a Thursday. I
3 would be for --

4 SHERLOCK: Morning?

5 COVERLEY: -- doing it -- well, doing it on
6 Wednesday.

7 SHERLOCK: Okay.

8 COVERLEY: -- if we can. You know, if it doesn't
9 gum up that conference too bad.

10 MILLER: Ollie Miller for the record. I concur
11 with that.

12 SHERLOCK: Okay. Just so you know that the 29th is
13 the date Pam asked if we could do it then. So I'm not sure of
14 their full agenda or what they have going on, but she's the one
15 who gave us Wednesday. So we may be good from that.

16 COVERLEY: Usually in the afternoon on Wednesday
17 we're free.

18 SHERLOCK: Yeah.

19 COVERLEY: We'll have to --

20 SHERLOCK: Maybe that's what we did. We did, like,
21 a 1:00. That's why she wants Wednesday.

22 SHERLOCK: Anyway, it is on a Wednesday for her.

23 TOGLIATTI: George Togliatti for the record. I'm
24 sure between Jamie and I, if you have issues with getting a room
25 based on their activities --

1 SHERLOCK: Sure.

2 TOGLIATTI: -- we could probably find you a room at
3 the South Point pretty easily.

4 MILLER: Yeah. Okay, good. Any other comment?
5 All right, I'm looking for a motion to approve the meeting for
6 October 29th, 2025 in Las Vegas.

7 PROSSER: So moved.

8 MILLER: Do we have a second?

9 COVERLEY: Second.

10 MILLER: We have a motion and a second. All
11 those in favor say aye.

12 MEMBERS: Aye.

13 MILLER: I too am an aye. All those opposed?
14 Motion carries. Onto Item Number 16 for discussion or possible
15 action, adjournment.

16 COVERLEY: (Inaudible.) You need a motion, right?

17 MILLER: Yes.

18 COVERLEY: So moved.

19 NIEL: I'll second.

20 MILLER: Premature. I got a motion. I got a
21 second. All those in favor say aye.

22 MEMBERS: Aye.

23 YOUNG: He just wants to hit the gavel.

24 SHERLOCK: Yeah, he just wants to hit that thing.

1 MILLER: I too am an aye. Any opposed? Motion
2 carries. Meeting adjourned.

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

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

Date of arrest	Offense	Action
8/31/2023	Sexual assault 1 ct. attempted sex assault 1 ct. sex assault w/minor under 16	OCTOBER REVOCATION
12/31/2023	2 counts Depravation of rights under color of law	Trial rescheduled 11/04/2025
6/16/2024	(F) Child Abuse/neglect, w/SBMH	Sentenced 08/27/2025
1/15/2025	1.(F) Coercion w/force or threat of force 2. (F) Assault w/deadly weapon 3.(F) Second Degree Kidnapping w/use of deadly weapon 4. (F) Assault w/deadly weapon constit. domestic violence 5. (F) coercion constituting domestic violence w/use of deadly weapon	Pled Guilty Sentencing 11/06/2025
2/24/2024	1. (GM)Battery on a health care provider	OCTOBER REVOCATION
8/18/2023	1. Deprivation of Rights Under Color of Law 2-5. Fraud by Wire 6. Perjury	OCTOBER REVOCATION
10/12/2024	1. Felony DV by strangulation	Jury Trial 01/05/2026
7/27/2025	(M) Disorderly Conduct and (M) Trespass, not amounting to burglary	Pled Guilty - waiting on agency request
3/18/2024	3 (F)counts -Unlawful for Prison employee/volunteer to commit sexual abuse of prisoner	Continued for Negotiations 10/15/2025
9/19/2024	3 (M) count Theft	Trial 07/31/2025
11/28/2023	11 (F) Counts -Assault w/deadly weapon, child abuse, discharging gun into occupied vehicle, oppression under color of office	Jury Trial 05/11/2026
	Falsifying PPFT to obtain Reserve Certification	Agency requests revocation - Current investigation
5/16/2025	1. (GM) Destroy/Conceal Evidence	Pled Guilty/Sentenced
5/14/2024	1. (F) Furnishing a controlled substance to a state prisoner	Sentencing 10/14/2025
	Plea Domestic Battery, first offense (50235)	Plea - 02/10/2025
1/19/2025	1. (M) Torture/abandon/starve animal	Bench Trial 10/28/2025
3/10/2025	(F) Shoot at Inhabited Dwelling/vehicle, etc.	Preliminary Hearing - 11/12/2025
12/1/2024	1. DUI Liquor 2. (M) Failure to drive in travel lane 3. Obstructing/False info to PO	Pretrial 10/22/2025

10/3/2020	1. (F) Attempt Theft - Guilty Plea	FTA - Warrant Issued
10/23/2024	1. DV	Pled to (M) Battery 09/30/2025 - waiting for agency request
5/5/2025	Oppression under color of law	Current Investigation
7/16/2025	1. DUI of alcohol and/or controlled or prohibited substance 2. (F) Disobeying a peace officer 3. (M) Basic speeding violation - 41 over 4. (M) Fail to properly maintain travel lane/improper lane change 5. (M) Operate expired unregistered vehicle 6. (M) Operator - proof of insurance required	Status Check 11/13/2025
8/30/2024	1st case 1. (GM) Oppression under color of office 2. (F) Oppression under color of office w/immediate threat or use of physical force 3. (GM) Oppression under color of office 4. (F) Perjury 5-9 (GM) Oppression under color of office 10. (F) Perjury 11.(GM) Battery on protected person 12-13. (GM) Oppression under color of office 2nd case 1-4 (F) Possession of visual presentation depicting sexual conduct	OCTOBER REVOCATION
3/4/2025	1. (F) Misconduct of Public Official	Guilty Plea Sentencing 10/29/2025
	3 counts (F) Embezzlement	Settlement Conference Date?
4/6/2025	2 counts Felony sexual assault of inmate	Preliminary Hearing 01/29/2026
11/15/2023	1. (F) Oppression under color of office 2. (F) Misconduct of Public Officer 3. (F) Sexual Assault	FTA
	1. (F) Obtain/use personal identity info of another to harm or for unlawful purpose 2.(F) Burglary of a business, first offense 3-5. (M) Practicing law w/o license	Status Check 10/23/2025

3/3/2025	1. (F) Lure/att to lure child/mentally ill person w/use of computer 2. (F) Att use or permit minor, age 14 or older, to be subject of 3. (F) Att child abuse or neglect, 1st 4. (F) Attempted statutory sexual seduction by person over 21	Preliminary Hearing 09/24/2025
5/11/2025	1. (F) DUI resulting in death 2. (F) Duty to stop at scene of accident 3. (F) Reckless driving resulting in death	Jury Trial 01/05/2026
	Relationship with prisoner	Current Investigation
5/5/2025	Oppression under color of law	Current Investigation
3/18/2024	3 (F) counts Unlawful for prison employee/volunteer to commit sexual abuse of prisoner	Negotiations 10/15/2025
5/5/2025	Oppression under color of law	Current Investigation
3/11/2022	1. (F) Sexual Assault against a child	Jury trial 03/02/2026



POST 3rd Quarterly Audit Report **(July - September)**

Number of Agencies: 8
Number of Academies: 1

Number of Agencies with Deficiencies: 1
Number of Academies with Deficiencies: 0

AGENCIES:

Agency **training deficiency** and recommended corrective action:

1. Agency Name/Date: LV City Attorney 8/27/25
Findings: Multiple violations
Recommendation: Gained compliance within 30 days AUDIT CLOSED

Agency **background deficiency** and recommended corrective action: 0

ACADEMIES:

Academy **training deficiency** and recommended corrective action: 0

4. DISCUSSION AND FOR POSSIBLE ACTION.

Discussion by the Commission to continue the rulemaking process regarding the revision of NAC 289.230 to comply with SB 380 which adds “Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder” to subsection (1)(b). Possible action may include approval of proposed language.

NAC 289.230 Basic or reserve certificate: Requirements for maintaining certificate and resuming duties; effect of failure to comply. ([NRS 289.510](#), [289.590](#))

1. Except as otherwise provided in subsections 7 and 8, to maintain a basic certificate or reserve certificate, the officer must annually:

- (a) Satisfy the requirements of subsection 5; and
- (b) Complete not less than 12 hours of continuing education in courses that address:

- (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; *and*

(8) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;

2. The employing agency shall ensure that its officers comply with the requirements of subsection 1. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 4 for failure to comply with this section. After an officer completes the requirements of subsection 1, the employing agency shall submit to the Executive Director by any means approved by the Executive Director verification that the officer has completed those requirements. Verification must be submitted on or before December 31 of the year in which the officer was required to complete the requirements of subsection 1.

3. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before December 31 of the year in which the officer was required to complete those requirements, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 2 and that if the verification is not received on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

4. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the requirements of subsection 1. The Commission will notify each officer and his or her employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not complete the requirements of subsection 1 within 60 days after the date on which he or she received the notice of noncompliance. The Executive Director may temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1. The temporary reinstatement of the suspended certificate is effective upon the Executive Director's approval of the temporary reinstatement and expires on the date on which the Commission determines whether to reinstate the certificate. The Commission will reinstate the suspended certificate or temporarily reinstate certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1.

5. Except as otherwise provided in subsections 7 and 8, in addition to completing the continuing education required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any type of firearm he or she is authorized to use may not carry or use that type of firearm until he or she participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less than lethal weapon, at least annually demonstrate a minimum level of proficiency in the use of each such weapon or device he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any such weapon may not carry or use that weapon until the officer participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(c) If the duties of an officer require him or her to use arrest and control tactics, demonstrate annually a minimum level of proficiency in the use of arrest and control tactics, including, without limitation, techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review annually each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

6. Each employing agency shall establish and provide the courses set forth in subsection 5 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

7. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 4 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 4 consecutive months but not more than 60 consecutive months;

(c) Who, during a period of continuous employment as a peace officer, is absent from his or her duties as a peace officer because of medical leave, military leave or other approved leave for at least 4 consecutive months; or

(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year,

Ê must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 5 and demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use before commencing or resuming his or her duties as a peace officer.

8. An officer who instructs a course pursuant to subsection 5 is not required to comply with the requirements of subsection 5 to which the instruction applies if the officer:

(a) Instructs a course in the subject for which the officer is qualified and approved by the administrator of the officer's agency during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he or she instructs.

9. Each agency shall maintain documentation of the courses provided pursuant to subsection 5. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; R171-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R127-04, 11-8-2004; R003-07, 4-17-2008; R118-09, 1-28-2010; R188-12, 12-23-2013; R121-13, 3-28-2014; R012-17, 12-19-2017; R025-20, 11-2-2020)

CHAPTER.....

AN ACT relating to autism; requiring peace officers to complete certain training concerning developmental disabilities; authorizing certain training concerning autism spectrum disorders to be included as part of the training of peace officers in interacting with persons with developmental disabilities; requiring the Legislative Auditor to conduct an audit of the Board of Applied Behavior Analysis; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a peace officer, as a condition of certification, to complete training concerning identifying and interacting with persons with developmental disabilities, including, without limitation, autism. (NRS 289.605) **Section 3** of this bill authorizes such training to include instruction in certain specific topics relating to autism spectrum disorders. **Section 2** of this bill requires continuing education for peace officers to include training in interactions with persons with developmental disabilities, which may include training on recognizing and responding to persons with an autism spectrum disorder. **Section 1** of this bill defines the term “autism spectrum disorder” for the purposes of **sections 2 and 3**.

Existing law provides for the registration of registered behavior technicians who provide applied behavior analysis services under the supervision of a licensed behavior analyst or assistant behavior analyst to persons with autism spectrum disorder in this State. (NRS 641D.300, 641D.310, 641D.600, 641D.610)

Section 4.5 of this bill requires the Legislative Auditor to conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications. **Section 4.5** requires the Legislative Auditor to present a final written report of the audit to the Audit Subcommittee of the Legislative Commission.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 289.010 is hereby amended to read as follows:
289.010 As used in this chapter, unless the context otherwise requires:

1. “Administrative file” means any file of a peace officer containing information, comments or documents about the peace officer. The term does not include any file relating to an investigation conducted pursuant to NRS 289.057 or a criminal investigation of a peace officer.



2. "Adult use of cannabis" has the meaning ascribed to it in NRS 678A.075.

3. *"Autism spectrum disorder" means a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association or the edition thereof that was in effect at the time the condition was diagnosed or determined.*

4. "Law enforcement agency" means any agency, office, bureau, department, unit or division created by any statute, ordinance or rule which:

- (a) Has a duty to enforce the law; and
- (b) Employs any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~{4-}~~ 5. "Medical use of cannabis" has the meaning ascribed to it in NRS 678A.215.

~~{5-}~~ 6. "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~{6-}~~ 7. "Punitive action" means any action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand or transfer of a peace officer for purposes of punishment.

~~{7-}~~ 8. "Screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or other drug.

Sec. 2. NRS 289.510 is hereby amended to read as follows:

289.510 1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in the regulations adopted pursuant to subsection 2.

(d) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(e) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.680, inclusive.



(f) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

(g) Shall develop and approve a standard curriculum of certified training programs in crisis intervention, which may be made available in an electronic format, and which address specialized responses to persons with mental illness and train peace officers to identify the signs and symptoms of mental illness, to de-escalate situations involving persons who appear to be experiencing a behavioral health crisis and, if appropriate, to connect such persons to treatment. A peace officer who completes any program developed pursuant to this paragraph must be issued a certificate of completion.

2. The Commission shall adopt regulations establishing minimum standards for:

(a) The certification and decertification, recruitment, selection and training of peace officers. The standards adopted pursuant to this paragraph must:

(1) Establish requirements for evaluations to be conducted during the recruitment and selection of peace officers, which must identify implicit bias on the part of a peace officer on the basis of race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression;

(2) Establish requirements for basic training for category I, category II and category III peace officers and reserve peace officers;

(3) Establish standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance, which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:

(I) Racial profiling;

(II) Mental health, including, without limitation, crisis intervention;

(III) The well-being of officers;

(IV) Implicit bias recognition;

(V) De-escalation;

(VI) Human trafficking; ~~and~~

(VII) Firearms; *and*

(VIII) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;



(4) Establish qualifications for instructors of peace officers;
(5) Establish requirements for the certification of a course of training;

(6) Require all peace officers to receive training in the handling of cases involving abuse or neglect of children or missing children;

(7) Require all peace officers to receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons;

(8) Not prohibit the certification of an applicant solely on the basis that the applicant has engaged in the adult use of cannabis or the medical use of cannabis;

(9) Not require the decertification of a peace officer solely on the basis that the peace officer has engaged in the adult use of cannabis or the medical use of cannabis; and

(10) Require the decertification of a peace officer upon a determination by the Commission that the peace officer knowingly provided false or misleading information in his or her application for certification.

(b) An annual behavioral wellness visit for peace officers to aid in preserving the emotional and mental health of the peace officer and assessing any conditions that may affect the performance of duties by the peace officer.

(c) The reciprocity of a person who has been certified as a category III peace officer or its equivalent by the certifying authority of another state or who has successfully completed a federal law enforcement training program that is equivalent to a category III peace officer in this State.

3. The regulations adopted by the Commission pursuant to subsection 2:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers; and

(b) May require that training be carried on at institutions which it approves in those regulations.

4. Nothing in this section shall be construed to prohibit a law enforcement agency from adopting a policy that requires a peace officer to submit to a screening test as:

(a) A condition precedent to employment; or

(b) A condition for continued employment.

Sec. 3. NRS 289.605 is hereby amended to read as follows:

289.605 1. The Commission shall require, as a condition of the certification of each peace officer, the completion of training concerning identifying and interacting with persons with



developmental disabilities. *Such training may include, without limitation, training concerning:*

(a) The nature and manifestation of autism spectrum disorders;

(b) Appropriate techniques for interviewing or interrogating a person with an autism spectrum disorder;

(c) Techniques for locating a person with an autism spectrum disorder who is missing and in danger, with as little stress as possible for the person with an autism spectrum disorder;

(d) Techniques for recognizing the agency of a person with an autism spectrum disorder while identifying potentially abusive or coercive situations;

(e) Techniques for deescalating a potentially dangerous situation involving a person with an autism spectrum disorder to protect the safety of the peace officer and the person with an autism spectrum disorder;

(f) Techniques for differentiating between a person with an autism spectrum disorder and a person who does not have an autism spectrum disorder but is acting belligerently, uncooperatively or otherwise similarly to a person with an autism spectrum disorder;

(g) Procedures to identify and address challenges related to the safety of persons with an autism spectrum disorder in correctional facilities; and

(h) The impact of interacting with peace officers on persons with autism spectrum disorders.

2. Training completed pursuant to this section also satisfies the requirement for such training prescribed by NRS 450B.160 or 450B.180, if applicable.

3. As used in this section, “developmental disability” has the meaning ascribed to it in NRS 435.007.

Sec. 4. (Deleted by amendment.)

Sec. 4.5. 1. During the 2025-2027 biennium, the Legislative Auditor shall conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications submitted pursuant to NRS 641D.300.

2. On or before January 31, 2027, the Legislative Auditor shall present a final written report of the audit performed pursuant to this section to the Audit Subcommittee of the Legislative Commission.



Sec. 5. 1. This section and section 4.5 of this act become effective upon passage and approval.

2. Sections 1 to 4, inclusive, of this act become effective:

- (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
- (b) On October 1, 2025, for all other purposes.

20 ~~~~~ 25



83rd Session (2025)

5. DISCUSSION AND FOR POSSIBLE ACTION.

Request from the Lyon County Sheriff's Department for an Executive Certificate for their employee Sheriff Brad Pope, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.



State of Nevada – POST

Professional Certificate Application

Agency Details

Agency Name *

Lyon Co SO

Officer's Details

POST ID *

18459

Officer's Name *

Brad M Pope

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* forms for this.

- | | |
|--|--|
| <p>*</p> <ul style="list-style-type: none">☐ Intermediate (NAC 289.240)☐ Advanced (NAC 289.250)☐ Supervisor (NAC 289.255)☐ Management (NAC 289.260)☒ Executive (NAC 289.270) | <p>*</p> <p>6 yrs (1 Exec) exp., supervise 2 mgrs, head of agency/div/bureau, 200 hrs adv mgmt trng</p> |
|--|--|

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

> **Executive** – see NAC289.270(1) for documentation required

Attachments (2)

[POST – PROFESSIONAL CERTIFICATE APPLICATION – – Brad M Pope – 7/22/2025](#)

[POST – PROFESSIONAL CERTIFICATE APPLICATION – – Brad M Pope – 7/22/2025](#)

Additional information or comments

Submitter Details

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 level selected.

Submitter's Full Name *

Kathleen Clanton

Submitter's Phone # *

775-463-6600

Submitter's E-Mail *

kclanton@lyon-county.org

This section is for POST approval only

Education

Credit Hours

Date Achieved

Approved By

Certification Date

Document Type

PROFESSIONAL CERTIFICATE
APPLICATION

Comments

LYON COUNTY SHERIFF



Brad Pope
Sheriff

"To Protect and Serve"

To: Nevada POST
From: Lyon County Sheriff Brad Pope
RE: Executive Certificate NAC 289.270
Date: 07/16/2025

This memo is in reference to the eligibility of Sheriff Brad Pope to obtain his executive certificate in accordance NAC 289.270. Sheriff Brad Pope is the head of a law enforcement agency (see attached chart). Sheriff Brad Pope possesses a basic, intermediate, advanced, supervisor and management certificate. Sheriff Brad Pope has obtained a Bachelor's Degree in Business Management, and a Master's Degree in Management and Leadership (Transcripts attached). Sheriff Brad Pope meets the requirement of 200 hours of advanced management courses.

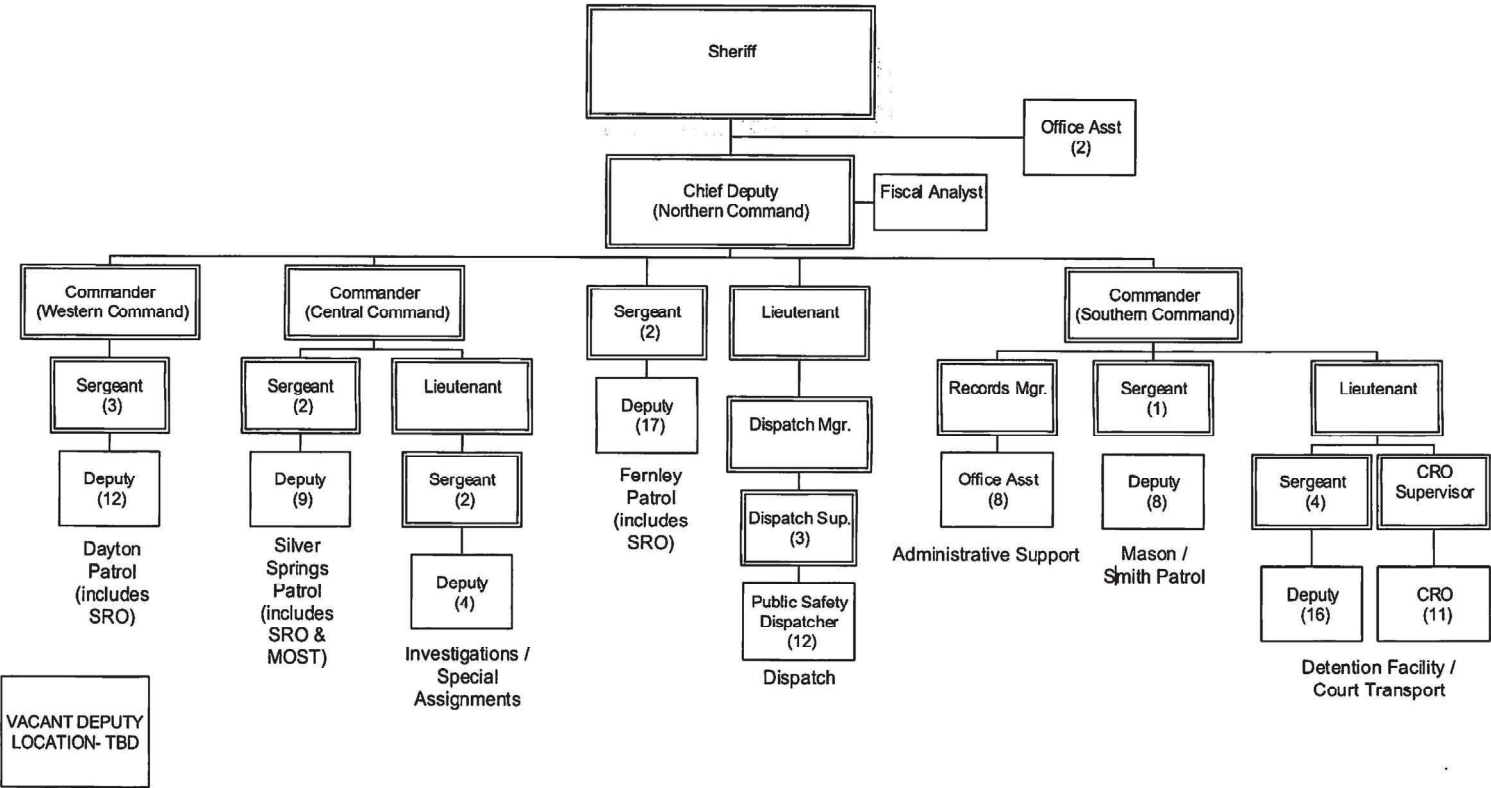
If further information is required please contact:
Kathleen Clanton
Email: kclanton@lyon-county.org
Phone: 775-463-6600

Respectfully,

A handwritten signature in blue ink that reads "Brad Pope".

Brad Pope
Lyon County Sheriff

SHERIFF'S OFFICE



10/14/2025 Nevada Commission on POST Employee Profile

Pope, Brad M (18459)

Certifications

<u>Level</u>	<u>Status Date</u>	<u>Status</u>	<u>Cert Date</u>	<u>Exp Date</u>
Management	4/21/2025	Active	4/21/2025	
Advanced	12/2/2019	Active	12/2/2019	
Intermediate	8/21/2012	Active	8/21/2012	
Supervisor	5/13/2010	Active	5/13/2010	
Category I	11/18/2005	Active	11/18/2005	
Category III	5/23/2005	Active	12/31/2002	

MEMORANDUM

TO: Executive Director M. Sherlock
FROM: Mike Hayhurst, Training Division Chief
DATE: April 21, 2025
SUBJECT: Brad Pope, Lyon County Sheriff

Sheriff Brad Pope, from the Lyon County Sheriff's Office, has requested an evaluation of his transcripts from Western Governors University (WGU) to determine if he has met the training requirements of NAC 289.260. Sheriff Pope provided his unofficial transcript. I retrieved course descriptions from the appropriate WGU course catalogs.

NAC 289.260 requires a management training program certified by the Commission, which includes, without limitation, courses in the following subjects:

- a) Introduction to management;
- b) Public administration;
- c) Financial administration;
- d) Personnel administration;
- e) Management and labor relations, and;
- f) Policy formation.

Based on the evidence presented, Sheriff Pope has a Bachelor's degree in Business Management and a Master's degree in Management and Leadership, both of which were earned from a regionally accredited university. The subjects enumerated in NAC 289.260 were addressed in Sheriff Pope's academic programs as follows:

NAC 289.260 Subject	Course #/Credit Hours	Course Name
Introduction to management	MGMT C200/3	Managing Orgs & Leading People
Public administration	MGMT C200/used above	Managing Orgs & Leading People
Financial administration	ACCT UFC1/3	Managerial Accounting
Personnel administration	HRM C202/3	Managing Human Capital
Management and labor relations	HRM C202/used above	Managing Human Capital
Policy Formation	MGMT C208/3	Change Management & Innovation

The general rule provided by the U.S. Department of Education and regional accreditors is that one academic semester credit hour is composed of 15 hours of direct instruction (50–60-minute hours) and 30 hours of out-of-class student work (60-minute hours) for a total of 45 hours per credit. Using this formula, the 12 credit hours relevant to the required subjects equate to 540 hours of "real-time" invested.

Conclusion:

Sheriff Pope has met the training subject requirements of NAC 289.260 by completing over 200 hours of formal education, including performance examinations in the required subject areas.

Note: Numerous units from the transcript were not applied to this evaluation and are eligible for application to the training requirements for an Executive certificate.

Western Governors University

4001 S 700 East, #700, Salt Lake City, UT 84107

Academic Transcript

Page: 2

Student Name: Brad Pope

Student ID: [REDACTED]

Date of Birth: [REDACTED]

SSN: [REDACTED]

Program: Bachelor of Science, Business Management

Major: Management

Course Level: Undergraduate

Issued for: Brad Pope

Date Issued: Nov 21, 2024

Achievements Awarded:

Degree Awarded Bachelor of Science

Major: Business Management

Date Awarded: Nov 05, 2019

Degree Awarded Master of Science

Major: Management & Leadership

Date Awarded: Nov 18, 2024

Transfer Credit Accepted By The Institution:

UNIVERSITY OF NEVADA-LAS VEGAS : 12

COURSE #	COURSE TITLE	CU	GRD
Term: Aug 2018 - Jan 2019			
EWOB ORA1	Orientation	0	Passed
MATH C278	College Algebra	4	Passed
SOSC C255	Introduction to Geography	3	Passed
HRM C232	Introduction to Human Resource Management	3	Passed
BUS C483	Principles of Management	4	Passed
MATH C463	Intermediate Algebra	3	Passed
BUS C711	Introduction to Business	3	Passed
MGMT C715	Organizational Behavior	3	Passed
BUS C717	Business Ethics	3	Passed
ECON C718	Microeconomics	3	Passed
Term: Attempted: 29 Completed: 29			
Term: Feb 2019 - Jul 2019			
ECON FVC1	Global Business	3	Passed
ACCT UFC1	Managerial Accounting	3	Passed
ACCT VYC1	Principles of Accounting	4	Passed
BUS VZT1	Marketing Applications	3	Passed
HUMN C100	Introduction to Humanities	3	Passed

COURSE #	COURSE TITLE	CU	GRD
Workforce Planning:			
HRM C234	Recruitment and Selection	3	Passed
HRM C235	Training and Development	3	Passed
BUIT C268	Spreadsheets	3	Passed
MKTG C712	Marketing Fundamentals	3	Passed
LAW C713	Business Law	3	Passed
FINC C708	Principles of Finance	3	Passed
MGMT C720	Operations and Supply Chain Management	3	Passed
MGMT C721	Change Management	3	Passed
MGMT C722	Project Management	3	Passed
BUS C723	Quantitative Analysis For Business	3	Passed
ECON C719	Macroeconomics	3	Passed
SCIE C165	Integrated Physical Sciences	3	Passed
MATH C955	Applied Probability and Statistics	3	Passed
HUMN C961	Ethics in Technology	3	Passed
Term: Attempted: 58 Completed: 58			
Term: Aug 2019 - Jan 2020			
BUSI QGT1	Business Management Capstone Written Project	4	Passed
BUSI QHT1	Business Management Tasks	3	Passed
HIST C121	Survey of United States History	3	Passed
BUS C716	Business Communication	3	Passed
MGMT C714	Business Strategy	3	Passed
BUIT C724	Information Systems Management	3	Passed


 Gabrielle Martinez, MS
 Registrar

The Family Educational Rights and Privacy Act of 1974 (as amended) prohibits the release of this information without the student's written consent. An official transcript must include the signature of the registrar and the seal of the college or university. This document reports academic information only.

Western Governors University

4001 S 700 East, #700, Salt Lake City, UT 84107

Academic Transcript

Page: 3

Student Name: Brad Pope

Student ID: [REDACTED]

Date of Birth: [REDACTED]

SSN: [REDACTED]

Program: Bachelor of Science, Business Management

Major: Management

Course Level: Undergraduate

Issued for: Brad Pope

Date Issued: Nov 21, 2024

COURSE #	COURSE TITLE	CU	GRD
COMM C464	Introduction to Communication	3	Passed
Term:	Attempted: 22	Completed: 22	

***** TRANSCRIPT TOTALS *****

	Attempted	Earned
Total Institution:	109	109
Total Transfer/Satisfied:		12
Overall:	109	121

***** END OF TRANSCRIPT *****


Gabrielle Martinez, MS
Registrar

The Family Educational Rights and Privacy Act of 1974 (as amended) prohibits the release of this information without the student's written consent. An official transcript must include the signature of the registrar and the seal of the college or university. This document reports academic information only.

Western Governors University

4001 S 700 East, #700, Salt Lake City, UT 84107
Academic Transcript

Page: 1

Student Name: Brad Pope

Student ID: [REDACTED]

Date of Birth: [REDACTED]

SSN: [REDACTED]

Program: Master of Science, Management and Leadership

Major: Management and Leadership

Course Level: Graduate

Issued for: Brad Pope
[REDACTED]

Date Issued: Nov 21, 2024

Achievements Awarded:

Degree Awarded Bachelor of Science

Major: Business Management

Date Awarded: Nov 05, 2019

Degree Awarded Master of Science

Major: Management & Leadership

Date Awarded: Nov 18, 2024

COURSE #	COURSE TITLE	CU	GRD
***** TRANSCRIPT TOTALS *****			
		Attempted	Earned
Total Institution:		31	31
Total Transfer/Satisfied:			0
Overall:		31	31
***** END OF TRANSCRIPT *****			

COURSE #	COURSE TITLE	CU	GRD
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Term: Aug 2024 - Jan 2025

MGMT C200	Managing Organizations and Leading People	3	Passed
HRM C202	Managing Human Capital	3	Passed
MGMT C204	Management Communication	3	Passed
MGMT C206	Ethical Leadership	3	Passed
BUS C201	Business Acumen	3	Passed
MGMT C203	Becoming an Effective Leader	3	Passed
MGMT C205	Leading Teams	3	Passed
MGMT C208	Change Management and Innovation	3	Passed
MGMT C209	Strategic Management	3	Passed
MGMT C210	Management and Leadership Capstone	4	Passed

Term: Attempted: 31 Completed: 31


Gabrielle Martinez, MS
Registrar

The Family Educational Rights and Privacy Act of 1974 (as amended) prohibits the release of this information without the student's written consent. An official transcript must include the signature of the registrar and the seal of the college or university. This document reports academic information only.

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

Request from the Nye County Sheriff's Office for an Executive Certificate for their employee Captain Harry Means, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.



State of Nevada – POST

Professional Certificate Application

Agency Details

Agency Name* Nye County Sheriff's Office

Officer's Details

POST ID* 31737

Officer's Name* Harry Means

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* forms for this.

*

- ☐ Intermediate (NAC 289.240)
- ☐ Advanced (NAC 289.250)
- ☐ Supervisor (NAC 289.255)
- ☐ Management (NAC 289.260)
- ☒ Executive (NAC 289.270)

*

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

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

> **Executive** – see NAC289.270(1) for documentation required

Attachments (3)

Additional information or comments

Submitter Details

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 level selected.

Submitter's Full Name *

Harry Means

Submitter's Phone # *

775-751-6360

Submitter's E-Mail *

hmeans@nyecountynv.gov

This section is for POST approval only

Education

Credit Hours

Date Achieved

Approved By

Certification Date

Document Type

PROFESSIONAL CERTIFICATE

APPLICATION

Comments



NYE COUNTY SHERIFF'S OFFICE

Joseph McGill, *Sheriff*
Cory Fowles, *Undersheriff*

Nevada P.O.S.T.
5587 Wa Pai Shone Ave
Carson City, NV 89701

To whom it may concern:

Please accept this letter as proof that Captain Harry Means meets the requirements to be issued his Executive P.O.S.T. Certificate.

Captain Means possesses a:

1. Basic Certificate – Issued 12/15/2013
2. Intermediate Certificate – Issued 8/15/2017
3. Advanced Certificate – Issued 8/13/2019
4. Supervisory Certificate – Issued 4/13/2016
5. Management Certificate – Issued 4/30/2024

Captain Means exceeds the requirements of 6 years as a peace officer and 1 year at an executive level position. Captain Means supervises two or more persons who hold management level positions and is in charge of a major division or bureau.

Captain Means has completed 200 hours of advanced management training through his Master of Science in Management and Leadership degree.

Thank you,

A handwritten signature in black ink, appearing to read "Joe McGill", is written over a horizontal line.

Sheriff Joe McGill
Nye County Sheriff's Office

775-751-7000

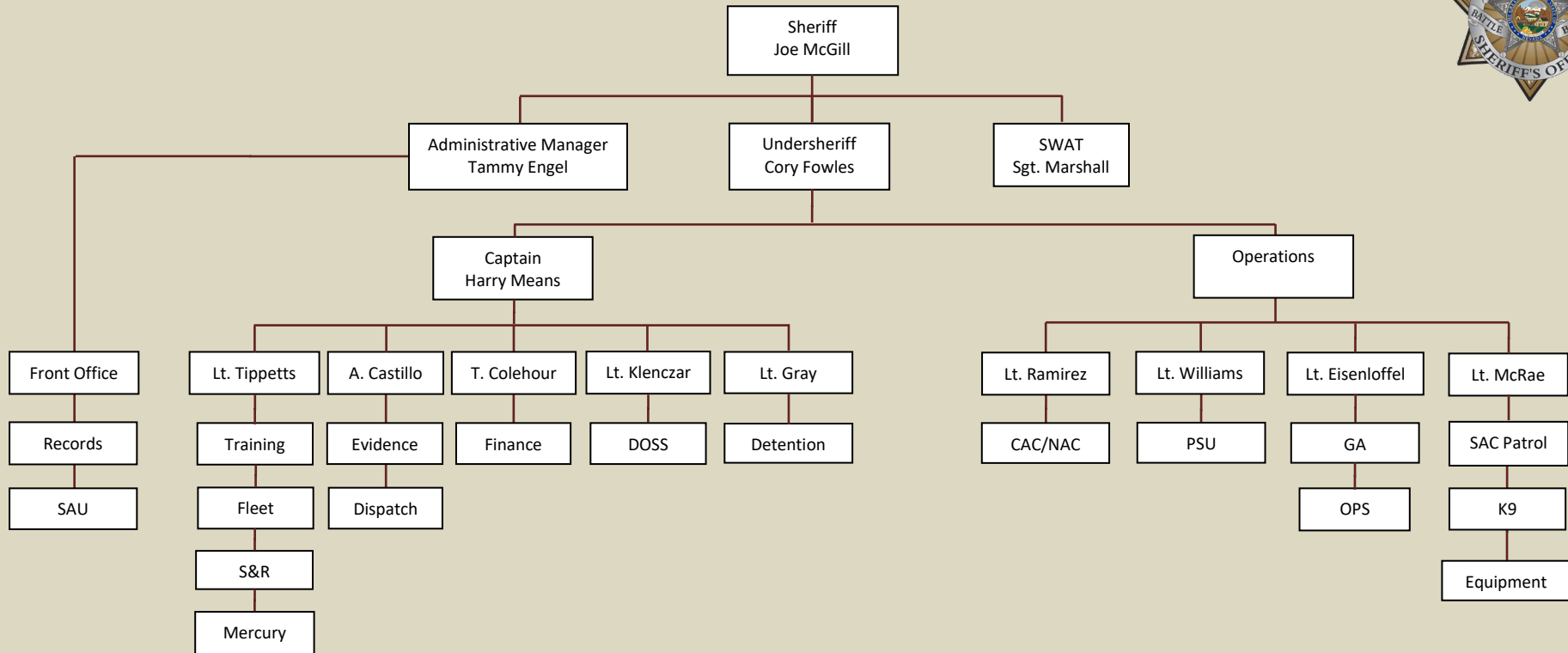
<http://www.nyecountysheriffsoffice.com>

SOUTHERN AREA COMMAND
1520 E BASIN AVENUE
PAHRUMP, NEVADA 89060

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

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

NYE COUNTY SHERIFF'S OFFICE ORGANIZATION CHART



Original: January 2nd, 2023

Updated: June 26, 2025

Joseph McGill, Nye County Sheriff

10/14/2025 Nevada Commission on POST Employee Profile

Means, Harry L [REDACTED]

Certifications

<u>Level</u>	<u>Status Date</u>	<u>Status</u>	<u>Cert Date</u>	<u>Exp Date</u>
Management	4/30/2024	Active	4/30/2024	
Advanced	8/13/2019	Active	8/13/2019	
Intermediate	8/15/2017	Active	8/15/2017	
Supervisor	4/13/2016	Active	4/13/2016	
Category I	12/15/2013	Active	12/6/2014	
Category III	12/15/2013	Active	12/15/2013	

Western Governors University

THE BOARD OF TRUSTEES OF WESTERN GOVERNORS UNIVERSITY,
UPON THE RECOMMENDATION OF THE FACULTY, HAS CONFERRED UPON

Harry L. Means

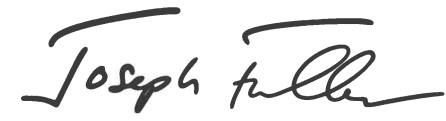
THE DEGREE OF

**Master of Science
Management and Leadership**

WITH ALL THE RIGHTS, HONORS, AND PRIVILEGES THERETO APPERTAINING.
IN WITNESS WHEREOF, THE SEAL OF THE UNIVERSITY AND THE SIGNATURES AS AUTHORIZED BY
THE BOARD OF TRUSTEES, WESTERN GOVERNORS UNIVERSITY, ARE HEREUNTO AFFIXED,
THIS TWELFTH DAY OF AUGUST, IN THE YEAR TWO THOUSAND AND TWENTY-FIVE.


UNIVERSITY PRESIDENT




CHAIR, BOARD OF TRUSTEES

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

Request from the Las Vegas Metropolitan Police Department for an Executive Certificate for their employee Sheriff Kevin McMahon, pursuant to NAC 289.270(1)(b). Possible action may include approval or denial of the requested Executive Certificate.



State of Nevada – POST

Professional Certificate Application

Agency ID *

0076

Agency Name *

LV Metro PD

Officer's Details

POST ID *

22556

Officer's Name *

Kevin C McMahill

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* forms for this.

*

- ☐ Intermediate (NAC 289.240)
- ☐ Advanced (NAC 289.250)
- ☐ Supervisor (NAC 289.255)
- ☐ Management (NAC 289.260)
- ☒ Executive (NAC 289.270)

*

Appointed or elected to executive level position for 5 or more consecutive years
NAC289.270(1)(b)

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

> **Executive** – see NAC289.270(1) for documentation required

Attachments (2)

[POST – PROFESSIONAL CERTIFICATE APPLICATION – – Kevin C McMahill – 10/14/2025](#)

[POST – PROFESSIONAL CERTIFICATE APPLICATION – – Kevin C McMahill – 10/14/2025](#)

Additional information or comments

Sheriff Kevin McMahill P#3948 work history dates

Sheriff 01/02/2023 –

Undersheriff 11/15/2014 – 12/29/2020

Assistant Sheriff 10/12/2013

Submitter Details

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 level selected.

Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail *
Officer Sarah Fackrell	702-828-1963	S16441F@LVMPD.com

This section is for POST approval only

Education	Credit Hours	Date Achieved
Approved By	Certification Date	Document Type
		PROFESSIONAL CERTIFICATE APPLICATION
Comments		



**LAS VEGAS METROPOLITAN
POLICE DEPARTMENT**

Kevin McMahonill, Sheriff

Partners with the Community

October 14th, 2025

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

Attn: Mike Sherlock, Executive Director

Reference: Executive Certificate for Sheriff Kevin McMahonill

Dear Mr. Sherlock,

This letter certifies that Sheriff Kevin McMahonill meets the requirements for the award of a Nevada P.O.S.T. Professional Executive Certificate pursuant to NAC 289.270.1B. This is based on the Sheriff's current assignment to an executive-level position within the Las Vegas Metropolitan Police Department for five consecutive years.

Sheriff McMahonill oversees the entirety of the Las Vegas Metropolitan Police Department.

An organization chart is included, which demonstrates the Sheriff's position within the Las Vegas Metropolitan Police Department.

Respectfully,

A handwritten signature in black ink, appearing to be "AW", written in a cursive style.

Andrew Walsh, Undersheriff
Clark County Undersheriff
Las Vegas Metropolitan Police Department



8. DISCUSSION AND FOR POSSIBLE ACTION.

Request from Humboldt County Juvenile Services for a 6-month extension past the one-year requirement (NRS 289.550) in order to meet the requirements for certification for their employee, Madison Krause. Hire date September 30, 2024, extension to March 30, 2026. Possible action may include approval or denial of the requested extension.

HUMBOLDT COUNTY JUVENILE SERVICES

Michael Montero
District Court Judge

Pauline Salla
Director of Juvenile Services

September 8, 2025

Director Sherlock,

I am requesting a six-month extension, pursuant to NRS 289.550, for Cadet Madison Krause of Humboldt County Juvenile Services. This request is made due to Cadet Krause's inability to complete the current Category II Academy. It should be noted that Cadet Krause began the Category II Academy on March 17, 2025. On April 2, 2025, POST notified all cadets that the academy would be moving to a blended version to address the fact that only three cadets were currently enrolled. Cadets were sent home to complete the remaining academic portion of the academy. On April 3, 2025, I received an email outlining the rest of the mandatory in-person training dates occurring on August 18- September 5th. Cadet Krause was extremely ill during the Defensive Tactics training and left the academy on August 27, 2025. Cadet Krause has completed all requirements except Defensive Tactics and the state certification exam. Cadet Krause was hired on August 31, 2024, and will complete the needed requirements as soon as the POST schedule allows.

Respectfully Submitted,
Pauline Salla
Director of Juvenile Services

737 E. Fairgrounds Rd
Winnemucca, NV
89445

PHONE (775) 623-6382
FAX (775) 623-6386

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

Request from Esmeralda County Sheriff's Office for a 6-month extension past the one-year requirement (NRS 289.550) in order to meet the requirements for certification for their employee Deputy Travis Smalley. Hire date October 22, 2024, extension to April 22, 2026. Possible action may include approval or denial of the requested extension.



775-485-6370

Esmeralda County Sheriff's Office

P.O. Box 520
Goldfield, NV 89013
Julian R. Melendez
Sheriff



Fax: 775-485-3524

October 2, 2025

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

Re: Request for Extension

I would like to request a six-month extension of time for Esmeralda County Sheriff's Deputy Travis Smalley, POST ID No. 32223, to be certified by POST in accordance with NRS 289.550. Smalley was hired on October 22, 2024, and will not be certified within one year from the date he commenced employment as a peace officer. Smalley was enrolled in the January 2025 Nevada POST Academy and the August 2025 Southern Desert Regional Police Academy, but he did not complete the training. If his extension is approved, he will enroll in the next Nevada POST Academy.

If you have any questions, please contact me at (775) 485-6373.

A handwritten signature in blue ink that reads "Julian R. Melendez".

JULIAN R. MELENDEZ
Sheriff

10. DISCUSSION AND FOR POSSIBLE ACTION.

Request pursuant to NAC 289.290 (12) from Stephen Bryan for reinstatement of his eligibility to be certified. Mr. Bryan's category I basic certificate was revoked August 13, 2020, pursuant to NAC 289.290(1)(h) based on a conviction of a misdemeanor. Possible action may include the approval or denial of the requested reinstatement.

Stephen Bryan

[REDACTED]
Henderson NV 89002

702-290-6293
[REDACTED]

6/23/2025

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

Subject: Request for Reinstatement of POST Certificate

Dear Members of the Commission,

I am writing to respectfully request the reinstatement of my Nevada Peace Officers Standards and Training (POST) certificate, which was previously suspended due to legal allegations made against me.

The charges in question stemmed from a complaint filed by my former partner, which alleged stalking behavior. I want to clearly state that these allegations were unfounded and have since been dismissed/cleared by the Henderson Municipal Court. I was also charged with Harassment after the initial charges were brought against me for making the statement "If I lose my job I have nothing to lose." I admitted to making the statement out of anger at the time because I was being falsely accused of Stalking. The statement came as a spontaneous utterance, but it was something I took full responsibility for.

Since then, I have had my record sealed which went through the Henderson Municipal Court system and have been a model citizen. I am now married and co-parent with the adverse party that initially filed the allegations against me.

Throughout that process, I maintained my innocence and cooperated fully with the legal system. I understand the seriousness with which POST holds professional conduct, and I deeply value the integrity and trust associated with serving in law enforcement.

It is my sincere hope that the Commission will consider my request for reinstatement based on the resolution of this matter, my prior service record, and my continued commitment to upholding the standards of public safety and ethical conduct.

Please let me know if any further documentation, background information, or a personal appearance is required to move forward with this process. I am fully prepared to comply

with any necessary steps to demonstrate my qualifications and suitability for reinstatement.

Thank you for your time and consideration. I remain committed to serving my community and returning to the profession with the same dedication and integrity that has guided my career.

Sincerely,

Stephen Bryan

Blind Review held 02/12/2020 to determine whether the Commission wanted to have an actual hearing on this matter, based on the documents provided by the courts and the request by the employing agency for revocation. Minutes of that conversation follow.

1 language is to provide for the requirements of continuing
2 education, to include 12 hours on the following topics: racial
3 profiling, mental health, officer well-being, implicit bias, de-
4 escalation, human trafficking, and firearms. Do we have any
5 comments from the public? Any public comment on this? Any
6 comments from the Commissioners? Okay. Seeing as though there's
7 none, I'm looking for a motion to continue this rule-making
8 process.

9 MCGRATH: John McGrath. I'll make a motion.

10 SOTO: Okay. We have a motion. Do I have a
11 second?

12 FREEMAN: I'll second. Michele Freeman.

13 SOTO: Okay. We have a motion and a second.
14 All those in favor, say "aye".

15 SPEAKERS: Aye.

16 SOTO: Opposed? The motion carries
17 unanimously.

18 Again, as I stated, items four is going to be moved, and
19 item five is going to be moved to the end of this. On to item
20 number six, discussion, public comment, and for possible action.

21 The Commission to conduct a blind review of an agency request to
22 revoke the Basic Certificate of a former employee, based upon
23 court documents and conviction for harassment - First Offense,
24 Misdemeanor, NRS 200.571. The Commission to decide to move
25

1 forward with a revocation hearing at a future meeting. I'm going
2 to throw this over to Mike Sherlock first, for an explanation.

3 SHERLOCK: Thank you. Mike Sherlock, for the
4 record. So, as the Commission knows, under current regs, the
5 Commission can revoke a Basic Certificate for gross misdemeanors,
6 felony convictions, and now, domestic violence misdemeanor
7 convictions, among other things. But in terms of convictions,
8 this does not fall under one of those definitions, although it's
9 within the Commission's authority to revoke.

10 So at this point, we are looking for direction from the
11 Commission, as to whether or not they would be amenable to go to
12 a revocation hearing for the facts outlined in your book. If you
13 look behind that agenda item, there is a synopsis, basically,
14 including the original criminal complaint listing the original
15 charges and the ultimate conviction for harassment. And so,
16 staff would be looking as to whether this is something that the
17 Commission would like to address at a later Commission Meeting,
18 in terms of a revocation hearing.

19 SOTO: Okay. Any Commissioner have any
20 comments on that? Or questions?

21 MCGRATH: John McGrath, for the record. Is this
22 coming from the Agency? Where is this originating from?

23 SHERLOCK: Mike Sherlock, for the record. The
24 Agency did provide us with this information and is supportive of
25 revocation.

1 FREEMAN: Michele Freeman. So, do we have any
2 guidance from Counsel?

3 JENSEN: Mike Jensen, for the record. Just a
4 couple of things I would add to what Mr. Sherlock said. First of
5 all, this process of blind review was set up a number of years
6 ago, primarily for situations with misdemeanor convictions
7 because of the broad variety of misdemeanors that we have in the
8 state of Nevada. We wanted to make sure that if the Commission
9 wanted to move forward on some of these misdemeanor convictions,
10 before we actually served the individual and made their name
11 public through that process.

12 In terms of direction on what are the appropriate types of
13 convictions to move forward on, a couple of things, I think, are
14 important. The first is the type of conviction that would affect
15 or disqualify a person from being a Peace Officer, going to
16 things like integrity, honesty. Those sorts of things are the
17 types of convictions that we would normally go forward on.

18 And so, I think that should probably be taken into
19 consideration and is - it has to tie to the ability of the person
20 to be a Peace Officer, to be a conviction that would satisfy the
21 requirement.

22 SOTO: Any other questions or comments from
23 the Commission? Do we have any public comment on this? Okay.
24 Can I get a motion, then, on moving forward with a revocation
25 hearing at a future Meeting?

1 KETSAA: Jim Ketsaa, for the record. Make that
2 motion.

3 SOTO: I have a motion. Get a second?

4 SHEA: Tim Shea. I'll second.

5 SOTO: Okay. So, we have a motion and a
6 second. All those in favor, say "aye".

7 SPEAKERS: Aye.

8 SOTO: Opposed? Motion carries unanimously.

9 Okay. Item number seven, discussion, public comment, and
10 for possible action. Request from the Carson City Sheriff's
11 Office requesting a 6-month extension pursuant to NRS 289.550,
12 for their employee, Deputy Robert Routon, to meet certification
13 requirements. The request would extend the time period to meet
14 certification to August 22nd, 2020. And I'm going to turn this
15 over to Scott Johnston for details.

16 SHERLOCK: Mike Sherlock, for the record. Mr.
17 Chairman, I spoke to Sheriff Furlong, who regrettably could not
18 be here today. And I think the Commission knows that Sheriff
19 Furlong is pretty good about coming before the Commission when he
20 has an agenda item, but he couldn't do it today. He asked me to
21 kind of explain what's going on.

22 He actually has two extension requests today. In this
23 first one, again, because of staffing needs and, frankly, the
24 limitations of the POST Academy, in terms of numbers, and the
25 fact that he had already put other people in the Academy, he was

Included here are copies of the documents from the Commission book for the hearing held August 13, 2020. At this hearing, the Commission voted to revoke Mr. Bryan for his conviction of Misdemeanor Harassment - First Offense, in violation of NRS 200.571.

III. REGULARLY SCHEDULED MEETING AGENDA ITEMS

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.



EXHIBIT A

STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE RESCHEDULED MEETING NOTICE

July 20, 2020

Stephen M. Bryan
[REDACTED]

Dear Mr. Bryan,

POST PIN #: 27323

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290(1)(h) based on a conviction for misdemeanor**. The convictions which have led to this action are as follows:

Count II: Harassment – First offense (Misdemeanor – NRS 200.571, Henderson City Charter, Section 2.140)

Case#: 19CR009246

Dept No: 3

Jurisdiction: Henderson Municipal Court, Clark County, Nevada

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

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

Written requests can be made to:

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

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

Date: August 13, 2020
Time: 10:00am
Location: Reno Police Department
455 E. 2nd St.
Reno, NV 89502

The hearing will cover the following: **NAC 289.290 (1)(h), Revocation of a certificate based upon a misdemeanor conviction.**

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

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

Sincerely,

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

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

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

NAC 289.290 Denial, revocation, suspension and reinstatement of certificate. (NRS 289.510)

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

(a) Willful falsification of any information provided to obtain the certificate.

(b) A permanent or chronic physical or mental disability affecting the officer's ability to perform his or her full range of duties.

(c) Chronic drinking or drunkenness on duty.

(d) Addiction to or the unlawful use or possession of narcotics or other drugs.

(e) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed.

(f) Failure to comply with the standards established in this chapter.

(g) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction or entry of a plea of guilty, guilty but mentally ill or nolo contendere, the certificate will be revoked.

(h) Conviction of a misdemeanor. If the employing agency recommends suspension or revocation following conviction of the employee for a misdemeanor, suspension or revocation may be imposed. In determining whether to suspend or revoke the certificate, the Commission will consider the type of conviction and other information provided by the agency indicating unprofessional conduct or similar undesirable activity by the officer that resulted in disciplinary action.

2. Denial, suspension or revocation procedures will not be considered by the Commission in cases where the employment of an officer is terminated for violations of the policies, general orders or similar guidelines of operation of the employing agency which do not constitute any of the causes for denial, suspension or revocation specified in subsection 1.

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

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

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

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

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

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

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

6. When an officer notifies the Commission of his or her intention to appear and answer the charges pending against him or her, the Commission will elect to sit as a whole at a hearing or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. The Commission will review the recommendations of any such hearing officer and arrive at a decision by majority vote of the members present.

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

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

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

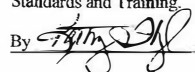
10. The Commission will provide each peace officer whose certificate is suspended with written notice of the suspension by certified registered mail. The suspension becomes effective 24 hours after receipt of the certified notice. The notice will contain a statement advising the officer of the right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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014)

I hereby certify that this record is a true
And current copy of the original on file at
The office of the Commission on Peace Officer
Standards and Training.

By 

Date 7/30/20



JUL 27 2020

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

STEVE SISOLAK
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

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

to Individual's Name: STEPHEN BRYAN

at [REDACTED] on this
(location)

23rd day of July, 2020.
Day Month Year

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

Executed on this 23rd day of July, 2020.
Day Month Year

[Signature] # 18066
Signature of person serving the Notice

NICHOLAS DITUSA (DEPUTY SHERIFF)
Printed name of person serving the Notice

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

I hereby certify that this record is a true
And current copy of the original on file at
The office of the Commission on Peace Officer
Standards and Training.

By [Signature] Date 7/30/20

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

STATE OF NEVADA COMMISSION ON PEACE
OFFICER STANDARDS AND TRAINING
PLAINTIFF

Vs

STEPHEN M BRYAN

DEFENDANT

CASE No. POST PIN #27323
SHERIFF CIVIL NO.: 20004115

AFFIDAVIT OF SERVICE

STATE OF NEVADA }
 } ss:
COUNTY OF CLARK }

NICHOLAS DITUSA, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Sheriff in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on **7/23/2020**, at the hour of **12:05 PM**, affiant as such Deputy Sheriff served a copy/copies of **NOTICE OF INTENT TO REVOKE (RESCHEDULED MEETING NOTICE)** issued in the above entitled action upon STEPHEN MICHAEL BRYAN the defendant **STEPHEN MICHAEL BRYAN** named therein, by delivering to and leaving with said defendant **STEPHEN MICHAEL BRYAN**, personally, at [REDACTED] within the County of Clark, State of Nevada, copy/copies of **NOTICE OF INTENT TO REVOKE (RESCHEDULED MEETING NOTICE)**

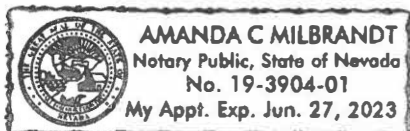
DATED: July 23, 2020.

Joseph M. Lombardo, Sheriff

By: [Signature]
NICHOLAS DITUSA
Deputy Sheriff

#18066

SUBSCRIBED AND SWORN to me before me this
23RD day of **July**, 20**20**
[Signature]
NOTARY PUBLIC in and for said County & State



I hereby certify that this record is a true
And current copy of the original on file at
The office of the Commission on Peace Officer
Standards and Training

By: [Signature] Date **7/30/20**

EXHIBIT C

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

Post ID Number: 27323

Last Name: Bryan

First Name: Stephen

MI: M

Suffix:

☐ Name Change?

Last Name: Bryan

First Name: Stephen

MI: M

Suffix:

☐ Address Change?

Street Address:

City:

State:

Zip Code:

County: Clark

E-Mail:

Level Change?

☐ Line

☐ Supervisor

☐ Management

☐ Executive

☐ Part Time

☐ Full Time

Status Change?

☐ Deceased

☐ Retired

☒ Separated

NAC289.290 Notification (Cause For Commission Action)

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

Does the above NAC apply? ☐ No

☒ Yes

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

Comments\Additional Information:

Officer was convicted of Misdemeanor Harassment. Ref. Municipal Court case #19CR009246. The Henderson PD recommends revocation of the Basic Certificate(s) pursuant to NAC 289.290 1(h).

Effective Date:

11/21/2019

Submitters E-Mail:

DeeAnn.Bill@cityofhenderson.com

Submitters Name:

DeeAnn Bill

Submitters Phone:

(702) 267-4850

STATE OF NEVADA

Commission On Peace Officers' Standards And Training

Hereby Awards the
Basic Certificate
To
STEPHEN M. BRYAN
CATEGORY I

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

Jim Gibbons
Governor

July 31, 2008

Issuance Date

Kirkland Clark
Executive Director

I hereby certify that this record is a true
And current copy of the original on file at
The office of the Commission on Peace Officer
Standards and Training.

By *Jim Gibbons* Date 7/30/20

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

Name: **STEPHEN M. BRYAN** POST ID No: **27323**

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

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

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

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

INSTRUCTIONS

This is your POST Basic Certificate and Identification Card.

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

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

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

STATE OF NEVADA

Commission On Peace Officers' Standards And Training

Hereby Awards the
Basic Certificate
To
STEPHEN M. BRYAN
CATEGORY I

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

Jim Gibbons Governor *Kirkland Clark* Executive Director

July 31, 2008

Issuance Date

MUNICIPAL COURT OF THE CITY OF HENDERSON
IN THE COUNTY OF CLARK, STATE OF NEVADA

FILED

2019 SEP 17 P 12:19

CITY OF HENDERSON, NEVADA,

Plaintiff,

vs.

STEPHEN MICHAEL BRYAN,

Defendant.

MUNICIPAL COURT
CRIMINAL COMPLAINT HENDERSONCASE NO. MC CLERK

COUNT 1 - 19CR009245

COUNT 2 - 19CR009246

Nicholas G. Vaskov, Esq., City Attorney

The defendant has committed the crimes of:

STALKING - FIRST OFFENSE (Misdemeanor - NRS 200.575(1), Henderson City Charter, Section 2.140)**HARASSMENT - FIRST OFFENSE** (Misdemeanor - NRS 200.571, Henderson City Charter, Section 2.140) within the City of Henderson, in the County of Clark, State of Nevada, in the manner following, that the said defendant:**COUNT 1 - STALKING - FIRST OFFENSE**

did, on or between June 1, 2018 and September 3, 2019, without lawful authority, willfully or maliciously engage in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, to wit: did use one or more police database system(s) to run and/or ascertain B.W.'s personal information and/or the personal information of her acquaintance(s) and/or boyfriend(s), and/or did follow B.W. one or more times and/or did come to B.W.'s residence uninvited one or more times and/or did look into B.W.'s residence through the windows one or more times and/or did drive by B.W.'s residence one or more times and/or did observe and/or comment on B.W.'s private intimate behavior and/or did send B.W. a photo of an acquaintance's and/or of a friend's home and/or did make one or more implied or express threat(s) to her and/or did call B.W.'s place of employment one or more times to ascertain her whereabouts, which would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for her immediate safety or the immediate safety of a family or household member, and that actually caused B.W. to feel terrorized, frightened, intimidated, harassed or fearful for her immediate safety or the immediate safety of a family or household member.

///
///
///
///

I hereby certify that this report is a
copy of the original on file at the
Henderson Municipal Court, Clark County, NV
dated 10/18/19
Court Clerk: [Signature]

COUNT 2 - HARASSMENT - FIRST OFFENSE

did, on or about August 28, 2019, unlawfully, and knowingly threaten to cause bodily injury in the future to the person threatened or to any other person; to cause physical damage to the property of another; to subject the person threatened or any other person to physical confinement or restraint; or to do any act which is intended to substantially harm the person threatened or any other person with respect to his physical or mental health or safety; and did place the person receiving the threat in reasonable fear that the threat will be carried out, to wit: did threaten B.W. by informing her of words to the effect of, "If I lose my job, I have nothing to lose," after Henderson Police Department personnel contacted said defendant for an interview, and did, in fact, place B.W. in fear that the threat would be carried out.

All of which is contrary to the form, force and effect of statutes in such cases made and provided and against the peace and dignity of the City of Henderson, State of Nevada. Said Complainant makes this declaration on information and belief subject to the penalty of perjury.



Marc M. Schifalacqua, Esq.
Sr. Assistant City Attorney

CAO File #: 025619

PCN#:

I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County, NV
dated, 12/18/19
Clerk: [Signature]

ORIGINAL

MUNICIPAL COURT OF THE CITY OF HENDERSON **FILED**

IN THE COUNTY OF CLARK, STATE OF NEVADA

Ci 23 A 10:09

CITY OF HENDERSON, NEVADA,

Plaintiff,

vs.

STEPHEN MICHAEL BRYAN,

Defendant.

AMENDED
CRIMINAL COMPLAINT~~CASE NO.~~

COUNT 1 - 19CR009245

COUNT 2 - 19CR009246

COUNT 3 - 19CR010401

COUNT 4 - 19CR010403

COUNT 5 - 19CR010404

COUNT 6 - 19CR010405

Nicholas G. Vaskov, Esq., City Attorney

The defendant has committed the crimes of:

STALKING - FIRST OFFENSE (Misdemeanor - NRS 200.575(1), Henderson City Charter, Section 2.140)**HARASSMENT - FIRST OFFENSE** (Misdemeanor - NRS 200.571, Henderson City Charter, Section 2.140)**TRESPASS** (Misdemeanor - NRS 207.200, Henderson City Charter, Section 2.140)**INJURING OR TAMPERING WITH VEHICLE** (Misdemeanor - NRS 205.274(1), Henderson City Charter, Section 2.140)**REQUEST OR OBTAIN CRIMINAL HISTORY RECORDS UNDER FALSE PRETENSES** (Misdemeanor - NRS 179A.900(1), Henderson City Charter, Section 2.140) within the City of Henderson, in the County of Clark, State of Nevada, in the manner following, that the said defendant, on or about December 7, 2018:**COUNT 1 - STALKING - FIRST OFFENSE**

did, on or between June 1, 2018 and September 17, 2019, without lawful authority, willfully or maliciously engage in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, to wit: did use one or more police database system(s) to run and/or ascertain B.W.'s personal information and/or the personal information of her acquaintance(s) and/or boyfriend(s), and/or did follow B.W. one or more times and/or did come to B.W.'s residence uninvited one or more times and/or did look into B.W.'s residence through the windows one or more times and/or did drive by B.W.'s residence one or more times and/or did observe and/or comment on B.W.'s private intimate behavior and/or did send B.W. a photo of an acquaintance's and/or of a friend's home and/or did make one or more implied or express threat(s) to her and/or did call B.W.'s place of employment one or more times to

I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County, NV
Dated: 12-18-19
Court Clerk: [Signature]

ascertain her whereabouts, and/or did send her a text message regarding the issuance of the arrest warrant(s) in this case, and/or did read and/or review and/or did access B.W.'s private text messages to another individual, which would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for her immediate safety or the immediate safety of a family or household member, and that actually caused B.W. to feel terrorized, frightened, intimidated, harassed or fearful for her immediate safety or the immediate safety of a family or household member.

COUNT 2 - HARASSMENT - FIRST OFFENSE

did, on or about August 28, 2019, unlawfully, and knowingly threaten to cause bodily injury in the future to the person threatened or to any other person; to cause physical damage to the property of another; to subject the person threatened or any other person to physical confinement or restraint; or to do any act which is intended to substantially harm the person threatened or any other person with respect to his physical or mental health or safety; and did place the person receiving the threat in reasonable fear that the threat will be carried out, to wit: did threaten B.W. by informing her of words to the effect of, "If I lose my job, I have nothing to lose," after Henderson Police Department personnel contacted him for an interview, and did, in fact, place B.W. in fear that the threat would be carried out.

COUNT 3 - TRESPASS

did, on or about July 28, 2019, unlawfully go upon the land or into the building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act and/or did willfully go or remain upon any land or in any building after having been warned by the owner or occupant thereof not to trespass, to wit: did enter B.W.'s residence and/or did then take one or more photo(s) of her bedroom area, with the intent to commit, promote and further the unlawful act of stalking and/or did enter the residence without B.W.'s knowledge or permission.

COUNT 4 - INJURING OR TAMPERING WITH VEHICLE

did, on or between July 28, 2019 and July 29, 2019, did, willfully break, injure, tamper with or remove any part of parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner or person in charge of the a vehicle climb into or upon such vehicle with the intent to commit any crime, malicious mischief, or injury thereto, or who while a vehicle is at rest and unattended shall attempt to manipulate any of the levers, starting crank or other starting device, brakes or other mechanism thereof, or to set such vehicle in motion, to-wit: did cause damage and problems with the normal operation of a Chevrolet Silverado belonging to K.R. by placing a substance and/or foreign liquid in the vehicle's fuel tank.

I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County, NV
dated 12/18/19
Court Clerk: KWH

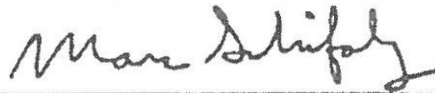
COUNT 5 - REQUEST OR OBTAIN CRIMINAL HISTORY RECORDS UNDER FALSE PRETENSES

did, on or between November 18 and November 20, 2018, willfully request, obtain or seek to obtain records of criminal history under false pretenses, and/or communicate or seek to communicate criminal history to any agency or person except pursuant to Nevada Revised Statutes Chapter 179A, and/or willfully falsified any record of criminal history or any record relating to records of criminal history, to-wit: did query NV/592YJD and/or the criminal history or personal identifying information for J.M., which was not related to said defendant's employment as a police officer.

COUNT 6 - REQUEST OR OBTAIN CRIMINAL HISTORY RECORDS UNDER FALSE PRETENSES

did, on or about December 7, 2018, willfully request, obtain or seek to obtain records of criminal history under false pretenses, and/or communicate or seek to communicate criminal history to any agency or person except pursuant to Nevada Revised Statutes Chapter 179A, and/or willfully falsified any record of criminal history or any record relating to records of criminal history, to-wit: did query and/or obtain the criminal history or personal identifying information for J.R., which was not related to said defendant's employment as a police officer.

All of which is contrary to the form, force and effect of statutes in such cases made and provided and against the peace and dignity of the City of Henderson, State of Nevada. Said Complainant makes this declaration on information and belief subject to the penalty of perjury.



Marc M. Schifalacqua, Esq.
Sr. Assistant City Attorney

Dated: October 21, 2019
CAO File #: 025619
PCN#:

I hereby certify that this report is a
true and correct copy of the original on file at the
Henderson Municipal Court, Clark County, NV
dated 12/18/19
Court Clerk: [Signature]

1 GPA
2 DANIEL R. GILLIAM
3 BIGHORN LAW
4 NV BAR # 9267
5 2340 W. Horizon Ridge Pkwy, Suite 100
6 Henderson, NV 89052
7 Office: (702) 378.2442
8 Attorney for Defendant

FILED

2019 NOV 26 A 0:14

HENDERSON MUNICIPAL COURT
CITY OF HENDERSON

[Signature] CLERK

HENDERSON MUNICIPAL COURT
CLARK COUNTY, NEVADA

9 CITY OF HENDERSON,)
10)
11) PLAINTIFF,)
12)
13) vs.)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)
STEPHEN BRYAN,)
DEFENDANT.)

Case No. 19CR009246

Dept. No. 3

GUILTY PLEA AGREEMENT

I, STEPHEN BRYAN, hereby agree to plead NO CONTEST to HARASSMENT, a misdemeanor, in violation of NRS 200.571.

My decision to plead NO CONTEST is based upon the plea agreement in this case which is as follows:

1. I, STEPHAN BRYAN, will enter a plea of NO CONTEST to HARASSMENT as listed above;
2. Both parties agree to recommend the following;
 - a. 180 days in the Henderson Detention Center – to be suspended;
 - b. Fines and fees totaling \$640;
 - c. Anger Management Counseling (online);
 - d. No contact with BRITTANY [REDACTED] except for that which is ordered by Family Court, for one year;

I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County, NV
and filed on 12-18-19
[Signature]
Clerk

1 e. No further criminal arrests or criminal citations for one year;

2 f. Indirect supervision for one year;

3 g. Dismissal of all remaining counts; and

4 h. Henderson Police Department will not submit any related offenses from the investigation
5 from Event #19-13698.

6 3. I understand that should I violate any of the provisions stated above, that I will be subjected to
7 remand for part of or all of the 180 day suspended sentence.

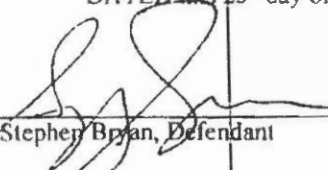
8 Additionally, I understand that a second or subsequent offense for HARASSMENT will be treated
9 and charged as a gross misdemeanor.

10 I have read the Admonishment of Rights and understand that by pleading NO CONTEST, I am
11 giving up the rights delineated in the document.

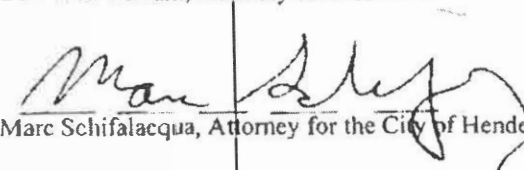
12 This plea is both freely and voluntarily given and I have not been made any promises as to the
13 ultimate sentence - which shall be determined by the presiding judge.

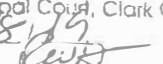
14 By signing this guilty plea agreement, I am consenting to my attorney making the representations to
15 the Court on my behalf.

16
17 DATED this 25th day of November, 2019.

18
19 
20 Stephen Bryan, Defendant

21
22 
23 Daniel R. Gilliam, Attorney for Defendant

24
25 
26 Marc Schifalacqua, Attorney for the City of Henderson

27
28
I hereby certify that this report is a
true copy of the original on file at the
Henderson Municipal Court, Clark County, NV
Date: 12/18/19
Clerk: 

MUNICIPAL COURT, CITY OF HENDERSON, CLARK COUNTY, NEVADA

THE CITY OF HENDERSON, NEVADA)

Plaintiff)

Court Case No: 19CR009246

Vs.)

Department No: 3

STEPHEN BAYAN

Defendant)

ADMONISHMENT OF RIGHTS

I ACKNOWLEDGE AND AM AWARE THAT I HAVE EACH OF THE FOLLOWING RIGHTS AND THAT I WILL BE WAIVING THESE RIGHTS IF I PLEAD GUILTY OR NOLO CONTENDERE (NO CONTEST):

1. The right to a speedy trial;
2. The right to require the City to prove the charge(s) against me beyond a reasonable doubt;
3. The right to confront and question all witnesses against me;
4. The right to subpoena witnesses on my behalf and compel their attendance;
5. The right to remain silent and not be compelled to testify if there were a trial; and
6. The right to appeal my conviction except on constitutional or jurisdictional grounds.

ALL DEFENDANTS MUST INITIAL EITHER #1 OR #2 BELOW DO NOT INITIAL BOTH

(1)

1. I am represented by an attorney in this case. My attorney has fully discussed these matters with me and advised me about my legal rights. My attorney is G. L. L. L. L., Bar Number: 9267.

2. I have declined to have an attorney represent me and I have chosen to represent myself. I have made this decision even though there are dangers and disadvantages in self-representation in a criminal case; including, but not limited to, the following:

- a) Self-representation is often unwise, and a defendant may conduct a defense to his or her own detriment;
- b) A defendant who represents him/herself is responsible for knowing and complying with the same procedural rules as lawyers, and cannot expect help from the Judge in complying with those procedural rules;
- c) A defendant representing him/herself will not be allowed to complain on appeal about the competency or effectiveness of his or her representation;
- d) The City is represented by experienced professional attorneys who have the advantage of skill, training and ability;
- e) A defendant unfamiliar with legal procedures may allow the prosecutor an advantage, may not make effective use of legal rights, and may make tactical decisions that produce unintended consequences; and
- f) The effectiveness of the defense may well be diminished by a defendant's dual role as attorney and accused.
- g) I understand that, as a consequence of my plea of guilty or nolo contendere, if I am not a citizen of the United States, I may, in addition to other consequences provided by law, be removed, deported or excluded from entry into the United States or denied naturalization.

[Signature]
DEFENDANT'S SIGNATURE

3/1/28
DEFENDANT'S DATE OF BIRTH

11/25/19
DATE

I HAVE REVIEWED THIS ADMONISHMENT WITH MY CLIENT AND HE/SHE UNDERSTANDS THE RIGHTS HE/SHE IS WAIVING AND THE CONSEQUENCES OF HIS/HER PLEA OF GUILTY/NOLO CONTENDERE TO THIS CHARGE.

[Signature]
DEFENDANT'S ATTORNEY (if applicable)

9267
BAR NUMBER

[Signature]
Judge, Henderson Municipal Court

F:\HOME\SHRD MC\Shrd sc\FORMS\Admonishments Affidavits\Admonishment of Rights 0410.doc

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV.
Dated: 12/18/19
Court Clerk: [Signature]



HENDERSON MUNICIPAL COURT: SENTENCING ORDER

CITY OF HENDERSON,
Plaintiff

) Case #: 19CR009246
) DR #: 19-13698
) ☐ DOMESTIC BATTERY / ☐ DUI:
) ☐ 1ST Offense / ☐ 2ND Offense
) ☒ OTHER (List Below):

VS.

BRYAN, STEPHEN M Defendant) HAZARDOUS 1ST

☐ Guilty; ☒ Nolo; ☐ Adjudication Stayed ☐ Submitted on the Record,

Pending: ☐ Dismissal; ☐ Amendment to

Total Fines/AA Fees Imposed: \$ 640 Fines/Fees Suspended if compliant: \$ —

☐ \$35 DB Assessment Fee ☐ \$60 Blood/Breath Test ☐ \$50 Time Payment Setup Fee; ☐ \$100 DUI Specialty Courts' Fee

Total Fines/Fees Due: \$ 640 Payments: \$ — per month or fine due in full by/beginning 11/26/2019

Mail to: Henderson Municipal Court, PO Box 95050 - MS621, 243 Water Street, Henderson, NV 89009 On-line: www.cityofhenderson.com/municipal_court/

THE ABOVE REFERENCED DEFENDANT IS HEREBY SENTENCED TO THE FOLLOWING:

*****SENTENCING CONDITIONS*****

☐ PROBATION / DIRECT SUPERVISION (See Agreement & Rules Form)

☒ PROBATION / INDIRECT SUPERVISION

You must appear in person to Special Programs and Services (SPS), located at 243 Water Street, Lower Level, Henderson NV immediately following court or upon the first business day following your release from custody. Failing to appear at the Special Programs and Services office, failing to comply with the court's order or receipt of a non-compliant report from any agency may result in immediate arrest for Probation Violation or a Bench Warrant issued for your arrest. You must report to Special Programs and Services as directed throughout the term of Supervision. You must provide correct contact information to Special Programs and Services and report any changes of that information immediately.

Probation / Supervision Expiration Date: 11/24/2020

- ☐ DUI School
- ☐ Victim's Impact Panel
- ☐ Coroner's DUI Program
- ☐ Breath Ignition Interlock Device **
- ☐ Suspension of Registered Vehicles **
- ** Separate order required
- ☐ SCRAM Program — weeks/months
 - ☐ Install Prior to Release from Custody
 - ☐ Report out-of-custody to SPS upon release for installation
- ☐ AA / NA / GA (or Acceptable Alternative)
 - ☐ Sponsor required — x/wk for — wks
- ☐ DART Program
 - ☐ — weeks/month ☐ Duration
 - ☐ Controlled Subst. including Marijuana
 - ☐ Alcohol
- ☐ CAT Program — weeks/months
- ☐ Coroner's Visitation Program (CVP)
- ☐ Restitution of \$ —
- Payable to City of Henderson on behalf of: —
- ☐ Via Monthly Payments \$ —
- ☐ In Full by/beginning — / — / —
- (Submit payment to SPS)

- ☐ Domestic Battery Counseling (26 sessions, 1x/week)
- ☐ Long-Term Domestic Battery Counseling (52 sessions, 1x/week)
- ☐ Surrender, Sell or Transfer Firearms
- ** Separate order required
- ☒ Anger Control Management online
 - ☒ Level 1 ☐ Level 2
- ☐ Substance Abuse Counseling (SAC)
 - ☐ Outpatient SAC ☐ Inpatient SAC
 - ☐ Intensive outpatient SAC
 - ☐ Group / ☐ Individual
 - times/week for — weeks
- ☐ Petit Larceny Class
- ☐ 8 Hour Drug & Alcohol Education Class
- ☐ High School Equivalency/College Classes
- ☐ Trespassed From: —

- ☒ No Contact With: —
- ☒ for case duration ☐ — months
- BUTTANY
- except through family court
- ☐ Compliance with Conditions on Case(s) —

- ☒ Jail sentence imposed. 180 days
- Suspended/Pending: 180 days
- Jail Time Served: — days
- Balance of Jail Due: — days
- Converted to: ☐ House Arrest ☐ Com. Svc
- ☐ House Arrest — days
- ☐ Community Service — hours;
- (To be completed at a min. rate of 4 hrs/week)
- ☒ No Further Arrests or Criminal Cites
- ☐ Same/ Similar ☒ Any Criminal
- ☒ Duration ☐ — months/years
- ☐ One year or duration-whichever is longer
- ☐ **No Possession / Use of Alcohol
- ☐ **No Possession / Use of Controlled Substances - including Marijuana, unless a Nevada medical marijuana card is obtained
- **Submit to testing as deemed necessary by SPS**
- ☐ No Weapons ☐ Submit to search of person, residence, vehicle, or property under your control, as instructed by SPS
- ☐ Other: —

☐ UNSUPERVISED / COURT ORDERED STATUS CHECKS

UNSUPERVISED PARTICIPANTS: You must provide the Court completion certificates/documentation for court ordered programs on or before your return court date.

For a list of approved classes/programs please refer to <https://www.cityofhenderson.com/special-programs-and-services>

COURT DATES: ☒ None at this time ☐ Return Court Date: — / — / — @ —: — AM / PM Department 1 / 2 / 3

Appearance Required ☐ Appearance Not Required if compliant with ALL orders

It is hereby ordered this 26 day of NOVEMBER, 2019.

Original-Court / Yellow= SPS/ Pink Defendant (100119)

Presiding Judge of the Henderson Municipal Court

I hereby certify that this report is a true and correct copy of the original on file at the Henderson Municipal Court, Clark County, Nevada.
Dated: 12/18/2019

EXHIBIT H

FILED

2019 NOV 26 A 10:17

MUNICIPAL COURT
CITY OF HENDERSON

CRG

EXHIBIT I

**CITY OF HENDERSON MUNICIPAL COURT
IN THE COUNTY OF CLARK, STATE OF NEVADA**

**CITY OF HENDERSON, NEVADA,
Plaintiff,**

Vs.

Bryan, Stephen

Defendant

DR # 19-13698

CASE NO.: 19CR009215

CONDITIONS OF RELEASE ORDER

FILED

SEP 17 P 4:30

CITY OF HENDERSON
CLERK

Pursuant to NRS 178.484, the following Conditions of Release are hereby imposed for all Henderson Municipal Court charges related to the above noted arrest if the named defendant is released from custody:

☒ Defendant is released on Own Recognizance (OR) with the following conditions of release:

☐ If the defendant is able to or has posted the required bail, then the following conditions shall apply:

☒ The Defendant is advised that if arrested while on Own Recognizance or Bail release, the Own Recognizance or Bail is revoked and the defendant is subject to arrest by any law enforcement officer.

☐ Defendant is ordered to abstain from the use of any and all:

Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

☒ **NO CONTACT ORDER:** Defendant is hereby ordered to have no contact, personally, by telephone, in writing, through any other person acting on his/her behalf, or by electronic means, including but not limited to e-mail, pagers, cell phone, with Brittany [REDACTED], including any minor children of the above, except as specifically allowed by an order of the Family Division of the District Court.

THIS NO CONTACT ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE IS DISPOSED OF OR UNTIL MODIFIED BY THE COURT.

☐ Defendant is advised that he/she must stay away from the following location:

For any of the Conditions of Release noted below, the defendant must report to Special Programs and Services located at 243 Water Street in the Criminal Justice Facility within 72 hours of release from custody.

☐ Defendant is ordered to have the Secure Continuous Remote Alcohol Monitor (SCRAM) device installed at the Henderson Detention Center prior to release from custody or within ____ hours of release.

☐ DART program (Drug/Alcohol Random Testing) and order to abstain from

Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

☐ CAT program (Continuous Alcohol Testing) and order to abstain from alcohol

☐ Other *House Arrest

☒ **GPS**

In accordance with NRS 178.484, any law enforcement officer is ordered to arrest the person if he has probable cause to believe the person has violated a condition of bail or Own Recognizance release.

IT IS SO ORDERED:

Dated this 17 day of September 2019

[Signature]
Henderson Municipal Judge

Telephonically confirmed: ____ / ____ / ____ @ ____ : ____ a.m. / p.m.

Confirmed by: ____ P# ____ Return Court Date: ____ / ____ / ____

Confirmed with Judge ____ Court Time: ____ : ____ am / pm Dept. #: ____

Original = Court / Yellow = SPS / Pink = Defendant/ Goldenrod = HDC (Rev 050117)

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, Nevada.
Dated: 12-15-19
Court Clerk: [Signature]

Amended

Amended

CITY OF HENDERSON MUNICIPAL COURT
IN THE COUNTY OF CLARK, STATE OF NEVADA

FILED

2019 SEP 30 AM 11:09

CITY OF HENDERSON, NEVADA,
Plaintiff,

Vs.

DR # 19-13698

CASE NO.: 19CR001245 19CR009246

Bryan, Stephen Michael

Defendant

CONDITIONS OF RELEASE ORDER

Pursuant to NRS 178.484, the following Conditions of Release are hereby imposed for all Henderson Municipal Court charges related to the above noted arrest if the named defendant is released from custody:

- ☒ Defendant is released on **Own Recognizance (OR)** with the following conditions of release:
- ☐ If the defendant is able to or has posted the required bail, then the following conditions shall apply:
- ☒ The Defendant is advised that if arrested while on **Own Recognizance** or **Bail** release, the **Own Recognizance** or **Bail** is revoked and the defendant is subject to arrest by any law enforcement officer.
- ☐ Defendant is ordered to abstain from the use of any and all:
- ☐ Alcohol / ☐ Marijuana (unless a medical marijuana card is obtained) / ☐ Controlled Substances
- ☒ **NO CONTACT ORDER:** Defendant is hereby ordered to have no contact, personally, by telephone, in writing, through any other person acting on his/her behalf, by any electronic means, including but not limited to e-mail, pagers, cell phone, with Brilliant, including any minor children of the above, except as specifically allowed by an order of the Family Division of the District Court.

THIS NO CONTACT ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE IS DISPOSED OF OR UNTIL MODIFIED BY THE COURT.

- ☐ Defendant is advised that he/she must stay away from the following location:

For any of the Conditions of Release noted below, the defendant must report to Special Programs and Services located at 243 Water Street in the Criminal Justice Facility within 72 hours of release from custody.

- ☐ Defendant is ordered to have the **Secure Continuous Remote Alcohol Monitor (SCRAM)** device installed at the Henderson Detention Center prior to release from custody or within ___ hours of release.
- ☐ DART program (Drug/Alcohol Random Testing) and order to abstain from
- ☐ Alcohol / ☐ Marijuana (unless a medical marijuana card is obtained) / ☐ Controlled Substances
- ☐ CAT program (Continuous Alcohol Testing) and order to abstain from alcohol
- ☒ **GPS**
- ☒ Other House Arrest → may travel out of state from 7:40am on 10/2/19 to 10:30am on 10/6/19 and from 7:10am on 10/12/19 to 7:55am on 10/21/19
- In accordance with NRS 178.484, any law enforcement officer is ordered to arrest the person if he has probable cause to believe the person has violated a condition of bail or Own Recognizance release.

IT IS SO ORDERED:

Dated this 30th day of September, 2019

[Signature]
Henderson Municipal Judge

Telephonically confirmed: ___ / ___ / ___ @ ___ : ___ a.m. / p.m.

Confirmed by: ___ P# ___ Return Court Date: ___ / ___ / ___

Confirmed with Judge ___ Court Time: ___ : ___ am / pm Dept. #: ___

Original = Court / Yellow = SPS / Pink = Defendant/ Goldenrod = HDC (Rev 050117)

I hereby certify that this report is a
copy of the original on file at the
Henderson Municipal Court, Clark County, NV
dated 12/15/19
Court Clerk: [Signature]

Modified

CITY OF HENDERSON MUNICIPAL COURT
IN THE COUNTY OF CLARK, STATE OF NEVADA

FILED

CITY OF HENDERSON, NEVADA,
Plaintiff,

Vs.

Bryan, Stephen Michael
Defendant

2019 OCT 23 A 10:29
DR # 19-13698 19CR009245 19CR009246
CASE NO.: 19CR009246

CONDITIONS OF RELEASE ORDER

Pursuant to NRS 178.484, the following Conditions of Release are hereby imposed for all Henderson Municipal Court charges related to the above noted arrest if the named defendant is released from custody:

☒ Defendant is released on Own Recognizance (OR) with the following conditions of release:

☐ If the defendant is able to or has posted the required bail, then the following conditions shall apply:

☒ The Defendant is advised that if arrested while on Own Recognizance or Bail release, the Own Recognizance or Bail is revoked and the defendant is subject to arrest by any law enforcement officer.

☐ Defendant is ordered to abstain from the use of any and all:

☒ Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

☒ NO CONTACT ORDER: Defendant is hereby ordered to have no contact, personally, by telephone, in writing, through any other person acting on his/her behalf, by any electronic means, including but not limited to e-mail, pagers, cell phone, with Brittany, including any minor children of the above, except as specifically allowed by an order of the Family Division of the District Court.

THIS NO CONTACT ORDER SHALL REMAIN IN EFFECT UNTIL THIS CASE IS DISPOSED OF
OR UNTIL MODIFIED BY THE COURT.

☐ Defendant is advised that he/she must stay away from the following location:

For any of the Conditions of Release noted below, the defendant must report to Special Programs and Services located at 243 Water Street in the Criminal Justice Facility within 72 hours of release from custody.

☐ Defendant is ordered to have the Secure Continuous Remote Alcohol Monitor (SCRAM) device installed at the Henderson Detention Center prior to release from custody or within _____ hours of release.

☐ DART program (Drug/Alcohol Random Testing) and order to abstain from

Alcohol / Marijuana (unless a medical marijuana card is obtained) / Controlled Substances

☐ CAT program (Continuous Alcohol Testing) and order to abstain from alcohol

☐ GPS

☒ Other: Arrest to be vacated only if \$5,000 cash or surety is posted on each case - \$5,000 on 19CR009245 + \$5,000 on 19CR009246

In accordance with NRS 178.484, any law enforcement officer is ordered to arrest the person if he has probable cause to believe the person has violated a condition of bail or Own Recognizance release.

IT IS SO ORDERED:

Dated this 23rd day of October, 2019

[Signature]
Henderson Municipal Judge

Telephonically confirmed: ____ / ____ / ____ @ ____ : ____ a.m. / p.m.

Confirmed by: _____ P# _____ Return Court Date: ____ / ____ / ____

Confirmed with Judge _____ Court Time: ____ : ____ am / pm Dept. #: _____

Original = Court / Yellow = SPS / Pink = Defendant/ Goldenrod = HDC (Rev 050117)

I hereby certify that this report is a true copy of the original on file at the Henderson Municipal Court, Clark County, NV
Dated: 12/18/19
Court Clerk: [Signature]

11. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) and NAC 289.290 (1)(g) for the possible revocation of the category I basic certificate held by Louis F. Ashby, former employee of the White Pine County Sheriff's Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and felony. The convictions that have led to this action are:

COUNT 1: OPEN AND GROSS LEWDNESS, a gross misdemeanor, in violation of NRS 201.210

COUNT 2: ATTEMPT SEXUAL ASSAULT, a category "B" felony, in violation of NRS 200.366(2)(b) and NRS 193.153

Possible action may include revocation of the 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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

October 2, 2025

Louis F. Ashby
[REDACTED]
Ely, NV 89315

POST PIN #: 21257

Dear Mr. Ashby,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290 (1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The conviction(s) which have led to this action are as follows:

COUNT 1: OPEN AND GROSS LEWDNESS, a gross misdemeanor, in violation of NRS 201.210

COUNT 2: ATTEMPT SEXUAL ASSAULT, a category "B" felony, in violation of NRS 200.366(2)(b) and NRS 193.153

Dept No: I

Jurisdiction: SEVENTH JUDICIAL DISTRICT OF THE STATE OF NEVADA, IN AND OR THE COUNTY OF WHITE PINE

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing or designate an independent hearing officer to hear the matter. You will

EXHIBIT A

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. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

Written requests can be made to:

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

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

Date: Wednesday, October 29, 2025

Time: 1:00 p.m.

Location: Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked pursuant to **NAC 289.290 (1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Floyd', with a stylized, cursive script.

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

cc: Deputy Attorney General Jesselyn De Luna
Deputy Attorney General John M. Nolan
File



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

DECLARATION OF SERVICE

I, LT. DOUG FISHER, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

to Individual's Name: **Louis F. Ashby**

at [REDACTED] ELKO, NV - ELKO COUNTY JAIL on this
(location)

6TH day of OCT., 2025.
Day Month Year

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

Executed on this 6TH day of OCT, 2025.
Day Month Year

[Signature]
Signature of person serving the Notice

LT. DOUG FISHER

Printed name of person serving the Notice

I have received a copy of the Notice of Intent to Revoke [Signature]

(Louis Ashby)

****RETURN THE SIGNED ORIGINAL OF THIS FORM TO POST WITHIN 10 DAYS****

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

Status Change? ☐ Deceased ☐ Retired ☒ Separated

NAC289.290 Notification (Cause For Commission Action)

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

Does the above NAC apply? ☐ No ☒ Yes

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

Comments\Additional Information:

L. Ashby is being investigated by the Nevada State Police for an alleged sexual assault. At this time no criminal charges have been filed. He has resigned his position with the WPCSO as of 11/11/22

Effective Date:

Submitters Name:

Submitters Phone:

Submitters E-Mail:

EXHIBIT C

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

Basic Certificate

To

LOUIS F. ASHBY

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

CATEGORY I


Governor


Executive Director, Commission on Peace Officers'
Standards and Training

Presented this 24th day of May, 2002

EXHIBIT D

RECEIVED

JAN 30 2024

WHITE PINE COUNTY CLERK

Case No.: CR-2401013

Dept.: 1

FILED

2024 JAN 30 A 9:47

IN THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF NEVADA, IN AND FOR THE COUNTY OF WHITE PINE

NICHOLE STEPHEN
WHITE PINE COUNTY CLERK
BY: [Signature] DEPUTY

STATE OF NEVADA,

Plaintiff,

v.

LOUIS FREDRICK ASHBY,
a/k/a Louis Rick Ashby,
a/k/a Rick Ashby

Defendant.

CRIMINAL INFORMATION

The undersigned, AARON D. FORD, Attorney General of the State of Nevada, by and through his Chief Deputy Attorney General, ALISSA C. ENGLER, in the name and by the authority of the State of Nevada, informs the above-entitled court that LOUIS FREDRICK ASHBY, has committed the crimes of three (3) Counts of SEXUAL ASSAULT, each a category "A" felony, in violation of NRS 200.366(2)(b)[50095]; one (1) Count of SEXUAL ASSAULT WITH A MINOR UNDER 16 YEARS OF AGE, a category "A" felony, in violation of NRS 200.366(3) [54734], one (1) Count of ATTEMPT SEXUAL ASSAULT, a category "B" felony, in violation of NRS 200.366(2)(b) and NRS 193.153 [50119], and one (1) Count of LEWDNESS WITH A CHILD UNDER 16 YEARS, a category "B" felony, in violation of NRS 201.230(1)(a) [60910].

The acts alleged herein having been committed or completed by the above-named defendant, within the County of White Pine, State of Nevada, in the following manner:

COUNT I
SEXUAL ASSAULT
Category "A" Felony - NRS 200.366(2)(b)

That on or between June 1, 2011 to August 31, 2011, the Defendant, LOUIS FREDRICK ASHBY, did willfully, unlawfully, and feloniously commit sexual assault by subjecting V.L., to sexual penetration, to wit: by inserting his penis into the genital opening of said V.L., against her will, or under

1 conditions which the Defendant knew or should have known that V.L. was mentally or physically
2 incapable of resisting or understanding the nature of Defendant's conduct.

3 **COUNT II**
4 **ATTEMPT SEXUAL ASSAULT**
5 **Category "B" Felony - NRS 200.366(2)(b) and NRS 193.153**

6 That on or between May 1, 2016 to September 30, 2016, the Defendant, LOUIS FREDRICK
7 ASHBY, did willfully, unlawfully, and feloniously attempt to commit sexual assault by subjecting V.L.,
8 to sexual penetration, to wit: by attempting to insert his penis into the genital opening of said V.L., against
9 her will, or under conditions which the Defendant knew or should have known that V.L. was mentally or
physically incapable of resisting or understanding the nature of Defendant's conduct.

10 **COUNT III**
11 **SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE**
12 **Category "A" Felony - NRS 200.366(3)**

13 That on or between November 1, 2005 and March 12, 2006, the Defendant, LOUIS FREDRICK
14 ASHBY, did willfully, unlawfully, and feloniously commit sexual assault by subjecting A.D., a person
15 under the age of 16, to sexual penetration, to wit: by inserting his penis into the genital opening of said
16 A.D., against her will, or under conditions which the Defendant knew or should have known that A.D.
was mentally or physically incapable of resisting or understanding the nature of Defendant's conduct.

17 **COUNT IV**
18 **SEXUAL ASSAULT**
19 **Category "A" Felony - NRS 200.366(2)(b), NRS 193.153**

20 That on or between March 1, 2009 to September 30, 2009, the Defendant, LOUIS FREDRICK
21 ASHBY did willfully, unlawfully, and feloniously commit sexual assault by subjecting A.D., to sexual
22 penetration, to wit: by inserting his penis into the genital opening of said A.D., against her will, or under
23 conditions which the Defendant knew or should have known that A.D. was mentally or physically
24 incapable of resisting or understanding the nature of Defendant's conduct.

25 **COUNT V**
26 **SEXUAL ASSAULT**
27 **Category "A" Felony - NRS 200.366(2)(b), NRS 193.153**

28 That on or between March 1, 2009 to September 30, 2009, the Defendant, LOUIS FREDRICK
ASHBY did willfully, unlawfully, and feloniously commit sexual assault by subjecting A.D., to sexual

1 penetration, to wit: by inserting his penis into the anal opening of said A.D., against her will, or under
2 conditions which the Defendant knew or should have known that A.D. was mentally or physically
3 incapable of resisting or understanding the nature of Defendant's conduct.

4 **COUNT VI**
5 **LEWDNESS WITH A CHILD UNDER 16 YEARS**
6 **Category "B" Felony - NRS 201.230(1)(a)**

7 That on or between November 1, 2005 and March 12, 2006, the Defendant, LOUIS FREDRICK
8 ASHBY did willfully, lewdly, unlawfully, and feloniously commit a lewd or lascivious act upon or with
9 the body, or any part or member thereof, a child, to wit: A.D., a child under the age of fourteen years,
10 by said Defendant using his hand(s) and/or finger(s) to touch the vagina of A.D., with the intent of
11 arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant or A.D.

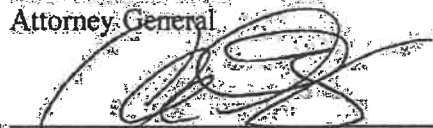
12 All of which is contrary to the form, force and effect of the statutes in such cases made and provided,
13 and against the peace and dignity of the State of Nevada.

14 DATED this 30th day of January, 2024.

15 SUBMITTED BY

16 AARON D. FORD
17 Attorney General

18 By:

19 
20 Alissa C. Engler (Bar No. 11940)
21 Chief Deputy Attorney General
22 Attorney for the State of Nevada
23 State of Nevada
24 Office of the Attorney General
25 555 East Washington Avenue, Suite 3900
26 Las Vegas, Nevada 89101-1068
27 P: (702) 486-5706
28 F: (702) 486-0660
aengler@ag.nv.gov
Attorneys for the State of Nevada

CERTIFIED COPY

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: July 7 2025

Nichole Stephey, Clerk of the Seventh
Judicial District Court in and for the
County of White Pine, State of Nevada.

By: 

Deputy Clerk

1 Case No.: CR-2401013

2 Dept.: 1

FILED

2025 MAR -4 P 4: 02

NICHOLE STERHEY
WHITE PINE COUNTY CLERK

BY: DM DEPUTY

IN THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF NEVADA, IN AND FOR THE COUNTY OF WHITE PINE

STATE OF NEVADA,

Plaintiff,

v.

LOUIS FREDRICK ASHBY,
a/k/a Louis Rick Ashby,
a/k/a Rick Ashby

Defendant.

AMENDED CRIMINAL INFORMATION

The undersigned, AARON D. FORD, Attorney General of the State of Nevada, by and through his Chief Deputy Attorney General, ALISSA C. ENGLER, in the name and by the authority of the State of Nevada, informs the above-entitled court that LOUIS FREDRICK ASHBY, has committed the crimes of one (1) Count of OPEN AND GROSS LEWDNESS, a gross misdemeanor, in violation of NRS 201.210 and one (1) Count of ATTEMPT SEXUAL ASSAULT, a category "B" felony, in violation of NRS 200.366 and NRS 193.153.

The acts alleged herein having been committed or completed by the above-named defendant, within the County of White Pine, State of Nevada, in the following manner:

COUNT I
OPEN AND GROSS LEWDNESS
(Gross Misdemeanor - NRS 201.210)

That on or between November 1, 2005 and September 30, 2016, the Defendant did willfully and unlawfully commit an act of open and gross lewdness, by touching and/or grabbing the breast of V.L. and/or A.P.

COUNT II
ATTEMPT SEXUAL ASSAULT
Category "B" Felony - NRS 200.366(2)(b) and NRS 193.153

That on or between November 1, 2005 and September 30, 2016, the Defendant, LOUIS

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MAR 04 2025

WHITE PINE COUNTY CLERK
7TH JUDICIAL DISTRICT CO.

1 FREDRICK ASHBY, did willfully, unlawfully, and feloniously attempt to commit sexual assault by
2 subjecting V.L. and/or A.P., to sexual penetration, to wit: by attempting to insert his penis into the genital
3 opening of said V.L. and/or A.P., against their will, or under conditions which the Defendant knew or
4 should have known that V.L. and/or A.P. was mentally or physically incapable of resisting or
5 understanding the nature of Defendant's conduct.

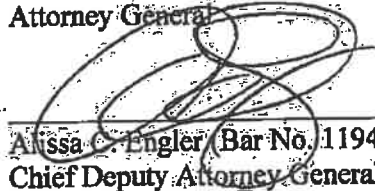
6 All of which is contrary to the form, force and effect of the statutes in such cases made and provided,
7 and against the peace and dignity of the State of Nevada.

8 DATED this 4th day of March, 2024.

9 SUBMITTED BY

10 AARON D. FORD
11 Attorney General

12 By:

13 
Aissa C. Engler (Bar No. 11940)
14 Chief Deputy Attorney General
Attorney for the State of Nevada
State of Nevada
15 Office of the Attorney General
555 East Washington Avenue, Suite 3900
16 Las Vegas, Nevada 89101-1068
P: (702) 486-5706
17 F: (702) 486-0660
aengler@ag.nv.gov
18 Attorneys for the State of Nevada

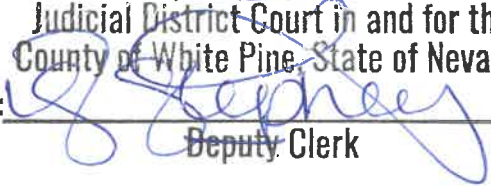
19 CERTIFIED COPY

20 The document to which this certificate is
21 attached is a full, true, and correct copy of the
22 original on file and of record in my office.

23 DATE: July 7 2020

24 Nichole Stephey, Clerk of the Seventh
25 Judicial District Court in and for the
26 County of White Pine, State of Nevada.

27 By:

28 
Deputy Clerk

Case No.: CR-2401013

Dept.: 1

FILED

IN THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF NEVADA, IN AND FOR THE COUNTY OF WHITE PINE

2025 MAR -4 P 4:03
NICOLE STEPHEY
WHITE PINE COUNTY CLERK

STATE OF NEVADA,

Plaintiff,

v.

LOUIS FREDRICK ASHBY,
a/k/a Louis Rick Ashby,
a/k/a Rick Ashby

Defendant.

BY: [Signature] DEPUTY.

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty pursuant to North Carolina v. Alford, 400 U.S. 25 (1970) to:
COUNT 1- OPEN AND GROSS LEWDNESS (Gross Misdemeanor – NRS 201.120) and **COUNT 2**
ATTEMPT SEXUAL ASSAULT (Category B Felony – NRS 200.366, 193.153) as more fully alleged
in the Amended Information, on file herein.

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

1. The parties agree as to Count 1, Defendant be sentenced to 364 days in jail;
2. As to Count 2, the parties agree to probation with 364 days in jail, consecutive to Count 1 as a condition of probation;
3. The State will retain the right to argue terms and conditions of probation;
4. The parties agree to release Defendant from house arrest upon entry of plea in District Court;
5. The parties agree for the Defendant to serve his jail time at a location other than the White Pine County Sheriff's Office;
6. Defendant agrees to waive any defects or infirmities as to the form of the charging document;

I understand that, pursuant to NRS 176.015(3), victims so desiring will be allowed to make impact

1 statements. I understand and agree that, if I fail to interview with the Department of Parole and Probation,
2 fail to appear at any subsequent hearings in this case, or an independent judge or magistrate, by affidavit
3 review or other satisfactory proof, confirms probable cause against me for new criminal charges,
4 including reckless driving or DUI, but excluding minor traffic violations, that the State will have the
5 unqualified right to argue for any legal sentence and term of confinement allowable for the crime(s) to
6 which I am pleading guilty, including the use of any prior convictions I may have to increase my sentence
7 as a habitual criminal to five (5) to twenty (20) years, life without the possibility of parole, life with the
8 possibility of parole after ten (10) years, or a definite twenty-five (25) year term with the possibility of
9 parole after ten (10) years. Otherwise, I am entitled to receive the benefits of these negotiations as stated
10 in the plea agreement.

11 CONSEQUENCES OF THE PLEA

12 I understand that by pleading guilty pursuant to the Alford decision, it is my desire to avoid the
13 possibility of being convicted of more offenses or of a greater offense if I were to proceed to trial on the
14 original charge(s) and of also receiving a greater penalty. I understand that my decision to plead guilty
15 by way of the Alford decision does not require me to admit guilt but is based upon my belief that the
16 State would present sufficient evidence at trial that a jury would return a verdict of guilty of a greater
17 offense or of more offenses than that which I am pleading guilty.

18 I understand that as a consequence of my plea of guilty by way of the Alford decision to Count
19 1, a Gross Misdemeanor, the Court must sentence me to imprisonment in the county jail for up to 364
20 days and/or to a fine of not more than \$2,000.

21 I understand that as a consequence of my plea of guilty by way of the Alford decision to Count
22 2, the Court must sentence me to imprisonment in the Nevada Department of Corrections for a minimum
23 term of not less than two (2) years and a maximum term of not more than twenty (20) years. The
24 minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of
25 imprisonment. I understand that I may also be fined up to \$10,000.00.

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

27 I understand that, if appropriate, I will be ordered to make restitution to the victim(s) of the
28 offense(s) to which I am pleading guilty and to the victim(s) of any related offense(s) being dismissed or

1 not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for
2 any expenses related to my extradition, if any.

3 I understand that pursuant to NRS 176.139 and my plea of guilty pursuant to Alford to a sexual
4 offense for which the suspension of sentence or the granting of probation is permitted, P & P shall arrange
5 for a psychosexual evaluation as part of the Division's presentence investigation and report (PSI) to the
6 court.

7 I understand that as to Counts 1 and 2, I am not eligible for probation pursuant to NRS 176A.110
8 unless a psychologist licensed to practice in this State who is trained to conduct psychosexual evaluations,
9 or a psychiatrist licensed to practice medicine in this State who is certified by the American Board of
10 Psychiatry and Neurology, Inc., and is trained to conduct psychosexual evaluations, certifies in a written
11 report to the court that I do not represent a high risk to reoffend based upon a currently accepted standard
12 of assessment. I understand that, except as otherwise provided by statute, the question of whether I
13 receive probation is in the discretion of the sentencing judge.

14 I understand that as to Counts 2, that before I am eligible for parole a panel consisting of the
15 Administration of the Mental Health and Developmental Services of the Department of Human
16 Resources of his designee; the Director of the Department of Corrections or his designee; and a
17 psychologist license to practice in this state or a psychiatrist licensed to practice medicine in the state
18 certifies that I was under observation while confined in an institution of the department of corrections
19 and that I do not represent a high risk to reoffend based upon a currently accepted standard of assessment.

20 I understand that as to Count 2 that, pursuant to NRS 176.0931, the Court must include as part of
21 my sentence, in addition to any other penalties provided by law, a special sentence of lifetime supervision
22 commencing after any period of probation or any term of imprisonment and period of release upon parole.

23 I understand that as to Count 1 and 2, that the Court will include as part of my sentence, in addition
24 to any other penalties provided by law, pursuant to NRS 179D.441 to 179D.550, inclusive, I must register
25 as a sex offender within forty-eight (48) hours of release from custody on to probation or parole.

26 I also understand that I must submit to blood and/or saliva tests under the direction of the Division
27 of Parole and Probation to determine genetic markers and/or secretor status.

28 I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve

1 the sentences concurrently, the sentencing judge has the discretion to order the sentences served
2 concurrently or consecutively.

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

5 I have not been promised or guaranteed any particular sentence by anyone. I know that my
6 sentence is to be determined by the Court within the limits prescribed by statute. I understand that if my
7 attorney or the State of Nevada or both recommend any specific punishment to the Court, the Court is
8 not obligated to accept the recommendation.

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

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

18 I understand that if I am not a United States citizen, this criminal conviction will likely result in
19 serious negative immigration consequences including but not limited to: removal from the United States
20 through deportation; an inability to reenter the United States; the inability to gain United States
21 citizenship or legal residency; an inability to renew and/or retain any legal residency status; and/or an
22 indeterminate term of confinement, with the United States Federal Government based on my conviction
23 and immigration status. Regardless of what I have been told by an attorney, no one can promise me that
24 this conviction will not result in negative immigration consequences and/or impact my ability to become
25 a United States citizen and/or legal resident.

26 WAIVER OF RIGHTS

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

1 1. The constitutional privilege against self-incrimination, including the right to refuse to
2 testify at trial, in which event the prosecution would not be allowed to comment to the jury about my
3 refusal to testify.

4 2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive
5 pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an
6 attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a
7 reasonable doubt each element of the offense charged.

8 3. The constitutional right to confront and cross-examine any witnesses who would testify
9 against me.

10 4. The constitutional right to subpoena witnesses to testify on my behalf.

11 5. The constitutional right to testify in my own defense.

12 6. The right to appeal the conviction, with the assistance of an attorney, either appointed or
13 retained, unless the appeal is based upon reasonable constitutional, jurisdictional or other grounds that
14
15 challenge the legality of the proceedings and except as otherwise provided in subsection 3 of NRS
16 174.035.

17 **VOLUNTARINESS OF PLEA**

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

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

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

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

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

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

1 agreement.

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

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

7 DATED this 4th day of March, 2024.

8 
9 LOUIS FREDERICK ASHBY, Defendant

10 AGREED TO BY:

11 
12
13 ALISSA ENGLER (Bar No. 11940)
14 Chief Deputy Attorney General
15
16
17
18
19
20

21 CERTIFIED COPY

22 The document to which this certificate is
23 attached is a full, true, and correct copy of the
24 original on file and of record in my office.

25 DATE: July 7 2025

26 Nichole Stephey, Clerk of the Seventh
27 Judicial District Court in and for the
28 County of White Pine, State of Nevada.

By: 
Deputy Clerk

CERTIFICATE OF DEFENSE COUNSEL

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

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

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

4. All pleas of guilty offered by Defendant pursuant to this agreement are consistent with all the facts known to me, and are made with my advice to Defendant and are in the best interest of Defendant:
5. To the best of my knowledge and belief Defendant:
 - 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 paragraph 1 and 2 above, or at the time of execution of this agreement.

DATED this 4th day of March, 2024.



DEFENSE COUNSEL

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AUG 12 2025

WHITE PINE COUNTY CLERK
7TH JUDICIAL DISTRICT COURT

FILED

Case No.: CR-2401013

2025 AUG 12 A 10:44

Dept.: 1

NICHOLE STEPHEY
WHITE PINE COUNTY CLERK

IN THE SEVENTH JUDICIAL DISTRICT OF THE
BY:  DEPUTY
STATE OF NEVADA, IN AND FOR THE COUNTY OF WHITE PINE

STATE OF NEVADA,

Plaintiff,

v.

LOUIS FREDRICK ASHBY,
a/k/a Louis Rick Ashby,
a/k/a Rick Ashby

Defendant.

JUDGMENT OF CONVICTION

The Defendant, LOUIS FREDRICK ASHBY, appeared before the Court with counsel and entered a plea of guilty pursuant to *North Carolina v. Alford*, to the crimes of COUNT 1 - OPEN AND GROSS LEWDNESS, a gross misdemeanor, in violation of NRS 201.210; and COUNT 2 - ATTEMPT SEXUAL ASSAULT, a category "B" felony, in violation of NRS 200.366(2)(b) and NRS 193.153; thereafter, on the 23rd day of June, 2025, the Defendant was present in court for sentencing with counsel, MICHAEL BECKER, Esq., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis Fee, including testing to determine genetic markers, \$1,676.70 Evaluation fee, and \$3.00 DNA Collection Fee, the Defendant is sentenced as to COUNT 1 to THREE-HUNDRED AND SIXTY FOUR (364) DAYS IN THE COUNTY JAIL with FIVE (5) DAYS credit for time served and as to COUNT 2 to a MINIMUM OF FOUR (4) YEARS and MAXIMUM of TEN (10) YEARS in the Nevada Department of Corrections (NDOC), SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS.

SPECIAL CONDITIONS:

1. THREE HUNDRED AND SIXTY-FOUR (364) DAYS IN THE COUNTY JAIL CONSECUTIVE TO COUNT 1, with ZERO DAYS credit for time served;

2. Abide by all statutory conditions of NRS 176A.410 as outline below;
3. Required to enroll and complete sex offender specific counseling as recommended in the psycho-sexual evaluation submitted with the PSI on May 27, 2025;
4. Submit to polygraph testing and/or other sexual interest measures (i.e., the Abel Assessment);
5. No contact with the named victims, [REDACTED] or [REDACTED] or their immediate families;
6. Have no unsupervised contact with his minor granddaughters to include no involvement with their hygiene and/or be alone with them until professionals involved in his case deem otherwise;
7. Have no work or volunteer position with any law enforcement or grants him access to a vulnerable population nor be allowed to work/volunteer in locations that adolescents frequent (i.e. malls or churches);
8. Submit to any suitable life skills programs as deemed appropriate by parole and probation;
9. No use, possession or control of any alcohol, controlled substances or marijuana during probation;
10. No contact or association with any person who is using, possessing or in control of any alcohol, controlled substances or marijuana;
11. Do not enter any establishment where alcohol is the major source of business;
12. Do not enter any marijuana or vape shops;
13. No gambling or entering into any gaming establishment unless employed therein;
14. Pay all court fines and fees within the first year of probation;
15. Digital Media Storage Condition - you specifically consent that your Probation Officer or his or her agent acting at your Probation Officer's direction, may search any laptop or desk top computer, electronic communication device or other device capable of the electronic storage of information for any information contained on the computer or electronic communication or storage device, including but not limited to documents, photographs, text, other messages, e-mails, phone or communication records, social media and remote storage services and audio recordings. You shall provide the Probation Officer or their agent with any password; unlock code, account or other information necessary to access the computer or electronic communication or storage device.

///

1 FURTHER ORDERED, a SPECIAL SENTENCE of LIFETIME SUPERVISION is imposed to
2 commence upon release from any term of imprisonment, probation or parole. In addition, before the
3 Defendant is eligible for parole, a panel consisting of the Administrator of the Mental Health and
4 Development Services of the Department of Human Resources or his designee; the Director of the
5 Department of Corrections or his designee; and a psychologist licensed to practice in this state; or a
6 psychiatrist licensed to practice in this state; or a psychiatrist licensed to practice medicine in Nevada
7 must certify that the Defendant does not represent a high risk to re-offend based on current accepted
8 standards of assessment.

9 FURTHER ORDERED, that the Defendant is ORDERED to REGISTER as a sex offender in
10 accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any release from custody.

11 SPECIAL CONDITIONS OF NRS 176A.410:

12 1. Except as otherwise provided in subsection 6, if a defendant is convicted of a sexual offense and
13 the court grants probation and suspends the sentence, the court shall, in addition to any other condition
14 ordered pursuant to NRS 176A.400, order as a condition of probation or suspended sentence that the
15 defendant:

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

20 (b) Reside at a location only if:

21 1. The residence has been approved by the parole and probation officer assigned to the
22 Defendant.

23 2. If the residence is a facility that houses more than three persons who have been released
24 from prison, the facility is a facility for transitional living for released offenders that is licensed
25 pursuant to Chapter 449 of NRS.

26 3. The defendant keeps the parole and probation officer assigned to the defendant
27 informed of his current address;
28

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

4 (d) Abide by an curfew imposed by the parole and probation officer assigned to the defendant;

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

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

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

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

11 (i) Not have contact or communicate with a victim of the sexual offense or a witness who testified
12 against the defendant or solicit another person to engage in such contact or communication on behalf
13 the defendant, unless approved by the parole and probation officer assigned to the defendant, and
14 written agreement is entered into and signed in the manner set forth in subsection 5;

15 (j) Not use aliases or fictitious names;

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

18 (l) Not have contact with a person less than 18 years of age in a secluded environment unless
19 another adult who has never been convicted of a sexual offense is present and permission has been
20 obtained from the parole and probation officer assigned to the defendant in advance of each such
21 contact;

22 (m) Unless approved by the parole and probation officer assigned to the defendant and by a
23 psychiatrist, psychologist or counselor treating the defendant, if any, not knowingly be within 500
24 feet of any place, or if the place is a structure, within 500 feet of the actual structure, that is designed
25 primarily for use by or for children, including, without limitation, a public or private school, a school
26 bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a
27 playground, a park, an athletic field or a facility for youth sports, or a motion picture theater, the
28 provisions of this paragraph apply only to a defendant who is a Tier III offender.

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

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

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

8 (q) Not possess any electronic device capable of accessing the Internet and not access the Internet
9 through any such device or any other means, unless possession of such a device or such access is
10 approved by the parole and probation officer assigned to the defendant.

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

15 2. Except as otherwise provided in subsection 6, if a defendant is convicted of an offense listed in
16 subsection 6 of NRS 213.1255 against a child under the age of 14 years, the defendant is a Tier III
17 offender and the court grants probation or suspends the sentence of the defendant, the court shall, in
18 addition to any other condition ordered pursuant to subsection 1, order as a condition of probation or
19 suspension of sentence that the defendant:

20 (a) Reside at a location only if the residence is not located within 1,000 feet of any place, or if the
21 place is a structure, within 1,000 feet of the actual structure, that is designed primarily for use by or
22 for children, including, without limitation, a public or private school, a school bus stop, a center or
23 facility that provides day care services, a video arcade, an amusement park, a playground, a park, an
24 athletic field or a facility for youth sports, or a motion picture theater.

25 (b) As deemed appropriate by the Chief Parole and Probation Officer, be placed under a system
26 of active electronic monitoring that is capable of identifying the defendant s location and producing,
27 upon request, reports or records of the defendant s presence near or within a crime scene or prohibited
28 area or the defendant s departure from a specified geographic location.

1 (c) Pay any costs associated with the defendant s participation under the system of active
2 electronic monitoring, to the extent of the defendants ability to pay.

3 3. A defendant placed under the system of active electronic monitoring pursuant to subsection 2 shall:

4 (a) Follow the instructions provided by the Division to maintain the electronic monitoring device
5 in working order.

6 (b) Report any incidental damage or defacement of the electronic monitoring device to the
7 Division within 2 hours after the occurrence of the damage or defacement.

8 (c) Abide by any other conditions set forth by the Division with regard to the defendant's
9 participation under the system of active electronic monitoring.

10 4. Except as otherwise provided in this subsection, a person who intentionally removes or disables
11 or attempts to remove or disable an electronic monitoring device placed on a defendant pursuant to this
12 section is guilty of a gross misdemeanor. The provisions of this subsection do not prohibit a person
13 authorized by the Division from performing maintenance or repairs to an electronic monitoring device.

14 5. A written agreement entered into pursuant to paragraph (i) of subsection 1 must state that the
15 contact or communication is in the best interest of the victim or witness, and specify the type of contact
16 or communication authorized. The written agreement must be signed and agreed to by:

17 (a) The victim or the witness;

18 (b) The defendant;

19 (c) The parole and probation officer assigned to the defendant;

20 (d) the psychiatrist, psychologist or counsel treating the defendant, victim or witness, if any;

21 (e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of
22 the child; and

23 (f) The Chief Parole and Probation Officer or the Chief of Parole and Probation Officer's
24 designee.

25 6. The court is not required to impose a condition of probation or suspension of sentence listed in
26 subsections 1 and 2 if the court finds that extraordinary circumstances are present and the court enters
27 those extraordinary circumstances in the record.

1 7. As used in this section, sexual offense has the meaning ascribed to it in NRS 179D.097. (Added
2 to NRS by 1997, 1667; A 2001, 2051; 2003, 566; 2005, 2862; 2007, 1916, 2749, 3246; 2009, 1293)

3 **FURTHER ORDERED STANDARD CONDITIONS OF PROBATION:**

4 1. Reporting: You are to report in person to the Division of Parole and Probation as instructed by
5 the Division or its agent. You are required to submit a written report each month on forms supplied by
6 the Division. This report shall be true and correct in all respects.

7 2. Residence: You shall not change your place of residence without first obtaining permission from
8 the Division of Parole and Probation, in each instance.

9 3. Intoxicants: You shall not consume any alcoholic beverages in excess. Upon order of the
10 Division of Parole and Probation or its agent, you shall submit to a medically recognized test for
11 blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient
12 proof of excess.

13 4. Controlled Substances: You shall not use, purchase, or possess any illegal drugs, or any
14 prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately
15 notify the Division of Parole and Probation of any prescription received. You shall submit to drug
16 testing as required by the Division or its agent.

17 5. Weapons: You shall not possess, have access to, or have under your control any type of
18 weapon.

19 6. Search: You shall submit your person, property, place of residence, vehicle, or areas under your
20 control to search including electronic surveillance or monitoring of your location, at any time, with or
21 without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the
22 Division of Parole and Probation or its agent.

23 7. Associates: You must have prior approval by the Division of Parole and Probation to associate
24 with any person convicted of a felony, or any person on probation or parole supervision. You shall not
25 have any contact with persons confined to a correctional institution unless specific written permission
26 has been granted by the Division and the correctional institution.

27 8. Directives and Conduct: You shall follow the directives of the Division of Parole and Probation
28 and your conduct shall justify the opportunity granted to you by this community supervision.

1 9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.

2 10. Out of State Travel: You shall not leave the state without first obtaining written permission from
3 the Division of Parole and Probation.

4 11. Employment/Program: You shall seek and maintain legal employment, or maintain a program
5 approved by the Division of Parole and Probation and not change such employment or program
6 without first obtaining permission. All terminations of employment or program shall be immediately
7 reported to the Division.

8 12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by the
9 Division of Parole and Probation. Any excess monies paid will be applied to any other outstanding fees,
10 fines, and / or restitution, even if it is discovered after your discharge.

11 FURTHER ORDERED that Defendant may have contact with Dylan Birmingham while on probation
12 even though he is a convicted felon.

13 DATED this 8th day of August, 2025.

14 William A. Maddox
15 DISTRICT COURT JUDGE
16
17
18
19
20
21
22
23

24 CERTIFIED COPY

25 The document to which this certificate is
26 attached is a full, true, and correct copy of the
27 original on file and of record in my office.

28 DATE: August 12 2025

Nichole Stephey, Clerk of the Seventh
Judicial District Court in and for the
County of White Pine, State of Nevada.

By: Nichole Stephey

Deputy Clerk

12. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) for the possible revocation of the category III basic certificate held by Joseph Billey, former employee of the Nevada Department of Corrections, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. The conviction(s) that have led to this action are:

Count I: BATTERY ON A HEALTH CARE PROVIDER (Gross Misdemeanor) in violation of NRS 200.481(2)(d)

Possible action may include revocation of the category III 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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

October 2, 2025

Joseph Billey



North Las Vegas, NV 89031

POST PIN #: 29974

Dear Mr. Billey,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290 (1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor.** The conviction(s) which have led to this action are as follows:

Count I: BATTERY ON A HEALTH CARE PROVIDER (Gross Misdemeanor) in violation of NRS 200.481(2)(d)

Dept No: XV

Jurisdiction: DISTRICT COURT, CLARK COUNTY, NEVADA

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: Wednesday, October 29, 2025

Time: 1:00 p.m.

Location: Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked pursuant to **NAC 289.290 (1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor.**

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Floyd', with a stylized, cursive script.

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

cc: Deputy Attorney General Jesselyn De Luna
Deputy Attorney General John M. Nolan
File

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

STATE OF NEVADA COMMISSION ON PEACE)
OFFICERS STANDARD AND TRAINING)
PLAINTIFF)
Vs)
JOSEPH STEPHEN BILLEY, JR)
)
DEFENDANT)

CASE No. 29974
SHERIFF CIVIL NO.: 25006143

AFFIDAVIT OF SERVICE

STATE OF NEVADA }
 } ss:
COUNTY OF CLARK }

SAVANNA SWEET, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Sheriff in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on **10/7/2025**, at the hour of **8:45 AM.** affiant as such Deputy Sheriff served a copy/copies of **NOTICE OF INTENT TO REVOKE** issued in the above entitled action upon the defendant **JOSEPH STEPHEN BILLEY, JR** named therein, by delivering to and leaving with said defendant **JOSEPH STEPHEN BILLEY, JR**, personally, at [REDACTED] **NORTH LAS VEGAS, NV 89031** within the County of Clark, State of Nevada, copy/copies of **NOTICE OF INTENT TO REVOKE**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE ON NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: October 8, 2025.

Kevin McMahon, Sheriff

By:  18300
SAVANNA SWEET P#18300
Deputy Sheriff

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:

Effective Date:

Submitters E-Mail:

Submitters Name:

Submitters Phone:

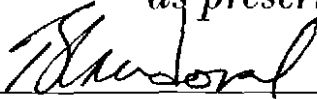
STATE OF NEVADA

Commission On Peace Officers' Standards And Training

Hereby Awards the **Basic Certificate** To

JOSEPH S. BILLEY, JR.
CATEGORY III

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



Governor



Executive Director

March 16, 2011

Issuance Date

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

Name: **Joseph S. Billey, Jr.** POST ID No.: **29974**

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

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

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

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

INSTRUCTIONS

This is your POST Basic Certificate and Identification Card.

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

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

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

EXHIBIT D

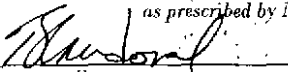
STATE OF NEVADA

Commission On Peace Officers' Standards And Training

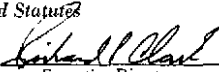
Hereby Awards the **Basic Certificate** To

Joseph S. Billey, Jr.
CATEGORY III

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



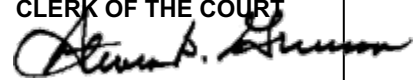
Governor



Executive Director

March 16, 2011

Issuance Date



INFM
AARON D. FORD
Attorney General
ERICA M. GOLD (Bar No. 8574)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
1 State of Nevada Way, Suite #100
Las Vegas, NV 89119
P: (702) 486-3420
F: (702) 486-3768
Egold@ag.nv.gov
Attorney for the State of Nevada

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JOSEPH BILLEY, ID # 2785990,

Defendant.

Case No.: C-25-389353-1

Dept. No.: XXII

INFORMATION

AARON D. FORD, Attorney General for the State of Nevada, by and through ERICA M. GOLD, Senior Deputy Attorney General, in the name and by the authority of the State of Nevada, informs the Court that the above-named Defendant, JOSEPH BILLEY, committed the crime of one (1) count of BATTERY ON A HEALTH CARE PROVIDER, a Gross Misdemeanor, in violation of NRS 200.481(1)(a), NRS 200.481(1)(e), 200.481(2)(d) [NOC 50221].

The acts alleged herein were committed on or about February 24, 2024, by the above-named Defendant, within the County of Clark, State of Nevada, in the following manner:

///

///

///

EXHIBIT E

COUNT I
BATTERY ON A HEALTH CARE PROVIDER
Gross Misdemeanor
200.481(1)(a), 200.481(1)(e), 200.481(2)(d)

The Defendant, JOSEPH BILLEY, did willfully and unlawfully use force or violence upon the person of a provider of health care, who was performing duties as such, with Defendant knowing, or should have known, that the victim was a provider of health care, to wit: the Defendant placed his hands on [REDACTED] while she prepared medication for one or more inmates at Three Lakes Valley Conservation Camp, a Nevada Department of Corrections Facility.

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.

DATED this 20th day of February, 2025.

SUBMITTED BY:

AARON D. FORD
Attorney General

By: /s/ Erica Gold
ERICA M. GOLD (Bar No. 8574)
Senior Deputy Attorney General
Attorneys for the State of Nevada

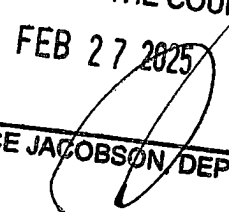
April 1, 2025



1 **GPA**
2 AARON D. FORD
3 Attorney General
4 ERICA M. GOLD (Bar No. 8574)
5 Senior Deputy Attorney General
6 State of Nevada
7 Office of the Attorney General
8 1 State of Nevada Way, Suite #100
9 Las Vegas, NV 89119
10 P: (702) 486-3420
11 F: (702) 486-3768
12 Egold@ag.nv.gov
13 Attorney for the State of Nevada

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

FEB 27 2025

BY, 
ALICE JACOBSON, DEPUTY

8
9 **DISTRICT COURT**

10 **CLARK COUNTY, STATE OF NEVADA**

11 THE STATE OF NEVADA,

12 Plaintiff,

13 vs.

14 JOSEPH BILLEY, ID # 2785990,

15 Defendant.

Case No.: C-25-389353-1

Dept. No.: XXII

16
17
18 **GUILTY PLEA AGREEMENT**

19 I hereby agree to plead guilty to one (1) count of BATTERY ON A HEALTH CARE PROVIDER,
20 a Gross Misdemeanor, in violation of NRS 200.481(1)(a), NRS 200.481(1)(e), 200.481(2)(d) [NOC
21 50221], as more fully alleged in the charging document attached hereto as Exhibit "1."

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

23 1. The State will not oppose probation, with a fixed term of twelve (12) months, to include
24 standard probation conditions, AS WELL AS the following special conditions:

25 a. That I have no contact of any kind with  OR 

26  and

27 b. That I complete a substance abuse evaluation through the Division of Parole and
28 Probation and follow any recommendations;

EXHIBIT F



2. That 364 days of jail in the Clark County Detention Center will be suspended while I am on probation; and

3. I agree to forfeit any property seized in connection with this matter.

Furthermore, I agree to waive any defects or infirmities as to this process, my plea, this guilty plea agreement, and/or the form and/or force of the charging document attached as Exhibit "1."

I understand that, pursuant to NRS 176.015(3), victims so desiring will be allowed to make impact statements, if applicable to my case.

I understand and agree that the State's agreement to recommend or stipulate to a particular sentence, to not present argument regarding the sentence, to not oppose a particular sentence, or to not seek punishment as a habitual criminal is contingent upon my conduct between now and sentencing: If I fail to interview with the Division of Parole and Probation ("P & P"); fail to appear at any subsequent hearings in this case; fail to appear at any court-ordered appearances related to this case, prior to sentencing; or a magistrate reviews a declaration of arrest and finds probable cause to believe that I have committed a new criminal offense, including reckless driving or DUI, but excluding minor traffic violations, the State will regain the right to argue for any lawful sentence and term of confinement allowable for the crime to which I am now pleading, including the use of any prior convictions I may have to increase my sentence as a habitual criminal to five (5) to twenty (20) years, life without the possibility of parole, life with the possibility of parole after ten (10) years, or a definite twenty-five (25)-year term with the possibility of parole after ten (10) years, if applicable.

CONSEQUENCES OF THE PLEA

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

I understand that as a consequence of my plea of guilty to the charge of BATTERY ON A HEALTH CARE PROVIDER, a Gross Misdemeanor, the Court must sentence me to imprisonment in the Clark County Detention Center for up to 364 days and/or to a fine of not more than \$2,000. I also understand that the law requires me to pay Administrative Assessment Fees.

I understand that, if appropriate, I will be ordered to make restitution to the victim(s) of the offense(s) to which I am pleading guilty and to the victim(s) of any related offense(s) being dismissed or

1 not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any
2 expenses related to my extradition, if any.

3 I understand that I am eligible for probation for the offense to which I am pleading guilty, but the
4 question of whether I receive probation is in the discretion of the sentencing judge, except as otherwise
5 provided by statute.

6 I also understand that I must submit to blood and/or saliva tests under the direction of the Division
7 of Parole and Probation to determine genetic markers and/or secretor status.

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

11 I understand that if the offense to which I am pleading guilty was committed while I was
12 incarcerated on another charge or while I was on probation or parole that, pursuant to NRS 176.035(3),
13 any imposed prison sentence in this case must run consecutive to the sentence that I was serving when this
14 incident occurred.

15 I understand that pursuant to NRS 176.045 if I am convicted of a public offense in this State and
16 under a sentence of imprisonment pronounced by another jurisdiction, federal or state, whether or not the
17 prior sentence is for the same offense, the court in imposing any sentence for the offense committed in this
18 State may, in its discretion, provide that such sentence shall run either concurrently or consecutively with
19 the prior sentence, and that if the court provides that the sentence shall run concurrently, and I am released
20 by the other jurisdiction prior to the expiration of the sentence imposed in this State, I shall be returned to
21 the State of Nevada to serve out the balance of such sentence, unless the I am eligible for parole under the
22 provisions of chapter 213 of NRS, and the Board of Parole Commissioners directs that I be released on
23 parole as provided in that chapter. I further understand that if the court makes an order pursuant to this
24 section, the clerk of the court shall provide the Director of the Department of Corrections with a certified
25 copy of judgment and notification of the place of out-of-state confinement, but if the court makes no order
26 pursuant to this section, the sentence imposed in this State shall not begin until the expiration of all prior
27 sentences imposed by other jurisdictions.

28 ///

1 I understand that information regarding charges not filed, dismissed charges, or charges to be
2 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 my
4 sentence is to be determined by the Court within the limits prescribed by statute. I understand that if my
5 attorney or the State of Nevada or both recommend any specific punishment to the Court, the Court is not
6 obligated to accept the recommendation.

7 I understand that the parties have the opportunity to review a report prior to sentencing. This report
8 will include matters relevant to the issue of sentencing, including my criminal history. This report may
9 contain hearsay information regarding my background and criminal history. My attorney and I will each
10 have the opportunity to comment on the information contained in the report at the time of sentencing.
11 Unless the Attorney General has specifically agreed otherwise, the Attorney General may also comment
12 on this report.

13 I understand if the offense to which I am pleading guilty was committed while I was incarcerated
14 on another charge or while I was on probation or parole that I am not eligible for credit for time served
15 toward the instant offense, pursuant to NRS 176.055.

16 I understand that if I am not a United States citizen, this criminal conviction will likely result in
17 serious negative immigration consequences including but not limited to: removal from the United States
18 through deportation; an inability to reenter the United States; the inability to gain United States citizenship
19 or legal residency; an inability to renew and/or retain any legal residency status; and/or an indeterminate
20 term of confinement, with the United States Federal Government based on my conviction and immigration
21 status. Regardless of what I have been told by an attorney, no one can promise me that this conviction will
22 not result in negative immigration consequences and/or impact my ability to become a United States
23 citizen and/or legal resident.

24 **WAIVER OF RIGHTS**

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

- 27 1. The constitutional privilege against self-incrimination, including the right to refuse to testify at
28 trial, in which event the prosecution would not be allowed to comment to the jury about my

1 refusal to testify.

2 2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive
3 pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance
4 of an attorney, either appointed or retained. At trial the State would bear the burden of proving
5 beyond a reasonable doubt each element of the offense charged.

6 3. The constitutional right to confront and cross-examine any witnesses who would testify against
7 me.

8 4. The constitutional right to subpoena witnesses to testify on my behalf.

9 5. The constitutional right to testify in my own defense.

10 6. The right to appeal the conviction, with the assistance of an attorney, either appointed or
11 retained, unless the appeal is based upon reasonable constitutional, jurisdictional, or other
12 grounds that

13 challenge the legality of the proceedings and except as otherwise provided in subsection 3 of NRS
14 174.035.

15 **VOLUNTARINESS OF PLEA**

16 I have discussed the elements of all the original charges against me with my attorney and I
17 understand the nature of the charges against me;

18 I understand the State would have to prove each element of the charges against me at trial;

19 I have discussed with my attorney any possible defenses, defense strategies and circumstances
20 which might be in my favor;

21 All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly
22 explained to me by my attorney;

23 I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial
24 would be contrary to my best interest;

25 I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting
26 under duress or coercion or by virtue of any promises of leniency, except for those set forth in this
27 agreement;

28 I am not now under the influence of any intoxicating liquor; a controlled substance; or any other

1 drug which would, in any manner, impair my ability to comprehend or understand this agreement or the
2 proceedings surrounding my entry of this plea; and

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

5 DATED this 2-27-24 day of February, 2025.

6
7 
8 JOSEPH BILLEY, Defendant

8 AGREED TO BY:

9 /s/ Erica M. Gold
10 Erica M. Gold
10 Senior Deputy Attorney General

11
12 **CERTIFICATE OF DEFENSE COUNSEL**

13 I, the undersigned, as the attorney for JOSEPH BILLEY named herein and as an officer of the
14 court hereby certify that:

15 1. I have fully explained to JOSEPH BILLEY the allegations contained in the charge to which
16 guilty pleas are being entered;

17 2. I have advised JOSEPH BILLEY of the penalties for the charge and the
18 restitution/costs/fines that JOSEPH BILLEY may be ordered to pay;

19 3. I have inquired of JOSEPH BILLEY facts concerning JOSEPH BILLEY'S immigration
20 status and explained to JOSEPH BILLEY that if JOSEPH BILLEY is not a United States citizen, any
21 criminal conviction will most likely result in serious negative immigration consequences including but not
22 limited to:

- 23 a. The removal from the United States through deportation;
24 b. An inability to reenter the United States;
25 c. The inability to gain United States citizenship or legal residency;
26 d. An inability to renew and/or retain any legal residency status; and/or
27 e. An indeterminate term of confinement with the United States Federal Government
28 based on his/her conviction and immigration status.

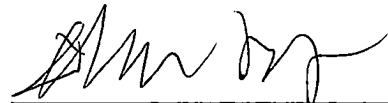
Moreover, I have explained that regardless of what JOSEPH BILLEY may have been told by any attorney, no one can promise JOSEPH BILLEY that this conviction will not result in negative immigration consequences and/or impact JOSEPH BILLEY'S ability to become a United States citizen and/or legal resident;

4. All pleas of guilty offered by JOSEPH BILLEY pursuant to this agreement are consistent with all the facts known to me, and are made with my advice to JOSEPH BILLEY and are in the best interest of JOSEPH BILLEY; and

5. To the best of my knowledge and belief JOSEPH BILLEY:

- 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 of the execution of this agreement.

DATED this 27 day of Feb, 2025.



THOMAS PITARO, ESQ.
Attorney for JOSEPH BILLEY

April 1, 2025

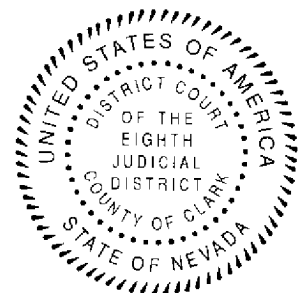
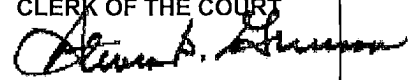


EXHIBIT 1

EXHIBIT 1



1 INFM
2 AARON D. FORD
3 Attorney General
4 ERICA M. GOLD (Bar No. 8574)
5 Senior Deputy Attorney General
6 State of Nevada
7 Office of the Attorney General
8 1 State of Nevada Way, Suite #100
9 Las Vegas, NV 89119
10 P: (702) 486-3420
11 F: (702) 486-3768
12 Egold@ag.nv.gov
13 Attorney for the State of Nevada

8
9 **DISTRICT COURT**

10 **CLARK COUNTY, STATE OF NEVADA**

11 THE STATE OF NEVADA,

12 Plaintiff,

13 vs.

14 JOSEPH BILLEY, ID # 2785990,

15 Defendant.

Case No.: C-25-389353-1

Dept. No.: XXII

16
17
18 **INFORMATION**

19 AARON D. FORD, Attorney General for the State of Nevada, by and through ERICA M. GOLD,
20 Senior Deputy Attorney General, in the name and by the authority of the State of Nevada, informs the
21 Court that the above-named Defendant, JOSEPH BILLEY, committed the crime of one (1) count of
22 BATTERY ON A HEALTH CARE PROVIDER, a Gross Misdemeanor, in violation of NRS
23 200.481(1)(a), NRS 200.481(1)(e), 200.481(2)(d) [NOC 50221].

24 The acts alleged herein were committed on or about February 24, 2024, by the above-named
25 Defendant, within the County of Clark, State of Nevada, in the following manner:

26 ///

27 ///

28 ///

COUNT I
BATTERY ON A HEALTH CARE PROVIDER
Gross Misdemeanor
200.481(1)(a), 200.481(1)(e), 200.481(2)(d)

The Defendant, JOSEPH BILLEY, did willfully and unlawfully use force or violence upon the person of a provider of health care, who was performing duties as such, with Defendant knowing, or should have known, that the victim was a provider of health care, to wit: the Defendant placed his hands on [REDACTED] while she prepared medication for one or more inmates at Three Lakes Valley Conservation Camp, a Nevada Department of Corrections Facility.

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.

DATED this 20th day of February, 2025.

SUBMITTED BY:

AARON D. FORD
Attorney General

By: /s/ Erica Gold
ERICA M. GOLD (Bar No. 8574)
Senior Deputy Attorney General
Attorneys for the State of Nevada

AJOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JOSEPH BILLY,
#2785990

Defendant.

CASE NO: C-25-389353-1

DEPT NO: XV

**AMENDED JUDGMENT OF CONVICTION
(PLEA OF GUILTY)**

The defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of BATTERY ON A HEALTH CARE PROVIDER, (Gross Misdemeanor) in violation of NRS 200.481(1)(a), NRS 200.481 (1)(e), and NRS 200.491(2)(d), and thereupon, with Pre-Sentence Investigation (PSI) Report being waived by the parties,; thereafter, on the 27th day of March, 2025, the defendant was present in court for sentencing with counsel, Thomas F. Pitaro, Esq., and good cause appearing,

THE DEFENDANT WAS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA analysis fee, including testing to determine genetic markers, and \$3.00 DNA Collection fee, Defendant SENTENCED to THREE HUNDRED SIXTY FOUR (364) DAYS in Clark County Detention Center (CCDC), with ONE (1) DAY credit for time served; **SUSPENDED; placed on PROBATION for a FIXED period of ONE (1) YEARS.** In addition to the STANDARD CONDITIONS of the Division of Parole and Probation (P & P), which are IMPOSED, Deft must comply with the SPECIAL CONDITIONS:

SPECIAL CONDITIONS:

1. Stay away from the victims [REDACTED] and [REDACTED], or victims' family; not to be within a 1000 feet of said parties.

EXHIBIT G

2. Abide by any curfew imposed by Parole and Probation (P&P) as deemed necessary.
3. Undergo a substance abuse evaluation with Parole and Probation (P&P) and complete any case plan recommended.
4. Do not consume, possess, or control any alcohol or marijuana, even if Defendant has a medical marijuana card.

STANDARD CONDITIONS:

1. Reporting: You are to report in person to the Division of Parole and Probation as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.
2. Residence: You shall not change your place of residence without first obtaining permission from the Division of Parole and Probation, in each instance.
3. Intoxicants: You shall not consume any alcoholic beverages to excess. Upon order of the Division of Parole and Probation or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.
4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify the Division of Parole and Probation of any prescription received. You shall submit to drug testing as required by the Division or its agent.
5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon.
6. Search: You shall submit your person, property, place of residence, vehicle or areas under your control to search including electronic surveillance or monitoring of your location, at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the Division of Parole and Probation or its agent.
7. Associates: You must have prior approval by the Division of Parole and Probation to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution

1 unless specific written permission has been granted by the Division and the correctional
2 institution.

3 8. Directives and Conduct: You shall follow the directives of the Division of Parole and
4 Probation and your conduct shall justify the opportunity granted to you by this community
5 supervision.

6 9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.

7 10. Out-of-State Travel: You shall not leave the state without first obtaining written permission
8 from the Division of Parole and Probation.

9 11. Employment/Program: You shall seek and maintain legal employment, or maintain a
10 program approved by the Division of Parole and Probation and not change such employment
11 or program without first obtaining permission. All terminations of employment or program
12 shall be immediately reported to the Division.

13 12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved
14 by the Division of Parole and Probation. Any excess monies paid will be applied to any other
15 outstanding fees, fines, and/or restitution, even if it is discovered after your discharge.

16 COURT FURTHER ORDERED, Defendant to report to Parole and Probation within
17 forty-eight (48) hours. BOND, if any, EXONERATED.

Dated this 31st day of March, 2025

April 1, 2025



Joe Hardy

bc

677 9E5 E0F6 4B4B
Joe Hardy
District Court Judge

CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-25-389353-1

7 vs

DEPT. NO. Department 15

8 Joseph Billey
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Amended Judgment of Conviction was served via the court's electronic
13 eFile system to all recipients registered for e-Service on the above entitled case as listed
below:

14 Service Date: 3/31/2025

15 R Holm

rholm@ag.nv.gov

16 C Ross

CRoss@ag.nv.gov

17 Marcie Burris

mburris@ag.nv.gov

18 Erica Gold

egold@ag.nv.gov

19 Tiffany DiBari

tdibari@ag.nv.gov

20 Camila Reingruber

creingruber@ag.nv.gov

21 E Trotter

etrotter@ag.nv.gov

22

23

24

25

26

27

28

Attorney response for Joseph Billey

EXHIBIT H



HUNTLEY
LAW

Brent D. Huntley, Esq.
8275 S. Eastern Ave, #200
Las Vegas, NV 89123
(702) 849-2598
brent@huntleynv.com

October 14, 2025

Via US First Class Mail and Email
Nevada Commission on Peace Officer
Standards and Training
ATTN: Director
5587 Wa Pai Shone Ave.
Carson City, NV 89701
kfloyd@post.state.nv.us

RE: Notice to Appear and Written Opposition to the proposed revocation of P.O.S.T. Certificate
for Correctional Officer Joseph Billey

Dear Director,

Please be advised that I represent Correctional Officer Joseph Billey (“Billey”) regarding the proposed revocation of his P.O.S.T. Certificate. Please accept this letter as written notice pursuant to NAC 289.290(4) that CO Billey and I intend to appear at the hearing scheduled for October 29, 2025, to contest the proposed revocation.

As directed in your October 2, 2025, letter and notice to Billey, I am also writing to provide the Commission with written arguments to be presented by Billey at the scheduled hearing, which will be attended by Billey and me.

The Investigation and CO Billey’s Employment Record Fail to Demonstrate that He is Unfit to Perform His Duties.

Billey has been a peace officer at the NDOC for almost 15 years. During this time, he has worked with people from all walks of life from inmates to fellow officers and free staff in the prison system in Southern Nevada. During those 15 years, CO Billey has only had two investigations brought against him. The first investigation did not result in discipline, and the present issue constitutes the second. Billey is an extremely diligent and consistent employee and has rarely called out over the course of his employment and has over 1,000 hours of sick time accumulated in his leave bank. Billey takes his job seriously and maintains a sense of responsibility and duty to his position. He has worked countless hours of overtime to help ensure there were enough officers on hand despite persistent staffing shortages. At the time of the alleged offense, Billey was working at least 24 hours of voluntary overtime a week due to short staffing at the camp. The length and impeccable record of Billey’s employment is not authoritative in the decision to allow him to retain his P.O.S.T. certification but it is highly persuasive. His record before this incident speaks to the kind of person he is and is demonstrable evidence of the high-quality employee that he has been throughout his career.



The investigation that was conducted into the charges against CO Billey was largely performative and did not attempt to gather any substantial evidence or information about the underlying incident which the State had previously failed to investigate. Indeed, the first investigation into the allegations resulted in no discipline against Billey. The NDOC only revived the allegations and started a new, and unlawful, investigation after Billey's conviction. Of import, Billey's conviction was the result of an ill-advised plea agreement pushed upon Billey with threats of dire consequences by his defense counsel. No allegations were ever proven against Billey and his unfortunate decision to accept a plea deal should not end his career over unproven and exaggerated allegations.

During the date and time of the alleged battery, Billey was never alone with the nurse (who made the allegations). Billey and other officers spoke with the shift supervisor Lieutenant Allen for about 30 to 45 minutes prior to the nurses arriving. Any of these individuals could have dispelled accusations of Billey's intoxication, but they were never interviewed. The one officer who was interviewed refuted the claims that Billey was intoxicated and confirmed that there had been minimal contact between Billey and the nurse. Billey acknowledged that he made brief physical contact by touching the nurse's shoulder to get her attention. Likewise, the only officer witness who was interviewed made it clear that he observed Billey contact the nurse and the only contact he saw was Billey placing a hand(s) on her shoulder(s). When this fact was clarified by the witness, the investigator dropped the line of questioning regarding the physical contact issue. At no point in any written or verbal interview was there any indication that Billey had used force or violence of any kind. Additionally, the nurse's written report and testimony were not submitted until after she was interviewed by internal affairs investigators on or around March 1, 2024. Because the alleged date of the incident was much earlier than when the report was written, the nurse's claims became much more exaggerated and demonstrated bias after the case had already been escalated.

Revocation is Not Mandatory based Upon the Facts of the Case and Discretion Should be Exercised to Maintain Billey's P.O.S.T. Certification and Employment.

The language of Nevada Administrative Code 289.290(1) allows the Commission to exercise discretion in their decision on whether to revoke or suspend the certificate of a peace officer. There are subtle differences in the wording of separate categories relating to criminal charges which carry significant impact. NAC 289.290(1)(e) addresses "conviction of, or entry of a plea of guilty... to a gross misdemeanor" and states that, "Upon criminal indictment or filing of a criminal complaint, [of a gross misdemeanor] suspension *may* be imposed. This contrasts with NAC 289.290(1)(g) which covers the "conviction of, or entry of a plea of guilty... to a felony" and dictates that, "Upon criminal indictment or filing of a criminal complaint, suspension *may* be imposed," and further, that, "[u]pon conviction or entry of a plea of guilty... the certificate *will* be revoked."

This clear distinction shows how the policy differentiates between a gross misdemeanor and a felony and the degree of discretion that is provided for each. For a gross misdemeanor, the policy simply states that a suspension may be imposed. The language is permissive and allows for circumstances where suspension may not be imposed and revocation is not mandatory or even listed



as a recommendation. This is different from the absolute language used in the policy regarding felonies. If there is a felony conviction or entry of a plea of guilty there is no discretion. The certificate *will* be revoked.

Unsurprisingly, Billey had no experience defending a criminal case, and he was not fully informed of the potential consequences of a guilty plea and received minimal guidance from his defense attorney. Additionally, he made his decision based at least in part upon his administrative investigation having already been completed with no discipline and because the time to issue administrative discipline for the incident had lapsed under the CBA. As such, he did not understand that his plea of guilty could potentially end his long and dedicated career. Billey's wife of 28 years was present at every meeting with the defense attorney and was persuaded that the best course of action was to plead guilty to put the matter to rest and end the threat of additional (unjustifiable) charges being threatened, especially since they had been assured that no career ending consequences would come as a result.

After the alleged incident, from March 4, 2024, until his arrest on July 19, 2024, Billey was allowed to work at High Desert State Prison as a regular officer and had no restrictions in his day-to-day officer assignments. He was sent to various local hospitals at least 8 times. He worked as the infirmary officer at least 2 times and had other interactions with the infirmary nurses. He worked as a floor officer in the units approximately 52 times. He conducted pill call with the nurses and sometimes watched over other free staff (non-officer staff) doing their jobs. CO Billey was allowed to work in all capacities as a Correctional Officer for five months after the allegations were made, proving that he was not a threat to the community and that he was not unfit to be employed as a peace officer. The Commission should exercise discretion in this case to either take no action or, at most, suspend, rather than permanently revoke, Billey's P.O.S.T. Certificate.

Revocation is Improper Without Documented Evidence of a Violation, which is Missing in This Case.

In *Burke v. Nevada Commission on Peace Officers' Standards & Training*, the Nevada Supreme Court addressed the de-certification of a peace officer based on a prior out-of-state certification revocation. The court upheld the Nevada Commission's decision to revoke Burke's certification, emphasizing that NAC 289.110(4)(c) prohibits appointing individuals with a "documented history of physical violence." Burke had been an officer in Oregon and had his certification permanently revoked due to three incidents of his use of excessive force. There was clear evidence from the use of force investigations into the incidents which showed that Burke had threatened to break the finger of a cooperative passenger under arrest, injured the passenger's ear, and bounced up and down on the passenger while the passenger's head was in between his legs. In another incident he slammed a female suspect into the trunk of his patrol vehicle causing facial lacerations, bruising and swelling around the eyes, and hair was torn from her head. There were photos and eyewitness testimony of the injuries and an inspection revealed a dent on the trunk of the vehicle. In one more incident, the suspect had been calm but Burke shoved the suspect and arrested him in an unnecessary scuffle. Director Sherlock and other commissioners linked this conduct directly to the statutory minimum standards, concluding that Burke's history disqualified



him from holding certification in Nevada and the Nevada Supreme Court correctly upheld the disqualification. *Burke v. Nev. Comm'n on Peace Officers' Standards & Training*, No. 86435, at 4 (Nev. Nov. 4, 2024).

Unlike in *Burke*, where the de-certification was tied to clear evidence of documented and sustained incidents of physical violence, Billey is facing P.O.S.T. certification revocation without *any documented evidence* of a violation. This distinction is critical. In Billey's case there is no documented history with substantiating evidence. Although there were allegations, the allegations were never proven and were not corroborated by eyewitness testimony. Additionally, unlike in *Burke*, where criminal charges were never pursued over his much more egregious and violent actions, criminal charges were unduly and unfairly brought against Billey for a minor, non-violent incident. Under threat of the DA pursuing much harsher charges and in an effort to avoid any further injustices against himself, Billey entered a guilty plea at the advice of counsel. A guilty plea, however, does not prove guilt and it does not, in and of itself, create tangible evidence of a violation meriting revocation. It has been proven that guilty pleas can rarely be relied upon to prove allegations. Many innocent people plead guilty due to countless extenuating factors and ulterior motives that someone may have for accepting a plea in lieu of a trial, especially when they have been assured that accepting a plea would not affect their employment. In this case, Billey's defense counsel used threats of additional charges, and a false claim that Billey's legal defense plan would not fund his defense if he did not plead guilty, to coerce Billey to accept a plea deal that Billey never believed was fair or accurate.

In a case involving the revocation of a real estate agent's license, the Supreme Court of Nevada stated that, "For one who is qualified, pursuit of a profession is a right, and 'not a matter of the State's grace or favor.' *In re Schaengold*, 83 Nev. 65, 68, 422 P.2d 686, 688 (1967); *Ex parte Kellar*, 81 Nev. 240, 401 P.2d 616 (1965)." In that case, the Appellant demonstrated that the Real Estate Commission abused its discretion by showing that, "respondent has failed to present a 'prima facie case' of such violations as would reasonably demonstrate appellant's unfitness to continue in her chosen occupation." The Court further specified that without substantial evidence to support the license revocation, they would not permit the Commission's decision to stand. *Flanders v. State, Dept. of Commerce, Real Estate Division*, 486 P.2d 499, 87 Nev. 303 (Nev. 1971), 309. The same reasoning applies to Billey's case. He is a highly qualified peace officer and the pursuit of his profession should not be barred without substantial evidence to support P.O.S.T. Certification revocation. Billey should be allowed to maintain his certification or, alternatively, have his certificate suspended instead of permanently revoked.

Conclusion

This case involves what originated as minor allegations—that Billey inappropriately placed his hands on the shoulder of a nurse to get her attention when asking her what she needed. Later, the nurse added a claim that Billey pressed into her body at the same time. These later allegations were not supported by the only witness testimony and are denied by Billey. However, even at their worst, the allegations do not claim any act of violence, coercion, or abuse beyond minor unwanted physical contact, and those allegations are denied by Billey. The matter was investigated



HUNTLEY
LAW

Brent D. Huntley, Esq.
8275 S. Eastern Ave, #200
Las Vegas, NV 89123
(702) 849-2598
brent@huntleynv.com

administratively and the investigation terminated with no discipline being imposed. Later, criminal charges were brought and Billey used his legal defense plan to obtain defense counsel. That defense counsel bullied Billey into accepting a plea deal that Billey objected to. Billey and his wife ultimately decided to accept the plea deal only after receiving assurance that it would not affect his career and based upon threats that Billey would face additional charges without financial support from his legal defense plan. None of these assurances or threats were true but were used to convince Billey to accept the plea offer rather than fight the charges as he wanted to. To revoke Billey's certification and end his fifteen-year career and life's work under these circumstances would be unjust and detrimental to both Billey and the public which he has faithfully served.

Sincerely,
Huntley Law

Brent Huntley

Brent D. Huntley, Esq.

13. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) for the possible revocation of the category I basic certificate held by David E. Boruchowitz, former employee of the Nye County Sheriff's Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction(s) that have led to this action are:

COUNT 1: DEPRIVATION OF RIGHTS UNDER COLOR OF LAW, AIDING AND ABETTING (Misdemeanor)

COUNT 4: FRAUD BY WIRE, AIDING AND ABETTING (Felony)

Possible action may include revocation of the 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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

October 2, 2025

David E. Boruchowitz



Pahrump, NV 89041

POST PIN #: 25270

Dear Mr. Boruchowitz,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290 (1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The conviction(s) which have led to this action are as follows:

**COUNT 1: DEPRIVATION OF RIGHTS UNDER COLOR OF LAW, AIDING AND ABETTING
(Misdemeanor)**

COUNT 4: FRAUD BY WIRE, AIDING AND ABETTING (Felony)

Jurisdiction: UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: Wednesday, October 29, 2025

Time: 1:00 p.m.

Location: Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked pursuant to **NAC 289.290 (1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

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

Sincerely,

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

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

cc: Deputy Attorney General Jesselyn De Luna
Deputy Attorney General John M. Nolan
File



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

DECLARATION OF SERVICE

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

to Individual's Name: **DAVID E. BORUCHOWITZ**

at CORNER OF BASIN + LINDA on this
(location)

6 day of OCTOBER, 2025.
Day Month Year

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

Executed on this 8 day of OCTOBER, 2025.
Day Month Year

[Signature]
Signature of person serving the Notice

HARRY MEANS

Printed name of person serving the Notice

I have received a copy of the Notice of Intent to Revoke [Signature]
(David Boruchowitz)

****RETURN THE SIGNED ORIGINAL OF THIS FORM TO POST WITHIN 10 DAYS****

EXHIBIT B



State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency Login

Agency Name *

Nye Co SO

Employee Details

POST ID *

25270

First Name *

DAVID

Last Name *

BORUCHOWITZ

Middle Initial

E

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *

☐ Line ☐ Supervisor ☐ Management ☒ Executive

*

☐ Part Time ☒ Full Time

Status Changed

☐ Deceased ☒ Retired ☐ Separated

Effective Date *

10/12/2023

EXHIBIT C

NAC 289.290 Notification (Cause for Commission Action)

Pursuant to NAC 289.290(3): "The employing agency shall notify the Commission anytime that it becomes aware that one of its officer's 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

Comments\Additional Information:

Submitter Details		
Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail Address
Harry Means	775-751-6360	hmeans@nyecountynv.gov

txtFormType

Update PAR

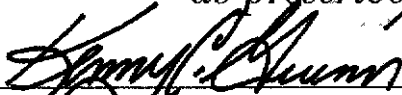
STATE OF NEVADA

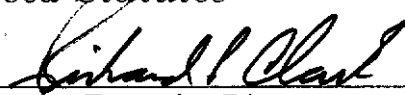
Commission On Peace Officers' Standards And Training

Hereby Awards the
Basic Certificate
To

DAVID E. BORUCHOWITZ
CATEGORY I

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


Governor


Executive Director

July 13, 2006

Issuance Date

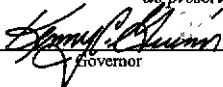
STATE OF NEVADA

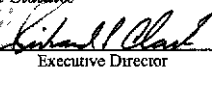
Commission On Peace Officers' Standards And Training

Hereby Awards the
Basic Certificate
To

DAVID E. BORUCHOWITZ
CATEGORY I

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


Governor


Executive Director

July 13, 2006

Issuance Date

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

Name **DAVID E. BORUCHOWITZ** POST ID No. **25270**

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

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

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

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

INSTRUCTIONS

This is your POST Basic Certificate and Identification Card.

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

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

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

EXHIBIT D

From: [Myhre, Steven \(USANV\)](#)
To: [Kathy Floyd](#)
Subject: Re: Boruchowitz
Date: Monday, August 25, 2025 9:09:11 AM

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Kathy: Those are all public documents. The Indictment was ordered unsealed so you can ignore the “sealed” cover sheet. Thanks. -Steve.

From: Kathy Floyd <kfloyd@post.state.nv.us>
Sent: Wednesday, August 20, 2025 8:30:59 AM
To: Myhre, Steven (USANV) [REDACTED]
Subject: [EXTERNAL] RE: Boruchowitz

Good Morning!

I am in the process of preparing the documentation for Boruchowitz and our revocation hearing which will be held in October. I wanted to make sure that I am able to include the following documents in the Commission Book, which is a public document and will be posted on the website:

Indictment – filed 08/16/23, but has a note at the top of the page ***SEALED***

Plea Agreement – filed 03/12/25

Judgment – filed 07/16/25

Don't want to put these documents in the book if it will cause legal issues down the road.

Please let me know, at your earliest convenience, whether these documents are now considered Public Record.

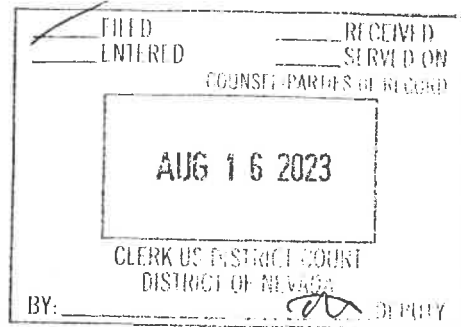
Thank you very much!!!

Kathy Floyd

Chief, Standards Division
Nevada Commission on POST
post.nv.gov
(775) 687-3335

EXHIBIT E

JASON M. FRIERSON
United States Attorney
District of Nevada
Nevada Bar No. 7709
STEVEN W. MYHRE
Nevada Bar No. 9635
BIANCA R. PUCCI
Nevada Bar No. 16129
Assistant United States Attorneys
333 Las Vegas Blvd., South. Ste 1100
Las Vegas, Nevada 89101
702-388-6696
Steven.Myhre@usdoj.gov
Bianca.Pucci@usdoj.gov
Attorneys for the United States



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID E. BORUCHOWITZ,

Defendant.

**SEALED
CRIMINAL INDICTMENT**

Case No.: 2:23-cr-0149-APG-BNW

VIOLATIONS:

Title 18, United States Code, Section 242--
Deprivation of Rights Under Color of Law
(Count One)

Title 18, United States Code, Section 1343 --
Fraud by Wire (Counts Two thru Five)

Title 18, United States Code, Section 1621 --
Perjury (Count Six)

THE GRAND JURY CHARGES AS FOLLOWS.

At all times relevant to the Indictment:

EXHIBIT F

BACKGROUND

1. Defendant, **DAVID E. BORUCHOWITZ** (“**BORUCHOWITZ**”), was a resident of the State and Federal District of Nevada and a Deputy Sheriff, serving with the Nye County Sheriff’s Office (“**NCSO**”), Pahrump, Nevada.

2. As a Deputy Sheriff with the **NCSO**, defendant was a law enforcement officer authorized under Nevada law to conduct investigations and make arrests for violations of Nevada law.

3. Valley Electric Association (“**VEA**”) was a Nonprofit Cooperative Corporation formed under Nevada law. **VEA** sold electricity and broadband services to residents of Nye County, Nevada.

4. “**VEA Members**” were customers of **VEA** who, under Nevada law, had certain rights in the corporate affairs of **VEA**, including the right to vote to elect or remove/recall members of the **VEA Board of Directors** (“**VEA Board**”).

5. The **VEA Board** governed the corporate affairs of **VEA**, including the hiring and firing of **VEA**’s Chief Executive Officer (“**CEO**”).

6. “**Recall Petition**” was a petition signed by **VEA Members** to trigger a recall election to remove/recall members of the **VEA Board**.

7. **VEA Members for Change** (“**VEAMC**”) was an informal organization comprised of **VEA Members** who shared a common objective of obtaining **VEA Member** signatures for a Recall Petition.

8. [REDACTED] (“**Evans**”) was the **CEO** of **VEA** during the time that **VEAMC** was active.

1 **THE SCHEME AND ARTIFICE TO DEFRAUD**

2 9. On or about and during February 2019, to on or about the end of December
3 2019, defendant **BORUCHOWITZ**, and others known and unknown to the Grand Jury,
4 aided and abetted by each other, knowingly made, and caused to be made, numerous
5 misrepresentations and omissions of material fact as a part of a scheme to defraud and
6 fraudulently deprive Evans of her job as the CEO of VEA and to obtain a position on the
7 VEA Board.

8 10. As a further part of the scheme, and to execute the objects of the scheme,
9 defendant **BORUCHOWITZ**, alleged falsely that Evans committed crimes, obtained
10 search warrants based on the false allegations, and arrested Evans based on the false
11 allegations, while fraudulently concealing from the court and others, the nature and
12 extent of his personal interests in VEAMC, the Recall Petition, and the firing of Evans,
13 which interests he was required by law to disclose to the court and all of which were
14 material to the court's decision to authorize search warrants and determine probable
15 cause for search warrants and arrests.

16 11. As a further part of the scheme, and to execute the objects of the scheme,
17 on or about February 21, 2019, defendant **BORUCHOWITZ** obtained, and caused the
18 obtaining of, court authorization for a warrant to search VEA (hereinafter "Search
19 Warrant I") under false and fraudulent pretenses by, among other things, knowingly
20 misrepresenting and omitting material facts in the search warrant affidavit.

21 12. As a further part of the scheme, and to execute the objects of the scheme,
22 on or around February 26, 2019, defendant **BORUCHOWITZ** obtained, and caused the
23 obtaining of, court authorization for a second search warrant (hereinafter Search Warrant
24

1 II) under false and fraudulent pretenses by, among other things, knowingly
2 misrepresenting and omitting material facts in the search warrant affidavit.

3 13. As a further part of the scheme, and to execute the objects of the scheme,
4 on or about February 26, 2019, defendant **BORUCHOWITZ** falsely and fraudulently
5 arrested Evans without a warrant and without probable cause on charges that she
6 embezzled services from VEA. After making the false arrest, the defendant filed a
7 Declaration of Arrest with the court under false and fraudulent pretenses by knowingly
8 misrepresenting and omitting material facts in the Declaration of Arrest.

9 14. As a further part of the scheme, and to execute the objects of the scheme as
10 alleged in Counts Two through Five below, defendant **BORUCHOWITZ** caused video,
11 audio, and written press releases to be issued from the NCSO that publicly announced
12 that Evans was under investigation and arrested for crimes, leaving the false and
13 fraudulent impression that the investigation and arrest were legitimate and authorized by
14 a court of law, when in truth and in fact, the searches and arrest were effected under false
15 and fraudulent pretenses and to further defendant's fraudulent scheme to have Evans
16 fired from her job as CEO.

17 15. As a further part of the scheme, and to execute the objects of the scheme,
18 defendant **BORUCHOWITZ** made such other false, fraudulent, deceptive, and deceitful
19 representations and omissions as necessary to advance the fraudulent scheme, conceal his
20 fraudulent activity from others, avoid detection, advance his pecuniary interests, and
21 cause devastating loss to [REDACTED] Evans.
22
23
24

COUNT ONE

Deprivation of Rights Under Color of Law
(Title 18, United States Code, Section 242)

16. Paragraphs 1 through 15 are incorporated herein as though set forth in full.

17. On or about February 26, 2019, in the State and Federal District of Nevada,

DAVID E. BORUCHOWITZ,

defendant herein, while acting under color of law as a Deputy Sheriff of the Nye County Sheriff's Office, Nye County, Nevada, willfully deprived [REDACTED] Evans of the right, secured and protected by the Constitution of the United States, to be free from seizure without probable cause, by falsely arresting her on the charge of embezzlement in violation of Nevada law.

All in violation of Title 18, United States Code, Sections 242 and 2.

COUNTS TWO THROUGH FIVE

Fraud By Wire
(Title 18, United States Code, Section 1343)

18. Paragraphs 1 through 15 are incorporated herein as though set forth in full.

19. From in and about February 2019 to in or about December 2019, in the State and Federal District of Nevada and elsewhere,

DAVID E. BORUCHOWITZ,

defendant herein, with others known and unknown to the grand jury, and aided and abetted by each other, did devise, and intend to devise, a material scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representation, and promises, as set forth herein, and for the purpose of executing such scheme and artifice, and attempting to do so, did transmit, and cause to be transmitted, by means of wire, radio or television communication in interstate and foreign

commerce such writings, signs, signals, pictures, or sounds, as set forth in each count below.

Count	Date	Interstate Wire	Description
Two	2/22/2019	https://www.facebook.com/nyecountysheriff/videos/247704912842360/	Facebook Post: NCSO Press Release Announcing Search Warrant I
Three	2/25/2019	https://www.facebook.com/nyecountysheriff/videos/248167596070984/	Facebook Post: NCSO Press Release Announcing That Evans Was Under Criminal Investigation.
Four	2/26/2019	https://www.facebook.com/nyecountysheriff/videos/9735744686181029/	Facebook Post: NCSO Press Release Announcing Search Warrant II and the Arrest of [REDACTED] Evans
Five	12/20/2019	https://www.facebook.com/nyecountysheriff/videos/448503845841182	Facebook Post: NCSO Press Release Stating Court Found Probable Cause For VEA Searches and Arrest of [REDACTED] Evans

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT SIX

Perjury

(Title 18, United States Code, Section 1621)

20. On or about the dates stated herein, in the State and Federal District of Nevada,

DAVID E. BORUCHOWITZ,

defendant herein, having duly taken an oath before a person authorized by law to administer oaths, during and in the course of discovery in a federal civil action duly filed in the United States District Court for the District of Nevada as Case No. 2:20-cv-01919-

1 RFB-VCF, a case which Title 28, United States Code, authorizes an oath to be
2 administered, did declare that he would testify, depose, or certify truly, and that any
3 written testimony, declaration, deposition, or certificate by him subscribed is true, did
4 willfully and knowingly and contrary to said oath, state material matter which he did not
5 then believe to be true.

6 21. The plaintiff in the civil action referenced herein, was conducting duly
7 authorized discovery of information relevant to the claims alleged in the civil action. On
8 the dates listed below, defendant **BORUCHOWITZ** provided a written response to an
9 interrogatory and deposition testimony as follows.

10 Written Interrogatory Number 12:

11 Please state in detail your affiliation with VEA Members for Change
12 prior to the execution of [Search Warrant II].

13 Written Response subscribed under penalty of perjury by the
defendant on February 23, 2021:

- 14 a. **As a resident of Nye County, I created a Facebook page and logo for the**
15 **group in or around February 2019. Prior to the [Search Warrant II]**
16 **execution, I limited/ceased my interaction with VEA Members [for]**
Change.

17 During deposition on March 29, 2021, plaintiff asked the following
18 questions and defendant **BORUCHOWITZ** provided the following
answers under oath:

19 *Question:* In your interrogatory answers and in your testimony today,
20 you seemed to indicate that prior to the execution of [Search
Warrant II] you stopped interacting with [VEA] Members for
Change individuals regarding [VEA] Members for Change matters.

- 21 b. *Answer.* **Yes.**

22 *Question:* When did you stop communicating with [K.J.] regarding
23 [VEA] Members for Change matters?

- 24 c. *Answer.* **After that [KPVM-TV] television interview.**

1 Question: Do you think [K.J.] had an axe to grind against [REDACTED]
2 Evans?

3 d. Answer: I hesitate to answer because I don't recall a conversation with him
4 relating to his relationship with her. I have no recollection, so it would be
5 very hard to answer that.

6 Question: Did you ever learn that [K.J.] had been writing letters to the
7 Board threatening them with their demise?

8 e. Answer: No, I don't think anyone reported that to us.

9 Question: Was the first search that was done on the VEA instigated as
10 a result of a tip from K.J.?

11 f. Answer: No.

12 22. The aforesaid responses and testimony of defendant BORUCHOWITZ as
13 he then and there well-knew and believed, were false as follows:

- 14 a. Defendant well-knew that on numerous occasions after the KPVM-
15 TV interview, he communicated with others about VEAMC matters.
- 16 b. Defendant well-knew of K.J.'s bias against Evans.
- 17 c. Defendant well-knew that K.J. had demanded the resignation of the
18 VEA Board.
- 19 d. Defendant well-knew that Search Warrant I was instigated as the
20 result of a tip from K.J.

21 DATED: this 16th day of August, 2023.

22 A TRUE BILL:

23 /S/

24 FOREPERSON OF THE GRAND JURY

JASON M. FRIERSON
United States Attorney

STEVEN W. MYHRE
BIANCA R. PUCCI

Assistant United States Attorneys

1 SUE FAHAMI
Acting United States Attorney
2 Nevada Bar No. 5634
STEVEN W. MYHRE
3 Assistant United States Attorney
Nevada Bar No. 9635
4 JUSTIN W. WASHBURN
501 Las Vegas Boulevard South, Suite 1100
5 Las Vegas, Nevada 89101
Tel: (702) 388-6336
6 Steven.Myhre@usdoj.gov
Attorneys for the United States

7
8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DAVID E. BORUCHOWITZ,

14 Defendant.

Case No. 23-CR-00149-APG-BNW

Plea Agreement for Defendant
David Boruchowitz Pursuant to Fed. R. Crim.
P. 11(c)(1)(A) and (B)

15 This plea agreement between David E. BORUCHOWITZ (“defendant”) and the United
16 States Attorney’s Office for the District of Nevada (the “USAO”) sets forth the parties’
17 agreement regarding the criminal charges referenced herein and the applicable sentences, and
18 fines in the above-captioned case. This agreement binds only defendant and the USAO and does
19 not bind the district court, the U.S. Probation Office, or any other federal, state, local, or foreign
20 prosecuting, enforcement, administrative, or regulatory authorities. This agreement does not
21 prohibit the USAO or any agency or third party from seeking any other civil or administrative
22 remedies, including administrative forfeiture or civil forfeiture *in rem* actions, directly or
23 indirectly against defendant or defendant’s property.
24

EXHIBIT G

1 This agreement becomes effective upon signature by defendant, defendant's counsel, and
2 an Assistant United States Attorney.

3 **I. DEFENDANT'S OBLIGATIONS**

4 1. Defendant agrees to:

- 5 a. At the earliest opportunity requested by the USAO and provided by the
6 district court, appear and plead guilty to Counts One and Four of the Criminal Indictment filed
7 in this case, which charges defendant with one count of Deprivation of Rights Under Color of
8 Law and one count of Fraud by Wire, in violation of Title 18, United States Code, Sections 242
9 and 1343, respectively;
- 10 b. Stipulate to the facts agreed to in this agreement;
- 11 c. Abide by all agreements regarding sentencing contained in this agreement;
- 12 d. Not seek to withdraw defendant's guilty plea once it is entered;
- 13 e. Appear for all court appearances, surrender as ordered for service of
14 sentence, obey all conditions of any bond, and obey any other ongoing court order in this matter;
- 15 f. Not commit any federal, state, or local crime;
- 16 g. Be truthful at all times with the U.S. Probation and Pretrial Services Offices
17 and the Court;
- 18 h. Before and after sentencing, upon request by the Court, the USAO, or the
19 Probation Office, provide accurate and complete financial information, submit sworn
20 statements, and/or give depositions under oath concerning defendant's assets and defendant's
21 ability to pay. As part of the required disclosure, defendant agrees to provide any and all
22 financial information and authorizations requested by the Probation Officer for preparation of
23 the Presentence Report. Defendant further agrees that, upon filing of this agreement, the USAO
24 is authorized to obtain defendant's credit report. Defendant will also complete a financial form

1 provided by the USAO, to include all supporting documentation, and return it to the USAO
2 within ten (10) days from entry of the plea. Defendant agrees that the district court may enter
3 any order necessary to effectuate or facilitate disclosure of defendant's financial information.

4 i. Defendant agrees that restitution may be ordered due and payable in full
5 immediately after the judgment is entered, and that the full amount of any restitution ordered is
6 subject to immediate enforcement and collection by the USAO or defendant's victims, or both.
7 Defendant agrees that any schedule of payments entered by the district court is a schedule of the
8 minimum payment due and does not prohibit or limit the methods by which the USAO may
9 immediately enforce and collect the judgment in full. Defendant acknowledges that restitution
10 may no be discharged, in whole or in part, in a present or future bankruptcy proceedings.

11 II. THE USAO'S OBLIGATIONS

12 2. The USAO agrees to:

- 13 a. Stipulate to facts agreed to in this agreement;
- 14 b. Abide by all agreements regarding sentencing contained in this agreement;
- 15 c. At sentencing, provided that defendant demonstrates an acceptance of
16 responsibility for the offense up to and including the time of sentencing, recommend a two-level
17 reduction in the applicable sentencing guidelines offense level, pursuant to USSG § 3E1.1;
- 18 d. At sentencing, move to dismiss the remaining counts of the Indictment as
19 against defendant. Defendant agrees, however, that the district court may consider any dismissed
20 charges in determining the applicable sentencing guideline range, the propriety and extent of any
21 departure from that range, and the sentence to be imposed; and
- 22 e. Not bring any additional charges against defendant arising out of the
23 investigation in the District of Nevada which culminated in this agreement and based on
24 conduct known to the USAO. Defendant agrees that the district court at sentencing may

1 consider any uncharged conduct in determining the applicable sentencing guidelines range, the
2 propriety and extent of any departure from that range, and the sentence to be imposed after
3 consideration of the sentencing guidelines and all other relevant factors under 18 U.S.C.
4 § 3553(a).

5 **III. ELEMENTS OF THE OFFENSE**

6 3. Count One: The elements of Deprivation of Rights Under Color of Law under
7 Title 18, United States Code, Section 242 are as follows:

8 First: The defendant was acting under color of law when he arrested [REDACTED]
9 Evans;

10 Second: The arrest deprived [REDACTED] Evans of her right to be free of an unreasonable
11 seizure not based on probable cause, which is a right secured by the Fourth
12 Amendment to the Constitution of the United States; and

13 Third: The defendant acted willfully, that is, the defendant acted with the intent to
14 deprive [REDACTED] Evans of that right.

15 9th Cir. Civ. Jury Instr. 9.3 (2022) (modified).

16 4. Count Four: The elements of Fraud by Wire under Title 18, United States Code,
17 Section 1343 are as follows:

18 First: The defendant knowingly participated in, devised, or intended to devise, a
19 scheme or plan to defraud, or a scheme or plan for obtaining money or
20 property by means of false or fraudulent pretenses, representations, or
21 promises;

22 Second: The scheme to defraud, or the statements made or facts omitted as part of
23 the scheme were material; that is, they had a natural tendency to influence,
24 or were capable of influencing, a person to part with money or property.

Third: The defendant acted with the intent to defraud, that is, the intent to deceive
and cheat; and

Fourth: The defendant used, or caused to be used, an interstate wire
communication to carry out or attempt to carry out an essential part of the
scheme.

9th Cir. Crim. Jury Instr. 15.35 (2022).

IV. CONSEQUENCES OF CONVICTION

5. Maximum Statutory Penalties:

a. Defendant understands that the statutory maximum sentence the district court can imposed for a violation of Title 18, United States Code, Section 242 as charged in Count One of the Criminal Indictment is: one year imprisonment; one year of supervised release; a fine of \$100,000 and a mandatory special assessment of \$25.

b. Defendant understands that the statutory maximum sentence the district court can impose for a violation of Title 18, United States Code, Section 1343, as charged in Count Two of the Criminal Indictment is: 20 years' imprisonment; 3 years' supervision; a fine of \$250,000 or twice the gross gain or gross loss resulting from the offense; and a mandatory special assessment of \$100.

c. Defendant understands, therefore, that the total maximum sentence for all offenses to which defendant is pleading guilty is: twenty-one (21) years' imprisonment; three (3) years' supervised release; a fine of \$350,000 or twice the gross gain or gross loss resulting from the offense, whichever is greater; and a mandatory special assessment of \$125.

6. Restitution: Defendant understands that the defendant may be required to pay full restitution to a victim of the offense to which defendant is pleading guilty. In particular, defendant agrees that the Court may order restitution to any victim of any of the following for any losses suffered by that victim as a result of: (a) any relevant conduct, as defined in USSG § 1.B1.3, in connection with the offenses to which defendant is pleading guilty; and (b) any counts dismissed pursuant to this agreement as well as all relevant conduct, as defined in USSG § 1B1.3, in connection with those counts.

5. Parole Abolished: Defendant acknowledges that defendant's prison sentence cannot be shortened by early release on parole because parole has been abolished.

1 6. Supervised Release: Defendant understands that supervised release is a period of
2 time following imprisonment during which defendant will be subject to various restrictions and
3 requirements. Defendant understands that if defendant violates one or more of the conditions of
4 any supervised release imposed, defendant may be returned to prison for all or part of the term of
5 supervised release authorized by statute for the offense[s] that resulted in the term of supervised
6 release, which could result in defendant serving a total term of imprisonment greater than the
7 statutory maximum stated above.

8 7. Factors under 18 U.S.C. § 3553: Defendant understands that the district court
9 must consider the factors set forth in 18 U.S.C. § 3553(a) in determining defendant's sentence.
10 However, the statutory maximum limits the district court's discretion in determining defendant's
11 sentence.

12 8. Potential Collateral Consequences of Conviction: Defendant understands that, by
13 pleading guilty, defendant may be giving up valuable government benefits and valuable civic
14 rights, such as the right to vote, the right to possess a firearm, the right to hold office, and the
15 right to serve on a jury. Defendant understands that once the district court accepts defendant's
16 guilty pleas, it will be a federal felony for defendant to possess a firearm or ammunition.
17 Defendant understands that the conviction in this case may also subject defendant to various
18 other collateral consequences, including but not limited to revocation of probation, parole, or
19 supervised release in another case and suspension or revocation of a professional license.
20 Defendant understands that unanticipated collateral consequences will not serve as grounds to
21 withdraw defendant's guilty pleas.

22 9. Potential Removal/Deportation Consequences of Conviction: Defendant
23 understands that, if defendant is not a United States citizen, the felony conviction in this case
24 may subject defendant to removal, also known as deportation, which may, under some

1 circumstances, be mandatory; denial of citizenship; and denial of admission to the United States
2 in the future. The district court cannot advise defendant fully regarding the immigration
3 consequences of the felony conviction in this case, but defendant's attorney has advised him
4 about the deportation risks of his guilty plea. Defendant understands that unexpected
5 immigration consequences will not serve as grounds to withdraw defendant's guilty pleas.

6 V. FACTUAL BASIS

7 10. Defendant admits that he is, in fact, guilty of the offenses to which he is agreeing
8 to plead guilty. Defendant acknowledges that if he elected to go to trial instead of pleading
9 guilty, the USAO could prove defendant's guilt beyond a reasonable doubt. Defendant further
10 acknowledges that defendant's admissions and declarations of fact set forth below satisfy every
11 element of the charged offenses. Defendant waives any potential future claim that the facts
12 defendant admitted below are insufficient to satisfy the elements of the charged offenses.
13 Defendant admits and declares under penalty of perjury that the facts set forth below are true
14 and correct.

15 Count One

16 On or about February 26, 2019, the defendant was a Deputy Sheriff with the Nye County
17 Sheriff's Office, Nye County, Nevada. While acting under color of law in that position, the
18 defendant arrested [REDACTED] Evans without probable cause on charges of embezzlement under
19 Nevada law. In making the arrest, the defendant willfully deprived [REDACTED] Evans of her right
20 under the Fourth Amendment of the Constitution of the United States to free of unreasonable
21 seizure without probable cause.
22
23
24

Count Four

On or about February 26, 2019, the defendant devised a scheme to defraud the VEA Board of Directors of a seat on the Board of Directors. As a part of the scheme, the defendant arrested [REDACTED] Evans without probable cause. The defendant knew the scheme to defraud was material in that, under the circumstances, it had a natural tendency to influence, or was capable of influencing, a member of the Board of Directors to part with his or her position. The defendant acted with the intent to deceive the VEA Board of Directors.

As a part of executing the scheme to defraud, the defendant used, or caused the use of, interstate wire transmissions by posting a press release announcing the arrest of [REDACTED] Evans to the Nye County Sheriff's Office's Facebook page on the internet.

VI. SENTENCING FACTORS

11. Discretionary Nature of Sentencing Guidelines: Defendant understands that in determining defendant's sentence, the district court is required to calculate the applicable sentencing guidelines range and to consider that range, possible departures under the sentencing guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the sentencing guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated sentencing guidelines range, and that after considering the sentencing guidelines and the other § 3553(a) factors, the district court will be free to exercise its discretion to impose any sentence it finds appropriate.

12. Offense Level Calculations: The parties jointly agree and stipulate that, in calculating defendant's advisory guidelines sentencing range, the Court should use the following base offense level and adjustments; acknowledge that these stipulations do not bind the district court and agree that they will not seek to apply or advocate for the use of any other base offense

level(s) or any other specific offense characteristics, enhancements, or reductions in calculating the advisory guidelines range:

Count One: Color of Law Violation

Base offense level USSG § 2H1.1 (a)(4):	6
<u>Color of Law USSG § 2H1.1 (b)(1)(B):</u>	<u>+6</u>
Adjusted Offense Level:	12

Count Four: Fraud by Wire

Base offense level USSG § 2B1.1 (a)(1):	7
Amount of Loss (+\$40,000) USSG § 2B1.1 (b)(1)(G):	+6
<u>Zero Point Offender USSG § 4C1.1:</u>	<u>-2</u>
Adjusted Offense Level:	11

Grouping: USSG § 3D

Group 1: Counts One and Four USSG § § 3D1.2 (b); 3D1.3: 12

<u>Combined Offense Level USSG § 3D1.4:</u>	<u>0</u>
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Combined Adjusted Offense Level:	12
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13. Reduction for Acceptance of Responsibility: Under USSG § 3E1.1(a), the USAO will recommend that defendant receive a two-level downward adjustment for acceptance of responsibility unless defendant (a) fails to truthfully admit facts establishing a factual basis for the guilty pleas when defendant enters the pleas; (b) fails to truthfully admit facts establishing the amount of restitution owed when defendant enters the guilty pleas; (c) fails to truthfully admit facts establishing the forfeiture allegations when defendant enters the guilty pleas; (d) provides false or misleading information to the USAO, the Court, Pretrial Services, or the Probation Office; (e) denies involvement in the offenses or provides conflicting statements regarding defendant's involvement or falsely denies or frivolously contests conduct relevant to the offenses; (f) attempts to withdraw defendant's guilty pleas; (g) commits or attempts to commit any crime; (h) fails to appear in court; or (i) violates the conditions of pretrial release.

1 Under USSG § 3E1.1(b), if the district court determines that defendant's total offense
2 level before operation of § 3E1.1(a) is 16 or higher, and if the USAO recommends a two-level
3 downward adjustment pursuant to the preceding paragraph, the USAO will move for an
4 additional one-level downward adjustment for acceptance of responsibility before sentencing
5 because defendant communicated defendant's decision to plead guilty in a timely manner that
6 enabled the USAO to avoid preparing for trial and to efficiently allocate its resources.

7 14. Criminal History Category: Defendant acknowledges that the district court may
8 base defendant's sentence in part on defendant's criminal record or criminal history. The district
9 court will determine defendant's criminal history category under the sentencing guidelines.

10 15. Additional Sentencing Information: The stipulated sentencing guidelines
11 calculations are based on information now known to the parties. Defendant understands that
12 both defendant and the USAO are free to (a) supplement the facts in this agreement by supplying
13 relevant information to the U.S. Probation and Pretrial Services Offices and the district court
14 regarding the nature, scope, and extent of defendant's criminal conduct, any aggravating or
15 mitigating facts or circumstances, and any evidence relevant to the determination of the amount
16 of restitution; and (b) correct any and all factual misstatements relating to the district court's
17 sentencing guidelines calculations and determination of sentence. While this paragraph permits
18 both the USAO and defendant to submit full and complete factual information to the U.S.
19 Probation and Pretrial Services Offices and the district court, even if that factual information
20 may be viewed as inconsistent with the facts agreed to in this agreement, this paragraph does not
21 affect defendant's and the USAO's obligations not to contest the facts agreed to in this
22 agreement. Good faith efforts to provide truthful information or to correct factual misstatements
23 shall not be grounds for defendant to withdraw defendant's guilty pleas.

1 Defendant acknowledges that the U.S. Probation Office may calculate the sentencing
2 guidelines differently and may rely on additional information it obtains through its investigation.
3 Defendant also acknowledges that the district court may rely on this and other additional
4 information as it calculates the sentencing guidelines range and makes other sentencing
5 determinations, and the district court's reliance on such information shall not be grounds for
6 defendant to withdraw defendant's guilty pleas.

7 VII. POSITIONS REGARDING SENTENCING

8 16. The parties agree to jointly recommend that the district court impose a sentence
9 of probation for a period of three (3) years.

10 17. The parties further agree to the imposition of the following condition of
11 probation:

12 Whenever asked or required, the defendant shall disclose the fact of a conviction
13 when making any application for employment and/or when making application
for licensure or other authorization issued by any State or Federal regulatory
authority.

14 18. Subject to the limitations herein, the government further agrees not to argue for a
15 period of imprisonment; however, it is free to argue for a period of Home Detention in lieu of
16 imprisonment for a period up to, but not to exceed, one (1) year, as a condition of the
17 imposition of probation in accord with USSG § 5F.2.

18 19. Defendant is free to argue for the imposition of no Home Detention.

19 20. Subject to the limitations herein, defendant acknowledges and understands that
20 any sentence of probation imposed by the Court may include such mandatory, discretionary,
21 and standard terms and conditions as provided in USSG § 5B1.3.

22 21. Subject to the limitations herein, the parties further agree that the government is
23 free to argue for such other terms and conditions of probation as provided for by statute and/or
24 the USSG.

1 22. To the extent that any Guideline sentence as determined by the Court exceeds the
2 terms agreed to above, the parties agree to jointly recommend a variance under Section 3553(a)
3 from the guideline calculation to arrive at the agreed upon terms set forth above.

4 23. Defendant acknowledges and understands that the district court does not have to
5 follow the recommendation of either party when imposing sentence.

6 24. Notwithstanding its agreement to recommend a sentence as described above, the
7 USAO reserves its right to defend any lawfully imposed sentence on appeal or in any post-
8 conviction litigation.

9 25. If defendant commits any act that results in the Court finding that defendant is
10 not entitled to a downward adjustment for acceptance of responsibility, the USAO is entitled to
11 argue for any sentence it deems appropriate under 18 U.S.C. § 3553(a). In any such event,
12 Defendant remains bound by the provisions of this agreement and shall not have the right to
13 withdraw defendant's guilty pleas.

14 **VIII. WAIVER OF CONSTITUTIONAL RIGHTS**

15 26. Defendant understands that by pleading guilty, defendant gives up the following
16 rights:

- 17 a. The right to persist in a plea of not guilty;
- 18 b. The right to a speedy and public trial by jury;
- 19 c. The right to be represented by counsel—and if necessary have the court
20 appoint counsel—at trial. Defendant understands, however, that, defendant retains the right to
21 be represented by counsel—and if necessary have the court appoint counsel—at every other stage
22 of the proceeding;
- 23 d. The right to be presumed innocent and to have the burden of proof placed
24 on the USAO to prove defendant guilty beyond a reasonable doubt;

1 e. The right to confront and cross-examine witnesses against defendant;

2 f. The right to testify and to present evidence in opposition to the charges,
3 including the right to compel the attendance of witnesses to testify;

4 g. The right not to be compelled to testify, and, if defendant chose not to
5 testify or present evidence, to have that choice not be used against defendant; and

6 h. The right to pursue any affirmative defenses; Fourth Amendment or Fifth
7 Amendment claims; any other pretrial motions that have been or could have been filed; and
8 challenges to any adverse pre-trial rulings.

9 **IX. WAIVER OF APPELLATE RIGHTS**

10 27. Waiver of Appellate Rights: Defendant knowingly and expressly waives the right
11 to appeal: (a) any sentence imposed within or below the applicable Sentencing Guideline range
12 as determined by the district court; (b) the manner in which the district court determined that
13 sentence on the grounds set forth in 18 U.S.C. § 3742; (c) any other aspect of the conviction,
14 including but not limited to the constitutionality of the statutes of conviction; and (d) any other
15 aspect of the sentence, including but not limited to the constitutionality of any mandatory or
16 standard conditions of supervised release; the denial of any motion for early termination of
17 supervised release; and any order of restitution or forfeiture.

18 28. Defendant reserves only the right to appeal any portion of the sentence that is an
19 upward departure or variance from the applicable Sentencing Guideline range as determined by
20 the district court.

21 29. Waiver of Post-Conviction Rights: Defendant also knowingly and expressly
22 waives all collateral challenges, including any claims under 28 U.S.C. § 2255, to defendant's
23 conviction, sentence, and the procedure by which the district court adjudicated guilt and
24 imposed sentence, except non-waivable claims of ineffective assistance of counsel.

**XI. RESULT OF WITHDRAWAL OF GUILTY PLEAS
OR VACATUR/REVERSAL/SET-ASIDE OF CONVICTION**

30. Consequence of Withdrawal of Guilty Pleas: Defendant agrees that if, after entering guilty pleas pursuant to this agreement, defendant seeks to withdraw and succeeds in withdrawing defendant's guilty pleas on any basis other than a claim and finding that entry into this agreement was involuntary, then (a) the USAO will be relieved of all of its obligations under this agreement and (b) should the USAO choose to pursue any charge that was either dismissed or not filed as a result of this agreement, or that the government agreed to move to dismiss at sentencing as part of this agreement, or that the government agreed to move to dismiss at sentencing as part of this agreement, then (i) any applicable statute of limitations will be tolled between the date of defendant's signing of this agreement and the filing commencing any such action; and (ii) defendant waives and gives up all defenses based on the statute of limitations, any claim of pre-indictment delay, or any speedy trial claim with respect to any such action, except to the extent that such defenses existed as of the date of defendant's signing this agreement.

31. Consequence of Vacatur, Reversal, or Set-aside: Defendant agrees that if any count of conviction is vacated, reversed, or set aside, the USAO may: (a) ask the district court to resentence defendant on any remaining counts of conviction, with both the USAO and defendant being released from any stipulations regarding sentencing contained in this agreement; (b) ask the district court to void the entire plea agreement and vacate defendant's guilty pleas on any remaining counts of conviction, with both the USAO and defendant being released from all their obligations under this agreement; or (c) leave defendant's remaining conviction, sentence, and plea agreement intact. Defendant agrees that the choice among these three options rests in the exclusive discretion of the USAO, and that, should the USAO choose to pursue any charge that was either dismissed or not filed as a result of this agreement, then (i) any applicable statute

1 of limitations will be tolled between the date of defendant's signing of this agreement and the
2 filing commencing any such action; and (ii) defendant waives and gives up all defenses based on
3 the statute of limitations, any claim of pre-indictment delay, or any speedy trial claim with
4 respect to any such action, except to the extent that such defenses existed as of the date of
5 defendant's signing this agreement.

6 **XII. BREACH OF AGREEMENT**

7 32. Defendant agrees that if, at any time after this agreement becomes effective,
8 defendant knowingly violates or fails to perform any of defendant's obligations under this
9 agreement ("a breach"), the USAO may declare this agreement breached. All of defendant's
10 obligations are material, a single breach of this agreement is sufficient for the USAO to declare a
11 breach, and defendant shall not be deemed to have cured a breach without the express agreement
12 of the USAO in writing. If the USAO declares this agreement breached, and the district court
13 finds such a breach to have occurred, then: (a) if defendant has previously entered guilty pleas
14 pursuant to this agreement, defendant will remain bound by the provisions of this agreement and
15 will not be able to withdraw the guilty pleas; and (b) the USAO will be relieved of all its
16 obligations under this agreement.

17 **XIII. COURT AND UNITED STATES PROBATION 18 AND PRETRIAL SERVICES OFFICE NOT PARTIES**

19 33. Defendant understands that the Court and the U.S. Probation and Pretrial
20 Services Office are not parties to this agreement and need not accept any of the USAO's
21 sentencing recommendations or the parties' agreements to facts or sentencing factors.

22 34. Defendant understands that both defendant and the USAO are free to argue on
23 appeal and collateral review that the district court's sentencing guidelines calculations and the
24 sentence it chooses to impose are not error.

1 35. Defendant understands that even if the district court ignores any sentencing
2 recommendation, finds facts or reaches conclusions different from those agreed to by the parties,
3 or imposes any sentence up to the maximum established by statute, defendant cannot, for that
4 reason, withdraw defendant's guilty pleas, and defendant will remain bound to fulfill all
5 defendant's obligations under this agreement. Defendant understands that no one—not the
6 prosecutor, defendant's attorney, or the Court—can make a binding prediction or promise
7 regarding the sentence defendant will receive, except that it will be within the statutory
8 maximum.

9 **XIV. ADDITIONAL ACKNOWLEDGMENTS**

10 36. Defendant acknowledges that:

11 a. Defendant has read this agreement and understands its terms and
12 conditions.

13 b. Defendant had adequate time to discuss this case, the evidence, and this
14 agreement with defendant's attorney.

15 c. Defendant carefully and thoroughly discussed all terms of this agreement
16 with defendant's attorney.

17 d. Defendant understands the terms of this agreement and voluntarily agrees
18 to those terms.

19 e. Defendant has discussed with defendant's attorney the following: the
20 evidence; defendant's rights; possible pretrial motions that might be filed; possible defenses that
21 might be asserted either prior to or at trial; the sentencing factors set forth in 18 U.S.C. § 3553(a);
22 the relevant sentencing guidelines provisions; and consequences of entering into this agreement.

23 f. The representations contained in this agreement are true and correct,
24 including the factual basis for defendant's offenses set forth in this agreement.

1 g. Defendant was not under the influence of any alcohol, drug, or medicine
2 that would impair defendant's ability to understand the agreement when defendant considered
3 signing this agreement and when defendant signed it.

4 37. Defendant understands that defendant alone decides whether to plead guilty or go
5 to trial, and acknowledges that defendant has decided to enter defendant's guilty pleas knowing
6 of the charges brought against defendant, defendant's possible defenses, and the benefits and
7 possible detriments of proceeding to trial.

8 38. Defendant understands that no promises, understandings, or agreements other
9 than those set forth in this agreement have been made or implied by defendant, defendant's
10 attorney, or the USAO, and no additional promises, agreements, or conditions shall have any
11 force or effect unless set forth in writing and signed by all parties or confirmed on the record
12 before the district court.

13 39. Defendant acknowledges that defendant decided to plead guilty voluntarily and
14 that no one threatened, coerced, or forced defendant to enter into this agreement.

15 40. Defendant is satisfied with the representation of defendant's attorney, and
16 defendant is pleading guilty because defendant is guilty of the charges and chooses to take
17 advantage of the promises set forth in this agreement and for no other reason.

18 **XV. PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING**

19 41. The parties agree that this agreement will be considered part of the record of
20 defendant's guilty plea hearing as if the entire agreement had been read into the record of the
21 proceeding.
22
23
24

1 Acting United States Attorney

2
3 STEVEN W. MYHRE
4 JUSTIN W. WASHBURN
Assistant United States Attorney

Date

5
6 
7 DAVID E. BORUCHOWITZ
Defendant

03/06/2025

Date

8 
9 
10 CRANE M. POMERANTZ
11 AUSTIN BARNUM
Attorneys for Defendant Boruchowitz

03/06/2025

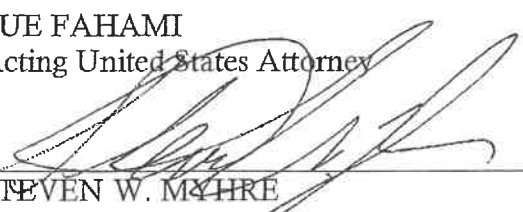
Date

1 AGREED AND ACCEPTED

2 UNITED STATES ATTORNEY'S OFFICE
3 FOR THE DISTRICT OF NEVADA

4 SUE FAHAMI

Acting United States Attorney

5 
6 STEVEN W. MYHRE

JUSTIN W. WASHBURNE

7 Assistant United States Attorney

3-7-2025
Date

8
9
10 DAVID E. BORUCHOWITZ

Defendant

Date

11
12
13 CRANE M. POMERANTZ

AUSTIN BARNUM

14 Attorneys for Defendant Boruchowitz

Date

UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

David E. Boruchowitz

JUDGMENT IN A CRIMINAL CASE

Case Number: 2:23-cr-00149-APG-BNW-1

USM Number: 73747-510

Crane M. Pomerantz and Austin T. Barnum

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) One and Four of the Criminal Indictment☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 242 and 2	Deprivation of Rights Under Color of Law; Aiding and Abetting	2/26/2019	1
18 USC 1343 and 2	Fraud by Wire; Aiding and Abetting	2/26/2019	4

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☒ Count(s) all remaining ☐ is ☒ are dismissed on the motion of the United States.

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

7/15/2025

Date of Imposition of Judgment

Signature of Judge

ANDREW P. GORDON, CHIEF U.S. DISTRICT JUDGE

Name and Title of Judge

July 16, 2025

Date

EXHIBIT H

DEFENDANT: David E. Boruchowitz
CASE NUMBER: 2:23-cr-00149-APG-BNW-1

PROBATION

You are hereby sentenced to probation for a term of:

- Count 1: 1 year,
- Count 4: 3 years, both counts, concurrent.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.
 - ☒ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*
7. ☐ You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

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

DEFENDANT: David E. Boruchowitz
CASE NUMBER: 2:23-cr-00149-APG-BNW-1

STANDARD CONDITIONS OF SUPERVISION

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

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

U.S. Probation Office Use Only

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

Defendant's Signature _____

Date _____

DEFENDANT: David E. Boruchowitz
CASE NUMBER: 2:23-cr-00149-APG-BNW-1

SPECIAL CONDITIONS OF SUPERVISION

1. Employment Restriction – You must not engage in an occupation, business, or profession, or volunteer activity that would require or enable you to work in law enforcement without the prior approval of the probation officer.
2. No Contact – You must not communicate, or otherwise interact, with A.E., either directly or through someone else, without first obtaining the permission of the probation office.
3. Search and Seizure – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

4. Third Party Risk-The defendant shall disclose the fact of a conviction when making any application for employment and/or when making application for licensure or other authorization issued by any State or Federal regulatory authority.
5. monitoring technology indicated below for a period of up to 180 days, and you must follow the rules and regulations of the location monitoring program.

☒ Location monitoring technology at the discretion of the probation officer.

☒ You are restricted to your residence every day at the discretion of the probation officer (Curfew).

DEFENDANT: David E. Boruchowitz
CASE NUMBER: 2:23-cr-00149-APG-BNW-1

CRIMINAL MONETARY PENALTIES

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

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 125.00	\$ 0.00	\$ 35,000.00	\$ 0.00	\$ 0.00

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

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

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

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	----------------------	----------------------------	-------------------------------

TOTALS	\$ 0.00	\$ 0.00
---------------	---------	---------

☐ Restitution amount ordered pursuant to plea agreement \$ _____

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

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

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

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

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

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

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

DEFENDANT: David E. Boruchowitz
 CASE NUMBER: 2:23-cr-00149-APG-BNW-1

SCHEDULE OF PAYMENTS

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

- A** ☒ Lump sum payment of \$ 35,125.00 due immediately, balance due
- ☒ not later than 8/1/2025, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

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

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

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
---	--------------	-----------------------------	--

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

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

14. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) and NAC 289.290 (1)(g) for the possible revocation of the category I basic certificate held by Kevin Menon, former employee of the Las Vegas Metropolitan Police Department, based on the conviction of, entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and felony. The conviction(s) that have led to this action are:

CASE NO: C-24-386532-1

COUNT 1: OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor) in violation of NRS 199.200(2)(B)

COUNT 2: SUBORNATION OF PERJURY (Category D Felony) in violation of NRS 199.120

COUNT 3: BATTERY ON A PROTECTED PERSON (Gross Misdemeanor) in violation of NRS 200.481

COUNT 4: OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL FORCE (Category D Felony) in violation of NRS 197.200

CASE NO: C-24-387164-1

COUNT 1: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730

COUNT 2: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730

COUNT 3: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730

COUNT 4: CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (Gross Misdemeanor) in violation of NRS 200.604

Possible action may include revocation of the 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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

October 2, 2025

Kevin Menon

[REDACTED]
Las Vegas, NV 89128

POST PIN #: 32344

Dear Mr. Menon,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290 (1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The convictions which have led to this action are as follows:

CASE NO: C-24-386532-1

COUNT 1: OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor) in violation of NRS 199.200(2)(B)

COUNT 2: SUBORNATION OF PERJURY (Category D Felony) in violation of NRS 199.120

COUNT 3: BATTERY ON A PROTECTED PERSON (Gross Misdemeanor) in violation of NRS 200.481

COUNT 4: OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL FORCE (Category D Felony) in violation of NRS 197.200

EXHIBIT A

CASE NO: C-24-387164-1

- COUNT 1: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730**
COUNT 2: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730
COUNT 3: POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730
COUNT 4: CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (Gross Misdemeanor) in violation of NRS 200.604

Dept No: XXVIII

Jurisdiction: DISTRICT COURT CLARK COUNTY, NEVADA

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

Written requests can be made to:

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

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

Date: Wednesday, October 29, 2025

Time: 1:00 p.m.

Location: Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked pursuant to **NAC 289.290 (1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor and NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kathy Floyd', written in dark ink.

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

cc: Deputy Attorney General Jesselyn De Luna
Deputy Attorney General John M. Nolan
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. ([NRS 289.510](#))

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

- (a) Willful falsification of any information provided to obtain the certificate.
- (b) A permanent or chronic physical or mental disability affecting the officer's ability to perform his or her full range of duties.
- (c) Chronic drinking or drunkenness on duty.
- (d) Addiction to or the unlawful use or possession of narcotics or other drugs.
- (e) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed.
- (f) Failure to comply with the standards established in this chapter.
- (g) Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction or entry of a plea of guilty, guilty but mentally ill or nolo contendere, the certificate will be revoked.
- (h) 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. 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.
- (i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). 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.

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 personal service or 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.

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

6. When an officer notifies the Commission of his or her intention to appear and answer the charges pending against him or her, the Commission will elect to sit as a whole at a hearing or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. The Commission will review the recommendations of any such hearing officer and arrive at a decision by majority vote of the members present.

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

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

9. If, upon receiving a written allegation that a peace officer is in violation of any provision of subsection 1

and that the facts and circumstances indicate that suspension rather than revocation would be in the best interests of the agency and law enforcement in general, the Commission will suspend the officer's certificate.

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)



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

DECLARATION OF SERVICE

I, Attw Jonathan Binder, served the foregoing Notice of Intent to Revoke
Print name of the person serving this document

to Individual's Name: **Kevin Menon**

at High Desert State Prison on this
(location)
13th day of October, 2025.
Day Month Year

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

Executed on this 13th day of October, 2025.
Day Month Year

Jonathan Binder
Signature of person serving the Notice

[Signature]
Printed name of person serving the Notice

I have received a copy of the Notice of Intent to Revoke X
[Signature]
(Kevin Menon)

RETURN THE SIGNED ORIGINAL OF THIS FORM TO POST WITHIN 10 DAYS

EXHIBIT B



State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency Login

Agency Name *

LV Metro PD

Employee Details

POST ID *

32344

First Name *

KEVIN

Last Name *

MENON

Middle Initial

H

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *

☒ Line ☐ Supervisor ☐ Management ☐ Executive

*

☐ Part Time ☒ Full Time

Status Changed

☐ Deceased ☐ Retired ☒ Separated

Effective Date *

06/02/2025

EXHIBIT C

NAC 289.290 Notification (Cause for Commission Action)

Pursuant to NAC 289.290(3): "The employing agency shall notify the Commission anytime that it becomes aware that one of its officer's 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

Is your agency requesting revocation?

☐ Yes ☐ No

Comments\Additional Information:

Court Cases: "C-24-387164-1, C-24-386532-1, C-25-390224-1" Menon plead guilty to 3 counts of Possession of Child Pornography, 1 count of Capturing Image of the Private Area of Another, 1 count of Oppression, 1 count of Subornation of Perjury, 1 count of Battery on a Protected Person, and one count of Oppression of w/Force.

Submitter Details		
Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail Address
Jessica Reynolds	702-828-6944	J16596R@LVMPD.com

txtFormType

Update PAR

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

BASIC CERTIFICATE CATEGORY I

To

Kevin H. Menon

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



Governor



*Executive Director, Commission on Peace Officers'
Standards and Training*

POST ID No.

32344

Presented this

24th

day of

September

' **2014**

EXHIBIT D

CASE NO: C-24-386532-1

Steven D. Grierson

1 IND
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 K. NICHOLAS PORTZ
6 Chief Deputy District Attorney
7 Nevada Bar #12473
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountynv.gov
13 Attorney for the Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,

CASE NO: C-24-386532-1

DEPT NO: XXVIII

12 -vs-

13 KEVIN HENDRICK MENON #6016545

14 Defendant.

INDICTMENT

15 The Defendant above named, accused by the Clark County Grand Jury of the crime(s)
16 within the County of Clark, State of Nevada, on or about or between April 26, 2024 and May
17 10, 2024, committed one or more of the following crime(s): OPPRESSION UNDER COLOR
18 OF OFFICE (GROSS MISDEMEANOR - NRS 197.200(2)(B) - NOC 52314), OPPRESSION
19 UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL
20 FORCE (CATEGORY D FELONY - NRS 197.200 - NOC 52313), SUBORNATION OF
21 PERJURY (CATEGORY D FELONY - NRS 199.120 - NOC 52972) and/or BATTERY ON
22 A PROTECTED PERSON (GROSS MISDEMEANOR - NRS 200.481 - NOC 50221), as
23 follows, to wit:

24 COUNT 1 - OPPRESSION UNDER COLOR OF OFFICE

25 did on or about April 26, 2024, willfully, unlawfully, and maliciously, under pretense
26 or color of official authority while acting within his official capacity as a Sergeant with the
27 Las Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
28 detained, [REDACTED] against his will and/or acted in a manner whereby [REDACTED]

1 [REDACTED] person, property, and/or rights were injured, whereby Defendant, acting in a plain-
2 clothes capacity, sat near [REDACTED] and engaged or appeared to engage in suspicious
3 behavior while sitting near [REDACTED] in an attempt to fabricate a basis to
4 detain [REDACTED], thereafter [REDACTED] was detained without reasonable
5 suspicion and/or probable cause.

6 COUNT 2 - OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT
7 OR USE OF PHYSICAL FORCE

8 did on or about May 3, 2024, willfully, unlawfully, and maliciously, under pretense or
9 color of official authority while acting within his official capacity as a Sergeant with the Las
10 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
11 detained, [REDACTED] against his will and/or acted in a manner
12 whereby [REDACTED] person, property and/or rights were injured, with the use of
13 force or the immediate threat of physical force, whereby Defendant, acting in a plain-clothes
14 capacity, did physically batter and/or "shoulder-check" the said [REDACTED] while
15 the said [REDACTED] was walking along a pedestrian bridge in an attempt to elicit an
16 aggressive response and/or to fabricate a basis to ultimately detain and/or arrest [REDACTED]
17 [REDACTED]

18 COUNT 3 - OPPRESSION UNDER COLOR OF OFFICE

19 did on or about May 4, 2024, willfully, unlawfully, and maliciously, under pretense or
20 color of official authority while acting within his official capacity as a Sergeant with the Las
21 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
22 detained, [REDACTED] against his will and/or acted in a manner
23 whereby [REDACTED] person, property and/or rights were injured, whereby
24 Defendant engaged in aggressive behavior towards [REDACTED] in an attempt to
25 elicit an aggressive response and/or to fabricate a basis to stop and/or detain and/or
26 arrest [REDACTED]

27 //

28 //

1 COUNT 4 - SUBORNATION OF PERJURY

2 did on or about May 4, 2024, willfully, unlawfully, and feloniously, in a matter where,
3 by law, an oath or affirmation was required, to wit: a Declaration of Arrest Report, suborned
4 another person, to wit: [REDACTED] of the Las Vegas Metropolitan Police Department, to
5 willfully and falsely swear or affirm in a matter material to the issue or point in question, to
6 wit: that the factual basis for probable cause to arrest [REDACTED], which Defendant
7 knew to be false, was the following: that [REDACTED] attempted to instigate a fight
8 with Defendant whereby [REDACTED] closed distance with Defendant and/or came
9 within inches from Defendant's face and/or challenged Defendant to fight and/or that
10 [REDACTED] attempted to stomp on officers' feet.

11 COUNT 5 - OPPRESSION UNDER COLOR OF OFFICE

12 did on or about May 5, 2024, willfully, unlawfully, and maliciously, under pretense or
13 color of official authority while acting within his official capacity as a Sergeant with the Las
14 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
15 detained, [REDACTED] against his will and/or acted in a manner whereby [REDACTED]
16 [REDACTED] person, property and/or rights were injured, by causing and/or directing officers
17 to detain and/or arrest [REDACTED] when in truth and fact he knew there was no
18 reasonable suspicion or probable cause to detain and/or arrest [REDACTED]
19 Defendant later fabricating the factual basis to justify the detention to his officers and the
20 factual basis for the arrest of [REDACTED] by falsely stating that [REDACTED]
21 [REDACTED] said "suck my dick" to a group of females while lingering outside a restroom.

22 COUNT 6 - OPPRESSION UNDER COLOR OF OFFICE

23 did on or about May 5, 2024, willfully, unlawfully, and maliciously, under pretense or
24 color of official authority while acting within his official capacity as a Sergeant with the Las
25 Vegas Metropolitan Police Department, acted in a manner whereby [REDACTED]
26 [REDACTED] person, property and/or rights were injured, by causing and/or directing and/or
27 ordering officers to illegally search a vehicle belonging to and/or in possession of [REDACTED]
28

1 [REDACTED] without the consent of the said [REDACTED], when in truth and fact
2 Defendant knew there was no probable cause to search said vehicle.

3 COUNT 7 - OPPRESSION UNDER COLOR OF OFFICE

4 did on or about May 5, 2024, willfully, unlawfully, and maliciously, under pretense or
5 color of official authority while acting within his official capacity as a Sergeant with the Las
6 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
7 detained, [REDACTED] against his will and/or acted in a manner
8 whereby [REDACTED] person, property and/or rights were injured, by causing
9 and/or directing officers to detain [REDACTED] when in truth and fact he knew
10 there was no reasonable suspicion or probable cause to detain [REDACTED]

11 COUNT 8 - OPPRESSION UNDER COLOR OF OFFICE

12 did on or about May 5, 2024, willfully, unlawfully, and maliciously, under pretense or
13 color of official authority while acting within his official capacity as a Sergeant with the Las
14 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
15 detained, [REDACTED] against his will and/or acted in a manner whereby [REDACTED]
16 [REDACTED] person, property and/or rights were injured, by causing and/or directing officers to
17 detain [REDACTED] when in truth and fact he knew there was no reasonable suspicion or
18 probable cause to detain [REDACTED]

19 COUNT 9 - OPPRESSION UNDER COLOR OF OFFICE

20 did on or about May 5, 2024, willfully, unlawfully, and maliciously, under pretense or
21 color of official authority while acting within his official capacity as a Sergeant with the Las
22 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
23 detained, [REDACTED] against his will and/or acted in a manner
24 whereby [REDACTED] person, property and/or rights were injured, by causing
25 and/or directing officers to detain [REDACTED] when in truth and fact he knew there
26 was no reasonable suspicion or probable cause to detain [REDACTED]

27 //

28 //

1 COUNT 10 - SUBORNATION OF PERJURY

2 did on or about May 5, 2024, willfully, unlawfully, and feloniously, in a matter where,
3 by law, an oath or affirmation was required, to wit: a Declaration of Arrest Report, suborned
4 another person, to wit: [REDACTED] of the Las Vegas Metropolitan Police Department,
5 to willfully swear or affirm in a matter material to the issue or point in question, to wit: that
6 there the factual basis for probable cause to arrest [REDACTED], which Defendant
7 knew to be false, was the following: that the said [REDACTED] solicited a lewd or
8 lascivious act while loitering about a public restroom.

9 COUNT 11 - BATTERY ON A PROTECTED PERSON

10 did on or about May 5, 2024, willfully, unlawfully and knowingly use force or violence
11 upon the person of another, [REDACTED] an officer, employed with the Las
12 Vegas Metropolitan Police Department, who was performing the duties of an officer, which
13 Defendant knew or should have known that [REDACTED] was an officer, by
14 pushing and/or shoving the said [REDACTED]

15 COUNT 12 - OPPRESSION UNDER COLOR OF OFFICE

16 did on or about May 10, 2024, willfully, unlawfully, and maliciously, under pretense or
17 color of official authority while acting within his official capacity as a Sergeant with the Las
18 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
19 detained, [REDACTED] against his will and/or acted in a manner whereby [REDACTED]
20 [REDACTED] person, property and/or rights were injured, whereby Defendant, acting in a plain-
21 clothes capacity, approached [REDACTED] and/or [REDACTED] and engaged in, or
22 attempted to engage in, suspicious and/or fraudulent activity directed at the said [REDACTED]
23 [REDACTED] and/or [REDACTED] in an attempt to fabricate a basis to stop and/or detain
24 and/or arrest the said [REDACTED] thereafter Defendant directing and/or ordering
25 officer(s) under his command to detain the said [REDACTED] without reasonable suspicion
26 and/or probable cause.

27 //

28 //

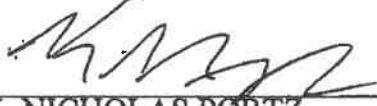
1 COUNT 13 - OPPRESSION UNDER COLOR OF OFFICE

2 did on or about May 10, 2024, willfully, unlawfully, and maliciously, under pretense or
3 color of official authority while acting within his official capacity as a Sergeant with the Las
4 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
5 detained, [REDACTED] against his will and/or acted in a manner whereby [REDACTED]
6 [REDACTED] person, property and/or rights were injured, whereby Defendant, acting in a plain-
7 clothes capacity, approached [REDACTED] and/or [REDACTED] and engaged in, or
8 attempted to engage in, suspicious and/or fraudulent activity directed at the said [REDACTED]
9 [REDACTED] and/or [REDACTED] in an attempt to fabricate a basis to stop and/or detain
10 and/or arrest the said [REDACTED], thereafter Defendant directing and/or ordering
11 officer(s) under his command to detain the said [REDACTED] without reasonable
12 suspicion and/or probable cause.

13 DATED this 8 day of October, 2024.

14 STEVEN B. WOLFSON
15 Clark County District Attorney

16 BY

17 
18 K. NICHOLAS PORTZ
19 Chief Deputy District Attorney
20 Nevada Bar #12473

21 ENDORSEMENT: A True Bill

22 
23 Foreperson, Clark County Grand Jury
24
25
26
27
28

1 Names of Witnesses and testifying before the Grand Jury:

2 ACDA, SETH – LVMPD

3 ARMIJO, ABBYGAIL – LVMPD

4 BEHUNIN, RAWLIN – LVMPD

5 CANDOLESAS, JUSTIN – LVMPD

6 CONNELL, STEVE – LVMPD

7 CORSARO, STEPHEN – LVMPD

8 CRUZ, CHARLES – LVMPD

9 FLYGARE, BRETT – LVMPD

10 HAJDUK, NICHOLAS – LVMPD

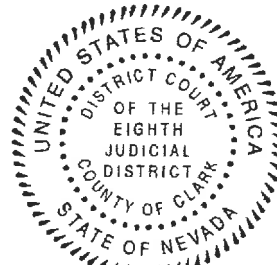
11 LUCK, MATTHEW – I.A.

12 MCMURTRY, TRAVIS – LVMPD

13 SANCHEZ, ERIK – LVMPD

14
15 Additional Witnesses known to the District Attorney at time of filing the Indictment:

16
17
18
19
20 August 19, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

24AGJ147X/24CR074082/ed
LLV240800020553

1 IND
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 CHRISTOPHER HAMNER
6 Chief Deputy District Attorney
7 Nevada Bar #11390
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountydav.gov
13 Attorney for the Plaintiff

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

MAY 28 2025

BY, *Patia C.*
PATIA CUNNINGHAM, DEPUTY

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,
12 -vs-

13 KEVIN HENDRICK MENON #6016545
14 Defendant.

CASE NO: C-24-386532-1

DEPT NO: XXVIII

AMENDED
INDICTMENT

15 The Defendant above named, accused by the Clark County Grand Jury of the crime(s)
16 within the County of Clark, State of Nevada, on or about or between April 26, 2024 and May
17 10, 2024, committed one or more of the following crime(s): OPPRESSION UNDER COLOR
18 OF OFFICE (GROSS MISDEMEANOR - NRS 197.200(2)(B) - NOC 52314),
19 SUBORNATION OF PERJURY (CATEGORY D FELONY - NRS 199.120 - NOC 52972),
20 BATTERY ON A PROTECTED PERSON (GROSS MISDEMEANOR - NRS 200.481 -
21 NOC 50221) and OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE
22 THREAT OR USE OF PHYSICAL FORCE (CATEGORY D FELONY - NRS 197.200 -
23 NOC 52313), as follows, to wit:

24 COUNT 1 - OPPRESSION UNDER COLOR OF OFFICE

25 did on or between April 26, 2024 and May 10, 2024, willfully, unlawfully, and
26 maliciously, under pretense or color of official authority while acting within his official
27 capacity as a Sergeant with the Las Vegas Metropolitan Police Department, arrested or
28 detained, or caused to be arrested or detained, [REDACTED] and [REDACTED]

C-24-386532-1
AIND
Amended Indictment
5135412

EXHIBIT F



1 and [REDACTED] and [REDACTED] and [REDACTED] and
2 [REDACTED] and [REDACTED] and [REDACTED] and against his will
3 and/or acted in a manner whereby [REDACTED] and [REDACTED] and
4 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
5 [REDACTED] and [REDACTED] and [REDACTED] person, property, and/or rights were
6 injured, whereby Defendant, acting in a plain-clothes capacity, sat near [REDACTED] and
7 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
8 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED] and
9 engaged or appeared to engage in suspicious behavior while sitting near [REDACTED]
10 and [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
11 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
12 in an attempt to fabricate a basis to detain [REDACTED] and [REDACTED] and
13 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
14 [REDACTED] and [REDACTED] and [REDACTED] thereafter [REDACTED] and
15 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
16 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED] was
17 detained without reasonable suspicion and/or probable cause.

18 COUNT 2 - SUBORNATION OF PERJURY

19 did on or between May 4, 2024 and May 5, 2024, willfully, unlawfully, and
20 feloniously, in a matter where, by law, an oath or affirmation was required, to wit: a
21 Declaration of Arrest Report, suborned another person, to wit: [REDACTED] of the Las
22 Vegas Metropolitan Police Department, to willfully and falsely swear or affirm in a matter
23 material to the issue or point in question, to wit: that the factual basis for probable cause to
24 arrest [REDACTED], which Defendant knew to be false, was the following: that
25 [REDACTED] and attempted to instigate a fight with Defendant whereby [REDACTED]
26 [REDACTED] closed distance with Defendant and/or came within inches from Defendant's face
27 and/or challenged Defendant to fight and/or that [REDACTED] attempted to stomp on
28 officers' feet; and/or [REDACTED] of the Las Vegas Metropolitan Police Department, to

1 willfully swear or affirm in a matter material to the issue or point in question, to wit: that there
2 the factual basis for probable cause to arrest [REDACTED] which Defendant knew
3 to be false, was the following: that the said [REDACTED] solicited a lewd or
4 lascivious act while loitering about a public restroom.

5 COUNT 3 - BATTERY ON A PROTECTED PERSON

6 did on or about May 5, 2024, willfully, unlawfully and knowingly use force or violence
7 upon the person of another, [REDACTED] an officer, employed with the Las
8 Vegas Metropolitan Police Department, who was performing the duties of an officer; which
9 Defendant knew or should have known that [REDACTED] was an officer, by
10 pushing and/or shoving the said [REDACTED]

11 COUNT 4 - OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT
12 OR USE OF PHYSICAL FORCE (and [REDACTED])

13 did on or about May 3, 2024, willfully, unlawfully, and maliciously, under pretense or
14 color of official authority while acting within his official capacity as a Sergeant with the Las
15 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
16 detained, [REDACTED] against his will and/or acted in a manner
17 whereby [REDACTED] person, property and/or rights were injured, with the use of
18 force or the immediate threat of physical force, whereby Defendant, acting in a plain-clothes
19 capacity, did physically batter and/or "shoulder-check" the said [REDACTED] while
20 the said [REDACTED] was walking along a pedestrian bridge in an attempt to elicit an
21 aggressive response and/or to fabricate a basis to ultimately detain and/or arrest [REDACTED]
22 [REDACTED]

23 DATED this 10th day of April, 2025.

24 STEVEN B. WOLFSON
25 Clark County District Attorney

26 BY /s/CHRISTOPHER HAMNER
27 CHRISTOPHER HAMNER
28 Chief Deputy District Attorney
Nevada Bar #11390

24AGJ147X/24CR074082/dd-Homicide
LLV240800020553

August 19, 2025

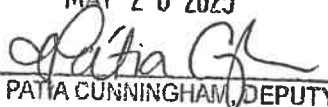


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ELECTRONIC SEAL (NRS 1.190(3))

1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 CHRISTOPHER HAMNER
6 Chief Deputy District Attorney
7 Nevada Bar #11390
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountydav.gov
13 Attorney for the Plaintiff

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

MAY 28 2025

BY, 
PATIA CUNNINGHAM, DEPUTY

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

10
11 THE STATE OF NEVADA,
12 Plaintiff,

13 -vs-

14 KEVIN HENDRICK MENON
15 #6016545

16 Defendant.

CASE NO: C-24-386532-1

DEPT NO: XXVIII

17 **GUILTY PLEA AGREEMENT**

18 I hereby agree to plead guilty to the charge(s) listed below, as more fully alleged in the
19 charging document attached hereto:

20 COUNT 1 - OPPRESSION UNDER COLOR OF OFFICE, (Gross Misdemeanor - NRS
21 197.200(2)(B) - NOC 52314)

22 COUNT 2 - SUBORNATION OF PERJURY, (Category D Felony - NRS 199.120 - NOC
23 52972)

24 COUNT 3 - BATTERY ON A PROTECTED PERSON, (Gross Misdemeanor - NRS 200.481
25 - NOC 50221)

26 COUNT 4 - OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT
27 OR USE OF PHYSICAL FORCE, (CATEGORY D FELONY - NRS 197.200 - NOC 52313)

28 My decision to plead guilty is based upon the plea agreement in this case which is as

EXHIBIT G

C-24-386532-1
GPA
Guilty Plea Agreement
5135408



1 follows:

2 As to Count 1, the parties stipulate to a sentence of 364 days in the Clark County
3 Detention Center (CCDC). As to Count 2, the parties stipulate to a sentence of nineteen (19)
4 to forty-eight (48) months in the Nevada Department of Corrections (NDOC). As to Count
5 3, the parties stipulate to a sentence of 364 days in the Clark County Detention Center
6 (CCDC). As to Count 4, the parties stipulate to a sentence of nineteen (19) to forty-eight
7 (48) months in the Nevada Department of Corrections (NDOC). The parties stipulate that all
8 counts be run concurrent to each other in the instant case. The total aggregate sentence in the
9 instant case is nineteen (19) months to forty-eight (48) months in the Nevada Department of
10 Corrections (NDOC). The parties further agree that the instant case will run concurrently to
11 C-24-387164-1, for a total aggregate sentence for the global negotiation of four (4) to ten
12 (10) years in the Nevada Department of Corrections (NDOC). The parties stipulate to an
13 own recognizance release with High Level Electronic monitoring upon entry of plea in both
14 cases. If Defendant has any unapproved departures from his home, any House Arrest
15 violations or any failures to appear, the State will regain the full right to argue in both the
16 instant case and C-24-387164-1.

17 All remaining counts contained in the Criminal Complaint which were bound over to
18 District Court shall be dismissed when Defendant is adjudged guilty and sentenced.

19 I agree to the forfeiture of any and all property seized and/or impounded in connection
20 with the instant case and/or any other case negotiated in conjunction with this plea agreement
21 unless such property is specifically excluded from forfeiture by the language of this agreement.

22 I understand and agree that, if I fail to interview with the Department of Parole and
23 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,
24 by affidavit review, confirms probable cause against me for new criminal charges including
25 reckless driving or DUI, but excluding minor traffic violations, the State will have the
26 unqualified right to argue for any legal sentence and term of confinement allowable for the
27 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
28 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without

1 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
2 twenty-five (25) year term with the possibility of parole after ten (10) years.

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

5 CONSEQUENCES OF THE PLEA

6 I understand that by pleading guilty I admit the facts which support all the elements of
7 the offense(s) to which I now plead as set forth in the charging document attached hereto.

8 I understand that as a consequence of my plea of guilty as to COUNT 1 - OPPRESSION
9 UNDER COLOR OF OFFICE, I may be imprisoned in the Clark County Detention Center
10 for a period of not more than three hundred sixty-four (364) days and that I may be fined up
11 to \$2,000.00.

12 I understand that as a consequence of my plea of guilty as to COUNT 2 -
13 SUBORNATION OF PERJURY, the Court must sentence me to imprisonment in the Nevada
14 Department of Corrections for a minimum term of not less than ONE (1) year and a maximum
15 term of not more than FOUR (4) years. The minimum term of imprisonment may not exceed
16 forty percent (40%) of the maximum term of imprisonment. I understand that I may also be
17 fined up to \$5,000.00.

18 I understand that as a consequence of my plea of guilty as to COUNT 3 - BATTERY
19 ON A PROTECTED PERSON, I may be imprisoned in the Clark County Detention Center
20 for a period of not more than three hundred sixty-four (364) days and that I may be fined up
21 to \$2,000.00.

22 I understand that as a consequence of my plea of guilty as to COUNT 4 - OPPRESSION
23 UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL
24 FORCE, the Court must sentence me to imprisonment in the Nevada Department of
25 Corrections for a minimum term of not less than ONE (1) year(s) and a maximum term of not
26 more than FOUR (4) year(s). The minimum term of imprisonment may not exceed forty
27 percent (40%) of the maximum term of imprisonment. I understand that I may also be fined
28 up to \$5,000.00.

1 I understand that the law requires me to pay an Administrative Assessment Fee(s).

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

6 I understand that I *am eligible* for probation for the offenses to which I am pleading
7 guilty. I understand that, except as otherwise provided by statute, the question of whether I
8 receive probation is in the discretion of the sentencing judge.

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

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

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

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

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

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

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

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

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

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

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

WAIVER OF RIGHTS

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

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

1 understand this means I am unconditionally waiving my right to a direct
2 appeal of this prosecution, conviction, or any aspect of the resulting
3 sentence, including any challenge based upon reasonable constitutional,
4 jurisdictional or other grounds that challenge the legality of the
5 proceedings as stated in NRS 177.015(4). However, I remain free to
6 challenge my conviction through other post-conviction remedies
7 including a habeas corpus petition pursuant to NRS Chapter 34.

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VOLUNTARINESS OF PLEA

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

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

I have discussed with my attorney any possible defenses, defense strategies and circumstances which 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 I 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 any intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

/ / / /

/ / / /

/ / / /

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

3 DATED this 28th day of May, 2025.

4
5
6 KEVIN HENDRICK MENON
Defendant

7 AGREED TO BY:

8 
9 CHRISTOPHER HAMNER
10 Chief Deputy District Attorney
11 Nevada State Bar No. 11390
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CERTIFICATE OF COUNSEL:

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

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

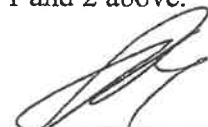
Moreover, I have explained that regardless of what Defendant may have been told by any attorney, no one can promise Defendant that this conviction will not result in negative immigration consequences and/or impact Defendant's ability to become a United States citizen and/or legal resident.

4. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant.
5. To the best of my knowledge and belief, the Defendant:
 - 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 28 day of May, 2025.

August 19, 2025




ROBERT DRASKOVICH

dd/HOMICIDE

EXHIBIT

1 IND

2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 CHRISTOPHER HAMNER
6 Chief Deputy District Attorney
7 Nevada Bar #11390
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountyanv.gov
13 Attorney for the Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,

11 Plaintiff,

12 -vs-

13 KEVIN HENDRICK MENON #6016545

14 Defendant.

CASE NO: C-24-386532-1

DEPT NO: XXVIII

AMENDED INDICTMENT

15 The Defendant above named, accused by the Clark County Grand Jury of the crime(s)
16 within the County of Clark, State of Nevada, on or about or between April 26, 2024 and May
17 10, 2024, committed one or more of the following crime(s): OPPRESSION UNDER COLOR
18 OF OFFICE (GROSS MISDEMEANOR - NRS 197.200(2)(B) - NOC 52314),
19 SUBORNATION OF PERJURY (CATEGORY D FELONY - NRS 199.120 - NOC 52972),
20 BATTERY ON A PROTECTED PERSON (GROSS MISDEMEANOR - NRS 200.481 -
21 NOC 50221) and OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE
22 THREAT OR USE OF PHYSICAL FORCE (CATEGORY D FELONY - NRS 197.200 -
23 NOC 52313), as follows, to wit:

24 COUNT 1 - OPPRESSION UNDER COLOR OF OFFICE

25 did on or between April 26, 2024 and May 10, 2024, willfully, unlawfully, and
26 maliciously, under pretense or color of official authority while acting within his official
27 capacity as a Sergeant with the Las Vegas Metropolitan Police Department, arrested or
28 detained, or caused to be arrested or detained, [REDACTED] and [REDACTED]

1 and [REDACTED] and [REDACTED] and [REDACTED] and
2 [REDACTED] and [REDACTED] and [REDACTED] and against his will
3 and/or acted in a manner whereby [REDACTED] and [REDACTED] and
4 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
5 [REDACTED] and [REDACTED] and [REDACTED] person, property, and/or rights were
6 injured, whereby Defendant, acting in a plain-clothes capacity, sat near [REDACTED] and
7 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
8 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED] and
9 engaged or appeared to engage in suspicious behavior while sitting near [REDACTED]
10 and [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
11 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
12 in an attempt to fabricate a basis to detain [REDACTED] and [REDACTED] and
13 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
14 [REDACTED] and [REDACTED] and [REDACTED], thereafter [REDACTED] and
15 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]
16 [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED] was
17 detained without reasonable suspicion and/or probable cause.

18 COUNT 2 - SUBORNATION OF PERJURY

19 did on or between May 4, 2024 and May 5, 2024, willfully, unlawfully, and
20 feloniously, in a matter where, by law, an oath or affirmation was required, to wit: a
21 Declaration of Arrest Report, suborned another person, to wit: [REDACTED] of the Las
22 Vegas Metropolitan Police Department, to willfully and falsely swear or affirm in a matter
23 material to the issue or point in question, to wit: that the factual basis for probable cause to
24 arrest [REDACTED], which Defendant knew to be false, was the following: that
25 [REDACTED] ^{had} and attempted to instigate a fight with Defendant whereby [REDACTED]
26 [REDACTED] closed distance with Defendant and/or came within inches from Defendant's face
27 and/or challenged Defendant to fight and/or that [REDACTED] attempted to stomp on
28 officers' feet; and/or [REDACTED] of the Las Vegas Metropolitan Police Department, to

1 willfully swear or affirm in a matter material to the issue or point in question, to wit: that there
2 ^{was} the factual basis for probable cause to arrest [REDACTED], which Defendant knew
3 to be false, was the following: that the said [REDACTED] solicited a lewd or
4 lascivious act while loitering about a public restroom.

5 COUNT 3 - BATTERY ON A PROTECTED PERSON

6 did on or about May 5, 2024, willfully, unlawfully and knowingly use force or violence
7 upon the person of another, [REDACTED] an officer, employed with the Las
8 Vegas Metropolitan Police Department, who was performing the duties of an officer; which
9 Defendant knew or should have known that [REDACTED] was an officer, by
10 pushing and/or shoving the said [REDACTED]

11 COUNT 4 - OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT
12 OR USE OF PHYSICAL FORCE (and [REDACTED])

13 did on or about May 3, 2024, willfully, unlawfully, and maliciously, under pretense or
14 color of official authority while acting within his official capacity as a Sergeant with the Las
15 Vegas Metropolitan Police Department, arrested or detained, or caused to be arrested or
16 detained, [REDACTED] against his will and/or acted in a manner
17 whereby [REDACTED] person, property and/or rights were injured, with the use of
18 force or the immediate threat of physical force, whereby Defendant, acting in a plain-clothes
19 capacity, did physically batter and/or "shoulder-check" the said [REDACTED] while
20 the said [REDACTED] was walking along a pedestrian bridge in an attempt to elicit an
21 aggressive response and/or to fabricate a basis to ultimately detain and/or arrest [REDACTED]
22 [REDACTED]

23 DATED this 10th day of April, 2025.

24 STEVEN B. WOLFSON
Clark County District Attorney

25 BY /s/CHRISTOPHER HAMNER
26 CHRISTOPHER HAMNER
27 Chief Deputy District Attorney
Nevada Bar #11390

28 24AGJ147X/24CR074082/dd-Homicide
LLV240800020553

Heather S. Smith
CLERK OF THE COURT

JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

KEVIN HENDRICK MENON,
#6016545

Defendant.

CASE NO. C-24-386532-1

DEPT. NO. XXVIII

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor) in violation of NRS 197.200(2)(B); COUNT 2 – SUBORNATION OF PERJURY (Category D Felony) in violation of NRS 199.120; COUNT 3 – BATTERY ON A PROTECTED PERSON (Gross Misdemeanor) in violation of NRS 200.481; COUNT 4 – OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL FORCE (Category D Felony) in violation of NRS 197.200; thereafter, on the 4th day of August, 2025 the Defendant was present in court for sentencing with counsel ROBERTH M. DRASKOVICH, Esq. and WILLIAM MICHAEL HORVATH, Esq., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment, plus \$3.00 DNA Collection Fee, the Defendant

EXHIBIT H

Statistically closed: A. USJR - CR - Guilty Plea With Sentence (Before trial) (USGPB)

is sentenced to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** –
THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center
(CCDC); **COUNT 2** – a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM
Parole Eligibility of NINETEEN (19) MONTHS; **COUNT 3** – THREE HUNDRED SIXTY-
FOUR (364) DAYS in the Clark County Detention Center (CCDC); **COUNT 4** a MAXIMUM
of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19)
MONTHS; All Counts to run CONCCURENT with EACH OTHER and Case to run
CONCURENT with C-24-387164-1; THIRTY (38) DAYS credit for time served. As the
\$150.00 DNA Analysis Fee and Genetic Testing has been previously imposed, the Fee
and Testing in the current case are WAIVED.

August 19, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

Dated this 13th day of August, 2025

Ronald J. Israel

pc

C-24-386532-1

90D 64D 4A0D A94C
Ronald J. Israel
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 State of Nevada

CASE NO: C-24-386532-1

7 vs

DEPT. NO. Department 28

8 Kevin Menon

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Judgment of Conviction was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/13/2025

15 Malcolm LaVergne

mlavergne@lavernelaw.com

16 Dominic Gentile

dgentile@clarkhill.com

17 Tanya Bain

tbain@clarkhill.com

18 Vincent Savarese III

vsavarese@clarkhill.com

19 Stacey Concepcion

sconcepcion@clarkhill.com

20 Department Law Clerk

dept28lc@clarkcountycourts.us

21 Clarissa Reyes

creyes@clarkhill.com

22 Nicholas DiMattei Jr

ndimattei@clarkhill.com

23 Christopher Hamner

christopher.hamner@clarkcountydav.gov

24 K. Nicholas Portz

kenneth.portz@clarkcountydav.gov

25 K. Nicholas Portz

Kenneth.portz@clarkcountydav.gov

26
27
28

1 Master Calendar Clerk AAA

clerkmastercalendar@clarkcountycourts.us

2 Matthew Christian

m16091c@lvmpd.com

3 Austin Barnum

abarnum@clarkhill.com

4 Annette Mullin

amullin@clarkhill.com

5 Erika Magana

draskovicherika@gmail.com

6

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AJOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

KEVIN HENDRICK MENON,
#6016545

Defendant.

CASE NO. C-24-386532-1

DEPT. NO. XXVIII

AMENDED JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor) in violation of NRS 197.200(2)(B); COUNT 2 – SUBORNATION OF PERJURY (Category D Felony) in violation of NRS 199.120; COUNT 3 – BATTERY ON A PROTECTED PERSON (Gross Misdemeanor) in violation of NRS 200.481; COUNT 4 – OPPRESSION UNDER COLOR OF OFFICE WITH IMMEDIATE THREAT OR USE OF PHYSICAL FORCE (Category D Felony) in violation of NRS 197.200; thereafter, on the 4th day of August, 2025, the Defendant was present in court for sentencing with counsels, ROBERT M. DRASKOVICH, Esq. and WILLIAM MICHAEL HORVATH, Esq., and good cause appearing,

///

///

EXHIBIT I

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment, plus \$3.00 DNA Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** – THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC); **COUNT 2** – a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19) MONTHS; **COUNT 3** – THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC); **COUNT 4** a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19) MONTHS; All Counts to run CONCCURENT with EACH OTHER and Case to run CONCURENT with C-24-387164-1; THIRTY (38) DAYS credit for time served. As the \$150.00 DNA Analysis Fee and Genetic Testing has been previously imposed, the Fee and Testing in the current case are WAIVED.

THEREAFTER, clerical errors having been discovered, the Amended Judgment of Conviction reflects the following correction: Typographical errors corrected as noted below: Defendant is sentenced to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** – THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC); **COUNT 2** – a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19) MONTHS; **COUNT 3** – THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC); and **COUNT 4** a MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM Parole Eligibility of NINETEEN (19) MONTHS. All Counts to run CONCURRENT with EACH OTHER and Case to run CONCURRENT with

///

C-24-387164-1; with THIRTY-EIGHT (38) DAYS credit for time served.

August 19, 2025

Dated this 18th day of August, 2025



Ronald J. Israel
pc C-24-386532-1

273 204 8A02 2A47
Ronald J. Israel
District Court Judge

CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-24-386532-1

7 vs

DEPT. NO. Department 28

8 Kevin Menon

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Amended Judgment of Conviction was served via the court's electronic
13 eFile system to all recipients registered for e-Service on the above entitled case as listed
below:

14 Service Date: 8/18/2025

15 Malcolm LaVergne

mlavergne@lavergnelaw.com

16 Dominic Gentile

dgentile@clarkhill.com

17 Tanya Bain

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18 Vincent Savarese III

vsavarese@clarkhill.com

19 Stacey Concepcion

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20 Department Law Clerk

dept28lc@clarkcountycourts.us

21 Clarissa Reyes

creyes@clarkhill.com

22 Nicholas DiMattei Jr

ndimattei@clarkhill.com

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christopher.hamner@clarkcountydav.gov

24 K. Nicholas Portz

kenneth.portz@clarkcountydav.gov

25 K. Nicholas Portz

Kenneth.portz@clarkcountydav.gov

26
27
28

1	Master Calendar Clerk AAA	clerkmastercalendar@clarkcountycourts.us
2		
3	Matthew Christian	m16091c@lvmpd.com
4	Austin Barnum	abarnum@clarkhill.com
5	Annette Mullin	amullin@clarkhill.com
6	Erika Magana	draskovicherika@gmail.com
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CASE NO. C-24-387164-1



1 **IND**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 K. NICHOLAS PORTZ
6 Chief Deputy District Attorney
7 Nevada Bar #12473
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountyanv.gov
13 Attorney for the Plaintiff

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

10 THE STATE OF NEVADA,
11 Plaintiff,

12 -vs-

13 KEVIN MENON #6016545

14 Defendant.

CASE NO: C-24-387164-1

DEPT NO: XXVIII

INDICTMENT

15 The Defendant(s) above named, accused by the Clark County Grand Jury of the
16 crime(s) within the County of Clark, State of Nevada, on or about August 30, 2024, committed
17 one or more of the following crime(s): POSSESSION OF VISUAL PRESENTATION
18 DEPICTING SEXUAL CONDUCT OF A CHILD (CATEGORY B FELONY - NRS 200.700,
19 200.730 - NOC 50374), as follows, to wit:

20 COUNT 1 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
21 CONDUCT OF A CHILD

22 did willfully, unlawfully, feloniously, and knowingly have in his possession any
23 film, photograph, or other visual presentation depicting a child under the age of 16 years of
24 age as the subject of a sexual portrayal and/or engaging in, simulating, or assisting others to
25 engage in or simulate sexual conduct on a device, to-wit: a computer hard drive within a
26 MacBook Pro bearing serial number WQ017Y66ATM.

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28 //

EXHIBIT J

1 COUNT 2 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
2 CONDUCT OF A CHILD

3 did willfully, unlawfully, feloniously, and knowingly have in his possession any film,
4 photograph, or other visual presentation depicting a child under the age of 16 years of age as
5 the subject of a sexual portrayal and/or engaging in, simulating, or assisting others to engage
6 in or simulate sexual conduct on a device, to-wit: a computer hard drive within a MacBook
7 Air bearing serial number C02G88T8DJYD.

8 DATED this 5th day of November, 2024.

9 STEVEN B. WOLFSON
10 Clark County District Attorney

11 BY /s/ *K. Nicholas Portz*
12 K. NICHOLAS PORTZ
13 Chief Deputy District Attorney
14 Nevada Bar #12473

15 ENDORSEMENT: A True Bill

16
17 /s/ *Michael Talkington*
18 Foreperson, Clark County Grand Jury
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Names of Witnesses and testifying before the Grand Jury:

COOPER, MICHAEL – LVMPD

FORTUNATO, MICHAEL – LVMPD

GUZMAN, JUAN – LVMPD

KRNJEU, ANDREW – LVMPD

LYNN, BRITTANY – LVMPD

PLUCK, MATTHEW – LVMPD

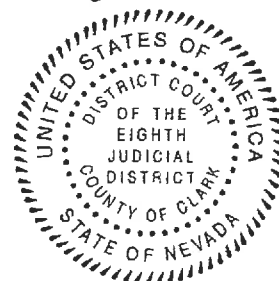
PURCELL, JOHN – LVMPD

TAFESH, JULIA – LVMPD

TRAFFORD, MATTHEW – LVMPD

Additional Witnesses known to the District Attorney at time of filing the Indictment:

August 19, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

24AGJ159X/24CR089555/ed
LLV241000034565

1 **IND**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 K. NICHOLAS PORTZ
6 Chief Deputy District Attorney
7 Nevada Bar #12473
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountyanv.gov
13 Attorney for the Plaintiff

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

MAY 28 2025

BY, *Patia Cunningham*
PATIA CUNNINGHAM, DEPUTY

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

10 THE STATE OF NEVADA,
11 Plaintiff,

CASE NO: C-24-387164-1

12 -vs-

DEPT NO: XXVIII

13 KEVIN MENON #6016545
14 Defendant.

**SECOND AMENDED
SUPERSEDING
INDICTMENT**

16 The Defendant(s) above named, accused by the Clark County Grand Jury of the
17 crime(s) within the County of Clark, State of Nevada, on or between August 30, 2024 and
18 October 23, 2024, committed one or more of the following crime(s): POSSESSION OF
19 VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD
20 (CATEGORY B FELONY - NRS 200.700, 200.730 - NOC 50374) and CAPTURING AN
21 IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (GROSS MISDEMEANOR -
22 NRS 200.604 - NOC 54958), as follows, to wit:

23 COUNT 1 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
24 CONDUCT OF A CHILD

25 KEVIN HENDRICK MENON did on or about August 30, 2024 willfully,
26 unlawfully, feloniously, and knowingly have in his possession any film, photograph, or other
27 visual presentation depicting a child under the age of 16 years of age as the subject of a sexual
28 portrayal and/or engaging in, simulating, or assisting others to engage in or simulate sexual

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AIND
Amended Indictment
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1
EXHIBIT K



1 conduct on a device, to-wit: a computer hard drive within a MacBook Pro bearing serial
2 number WQ017Y66ATM and/or a computer hard drive within a MacBook Air bearing serial
3 number C02G88T8DJYD.

4 COUNT 2 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
5 CONDUCT OF A CHILD

6 KEVIN HENDRICK MENON did on or about October 23, 2024, willfully, unlawfully,
7 feloniously, and knowingly have in the defendant's possession any film, photograph, or other
8 visual presentation depicting a child under the age of 16 years of age as the subject of a sexual
9 portrayal and/or engaging in, simulating, or assisting others to engage in or simulate sexual
10 conduct on a device, to wit: a PNY 256-gigabyte storage device and/or a white MacBook
11 laptop computer W87142AQWGK.

12 COUNT 3 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
13 CONDUCT OF A CHILD

14 KEVIN HENDRICK MENON did on or between September 27, 2024 and including
15 October 20, 2024, willfully, unlawfully, feloniously, and knowingly have in his possession
16 any film, photograph, or other visual presentation depicting a child under the age of 16 years
17 of age as the subject of a sexual portrayal and/or engaging in, simulating, or assisting others
18 to engage in or simulate sexual conduct on a device, to-wit: an Apple iCloud account under
19 the Apple ID [REDACTED]

20 COUNT 4 - CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON

21 KEVIN HENDRICK MENON did on or between September 27, 2024 and October 20,
22 2024, willfully, unlawfully, knowingly, and intentionally capture an image of the private area
23 of another person, N.M. and/or T.R., without their consent and under circumstances in which
24 N.M. and/or T.R. had a reasonable expectation of privacy.

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26 ///

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28 ///

1 DATED this 8th day of May, 2025.

2 STEVEN B. WOLFSON
3 Clark County District Attorney

4 BY /s/ K. Nicholas Portz
5 K. NICHOLAS PORTZ
6 Chief Deputy District Attorney
7 Nevada Bar #12473
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Names of Witnesses and testifying before the Grand Jury:

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FORTUNATO, MICHAEL – LVMPD

GUZMAN, JUAN – LVMPD

KRNJEU, ANDREW – LVMPD

LYNN, BRITTANY – LVMPD

PLUCK, MATTHEW – LVMPD

PURCELL, JOHN – LVMPD

TAFESH, JULIA – LVMPD

TRAFFORD, MATTHEW – LVMPD

Additional Witnesses known to the District Attorney at time of filing the Indictment:

August 21, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

LLV241000034565/dd-Homicide

1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 CHRISTOPHER HAMNER
6 Chief Deputy District Attorney
7 Nevada Bar #11390
8 200 Lewis Avenue
9 Las Vegas, NV 89155
10 PH: (702) 671-2500
11 FAX: (702) 868-2412
12 DAInfo@clarkcountydav.gov
13 Attorney for the Plaintiff

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

MAY 28 2025

BY, 
PATRICIA CUNNINGHAM, DEPUTY

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

10 THE STATE OF NEVADA,

11 Plaintiff,

12 -vs-

13 KEVIN HENDRICK MENON
14 #6016545

15 Defendant.

CASE NO: C-24-387164-1

DEPT NO: XXVIII

16 **GUILTY PLEA AGREEMENT**

17 I hereby agree to plead guilty to the charge(s) listed below, as more fully alleged in the
18 charging document attached hereto:

19 COUNT 1 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
20 CONDUCT OF A CHILD, (Category B Felony - NRS 200.700, 200.730 - NOC 50374)

21 COUNT 2 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
22 CONDUCT OF A CHILD, (Category B Felony - NRS 200.700, 200.730 - NOC 50374)

23 COUNT 3 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
24 CONDUCT OF A CHILD (Category B Felony - NRS 200.700, 200.730 - NOC 50374) and

25 COUNT 4 - CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON
26 (Gross Misdemeanor - NRS 200.604 - NOC 54958)
27

28 My decision to plead guilty is based upon the plea agreement in this case which is as

C-24-387164-1
GPA
Guilty Plea Agreement
5135409

EXHIBIT L



1 follows:

2 On Counts 1, 2 and 3, the parties stipulate to a sentence of two (2) to five (5) years in
3 the Nevada Department of Corrections (NDOC) On Count 4, the parties stipulate to 364 days
4 in the Clark County Detention Center (CCDC). Additionally, the parties agree that Counts 1
5 and 2 will run consecutively, for an aggregate sentence of four (4) to ten (10) years in the
6 Nevada Department of Corrections (NDOC). Counts 3 and 4 will run concurrently to Counts
7 1 and 2. The parties further agree that the instant case will run concurrently to C-24-386532-
8 1, for a total aggregate sentence for the global negotiation of four (4) to ten (10) years in the
9 Nevada Department of Corrections (NDOC). The parties stipulate to an own recognizance
10 release with High Level Electronic monitoring upon entry of plea in both cases. If Defendant
11 has any unapproved departures from his home, any House Arrest violations or any failures to
12 appear, the State will regain the full right to argue in both the instant case and C-24-386532-
13 1.

14 All remaining counts contained in the Criminal Complaint which were bound over to
15 District Court shall be dismissed when Defendant is adjudged guilty and sentenced.

16 I agree to the forfeiture of any and all property seized and/or impounded in connection
17 with the instant case and/or any other case negotiated in conjunction with this plea agreement
18 unless such property is specifically excluded from forfeiture by the language of this agreement.

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

28 Otherwise I am entitled to receive the benefits of these negotiations as stated in this

1 plea agreement.

2 CONSEQUENCES OF THE PLEA

3 I understand that by pleading guilty I admit the facts which support all the elements of
4 the offense(s) to which I now plead as set forth in the charging document attached hereto.

5 I understand that as a consequence of my plea of guilty as to COUNT 1 -
6 POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF
7 A CHILD, the Court must sentence me to imprisonment in the Nevada Department of
8 Corrections for a minimum term of not less than ONE (1) year and a maximum term of not
9 more than SIX (6) years. The minimum term of imprisonment may not exceed forty percent
10 (40%) of the maximum term of imprisonment. I understand that I may also be fined up to
11 \$5,000.00.

12 I understand that as a consequence of my plea of guilty as to COUNT 2 -
13 POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF
14 A CHILD, the Court must sentence me to imprisonment in the Nevada Department of
15 Corrections for a minimum term of not less than ONE (1) year and a maximum term of not
16 more than SIX (6) years. The minimum term of imprisonment may not exceed forty percent
17 (40%) of the maximum term of imprisonment. I understand that I may also be fined up to
18 \$5,000.00.

19 I understand that as a consequence of my plea of guilty as to COUNT 3 -
20 POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF
21 A CHILD, the Court must sentence me to imprisonment in the Nevada Department of
22 Corrections for a minimum term of not less than ONE (1) year and a maximum term of not
23 more than SIX (6) years. The minimum term of imprisonment may not exceed forty percent
24 (40%) of the maximum term of imprisonment. I understand that I may also be fined up to
25 \$5,000.00.

26 I understand that as a consequence of my plea of guilty as to COUNT 4 -
27 CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON, I may
28

1 be imprisoned in the Clark County Detention Center for a period of not more than three
2 hundred sixty-four (364) days and that I may be fined up to \$2,000.00.

3 I understand that the law requires me to pay an Administrative Assessment Fee(s).

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

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

11 I understand that, pursuant to NRS 176.0931, the Court must include as part of my
12 sentence, in addition to any other penalties provided by law, a special sentence of lifetime
13 supervision commencing after any period of probation or any term of imprisonment and period
14 of release upon parole.

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

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

23 I understand that I am not eligible for probation pursuant to NRS 176A.110 unless a
24 psychologist licensed to practice in this State who is trained to conduct psychosexual
25 evaluations or a psychiatrist licensed to practice medicine in this State who is certified by the
26 American Board of Psychiatry and Neurology, Inc., and is trained to conduct psychosexual
27 evaluations certifies in a written report to the court that I do not represent a high risk to reoffend
28 based upon a currently accepted standard of assessment. I understand that, except as otherwise

1 provided by statute, the question of whether I receive probation is in the discretion of the
2 sentencing judge. I understand that my attorney is responsible for obtaining this psychological
3 evaluation and providing it to the Court and the assigned Deputy District Attorney prior to my
4 sentencing.

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

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

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

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

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

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

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

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

- 25 1. The removal from the United States through deportation;
- 26 2. An inability to reenter the United States;
- 27 3. The inability to gain United States citizenship or legal residency;
- 28 4. An inability to renew and/or retain any legal residency status; and/or

- 1 5. An indeterminate term of confinement, with the United States Federal
2 Government based on my conviction and immigration status.

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

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

13 WAIVER OF RIGHTS

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

- 16 1. The constitutional privilege against self-incrimination, including the right
17 to refuse to testify at trial, in which event the prosecution would not be
18 allowed to comment to the jury about my refusal to testify.
- 19 2. The constitutional right to a speedy and public trial by an impartial jury,
20 free of excessive pretrial publicity prejudicial to the defense, at which
21 trial I would be entitled to the assistance of an attorney, either appointed
22 or retained. At trial the State would bear the burden of proving beyond
23 a reasonable doubt each element of the offense(s) charged.
- 24 3. The constitutional right to confront and cross-examine any witnesses who
25 would testify against me.
- 26 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 27 5. The constitutional right to testify in my own defense.
- 28 6. The right to appeal the conviction or resulting sentence with the
assistance of an attorney, either appointed or retained, unless specifically
reserved in writing and agreed upon as provided in NRS 174.035(3). I
understand this means I am unconditionally waiving my right to a direct
appeal of this prosecution, conviction, or any aspect of the resulting
sentence, including any challenge based upon reasonable constitutional,
jurisdictional or other grounds that challenge the legality of the
proceedings as stated in NRS 177.015(4). However, I remain free to
challenge my conviction through other post-conviction remedies
including a habeas corpus petition pursuant to NRS Chapter 34.

VOLUNTARINESS OF PLEA

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

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

I have discussed with my attorney any possible defenses, defense strategies and circumstances which 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.

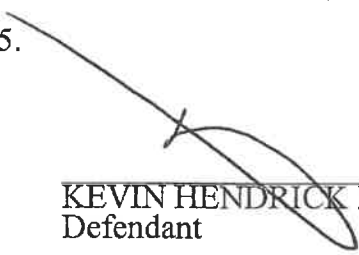
I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I 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 any intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

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

DATED this 28th day of May, 2025.



KEVIN HENDRICK MENON
Defendant

AGREED TO BY:



CHRISTOPHER HAMNER
Chief Deputy District Attorney
Nevada State Bar No. 11390

CERTIFICATE OF COUNSEL:

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

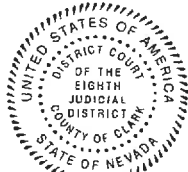
1. I have fully explained to the Defendant the allegations contained in the charge(s) to which guilty pleas are being entered.
2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.
3. I have inquired of Defendant facts concerning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

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

4. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant.
5. To the best of my knowledge and belief, the Defendant:
 - 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 28 day of May, 2025.

August 19, 2025



ROBERT DRASKOVICH

dd/HOMICIDE

1 **IND**

2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #1565
5 K. NICHOLAS PORTZ
6 Chief Deputy District Attorney
7 Nevada Bar #12473
200 Lewis Avenue
Las Vegas, NV 89155
PH: (702) 671-2500
FAX: (702) 868-2412
DAInfo@clarkcountyanv.gov
Attorney for the Plaintiff

EXHIBIT

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA,

11 Plaintiff,

12 -vs-

13 KEVIN MENON #6016545

14 Defendant.

CASE NO: C-24-387164-1

DEPT NO: XXVIII

**SECOND AMENDED
SUPERSEDING
INDICTMENT**

15
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17 crime(s) within the County of Clark, State of Nevada, on or between August 30, 2024 and
18 October 23, 2024, committed one or more of the following crime(s): POSSESSION OF
19 VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD
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21 IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (GROSS MISDEMEANOR -
22 NRS 200.604 - NOC 54958), as follows, to wit:

23 COUNT 1 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
24 CONDUCT OF A CHILD

25 KEVIN HENDRICK MENON did on or about August 30, 2024 willfully,
26 unlawfully, feloniously, and knowingly have in his possession any film, photograph, or other
27 visual presentation depicting a child under the age of 16 years of age as the subject of a sexual
28 portrayal and/or engaging in, simulating, or assisting others to engage in or simulate sexual

1 conduct on a device, to-wit: a computer hard drive within a MacBook Pro bearing serial
2 number WQ017Y66ATM and/or a computer hard drive within a MacBook Air bearing serial
3 number C02G88T8DJYD.

4 COUNT 2 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
5 CONDUCT OF A CHILD

6 KEVIN HENDRICK MENON did on or about October 23, 2024, willfully, unlawfully,
7 feloniously, and knowingly have in the defendant's possession any film, photograph, or other
8 visual presentation depicting a child under the age of 16 years of age as the subject of a sexual
9 portrayal and/or engaging in, simulating, or assisting others to engage in or simulate sexual
10 conduct on a device, to wit: a PNY 256-gigabyte storage device and/or a white MacBook
11 laptop computer W87142AQWGK.

12 COUNT 3 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
13 CONDUCT OF A CHILD

14 KEVIN HENDRICK MENON did on or between September 27, 2024 and including
15 October 20, 2024, willfully, unlawfully, feloniously, and knowingly have in his possession
16 any film, photograph, or other visual presentation depicting a child under the age of 16 years
17 of age as the subject of a sexual portrayal and/or engaging in, simulating, or assisting others
18 to engage in or simulate sexual conduct on a device, to-wit: an Apple iCloud account under
19 the Apple ID [REDACTED]

20 COUNT 4 - CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON

21 KEVIN HENDRICK MENON did on or between September 27, 2024 and October 20,
22 2024, willfully, unlawfully, knowingly, and intentionally capture an image of the private area
23 of another person, N.M. and/or T.R., without their consent and under circumstances in which
24 N.M. and/or T.R. had a reasonable expectation of privacy.

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1 DATED this 8th day of May, 2025.

2 STEVEN B. WOLFSON
3 Clark County District Attorney

4 BY /s/ K. Nicholas Portz
5 K. NICHOLAS PORTZ
6 Chief Deputy District Attorney
7 Nevada Bar #12473
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1 Names of Witnesses and testifying before the Grand Jury:

2 COOPER, MICHAEL – LVMPD

3 FORTUNATO, MICHAEL – LVMPD

4 GUZMAN, JUAN – LVMPD

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26 LLV241000034565/dd-Homicide
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Alvin J. Smith
CLERK OF THE COURT

JOCP

ISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-VS-

KEVIN HENDRICK MENON,
#6016545

Defendant.

CASE NO. C-24-387164-1

DEPT. NO. XXVIII

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730; COUNT 2 – POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730; COUNT 3 – POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730; COUNT 4 – CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (Gross Misdemeanor) in violation of NRS 200.604; thereafter, on the 4th day of August, 2025 the Defendant was present in court for sentencing with

EXHIBIT M

1 counsel ROBERT M. DRASKOVIC, Esq. and MICHAEL HORVATH, Esq., and good
2 cause appearing,

3 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition
4 to the \$25.00 Administrative Assessment, \$1,676.70 Psychosexual Evaluation Fee, and
5 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00
6 DNA Collection Fee, the Defendant is sentenced to the Nevada Department of
7 Corrections (NDC) as follows: **COUNT 1** – a MAXIMUM of FIVE (5) YEARS with a
8 MINIMUM Parole Eligibility of TWO (2) YEARS; **COUNT 2** – a MAXIMUM of FIVE (5)
9 YEARS with a MINIMUM Parole Eligibility of TWO (2) YEARS, CONSECUTIVE to
10 COUNT 1; **COUNT 3** – a MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole Eligibility
11 of TWO (2) YEARS, CONCURRENT with COUNT 1 and COUNT 2; **COUNT 4** – THREE
12 HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC),
13 CONCURRENT with COUNT 1 and COUNT 2; with SIXTY-NINE (69) DAYS credit for
14 time served. The AGGREGATE TOTAL sentence is TEN (10) YEARS MAXIMUM with a
15 MINIMUM of FOUR (4) YEARS.
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19 ADDITIONALLY, the Defendant is ORDERED to REGISTER as a sex offender in
20 accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any release
21 from custody.
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August 19, 2025



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CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

Dated this 13th day of August, 2025


PC C-24-387164-1

228 502 9FBC D245
Ronald J. Israel
District Court Judge

1 **CSERV**

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 State of Nevada

CASE NO: C-24-387164-1

7 vs

DEPT. NO. Department 28

8 Kevin Menon
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Judgment of Conviction was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/13/2025

15 Malcolm LaVergne mlavergne@lavernelaw.com

16 Dominic Gentile dgentile@clarkhill.com

17 Vincent Savarese III vsavarese@clarkhill.com

18 Stacey Concepcion sconcepcion@clarkhill.com

19 Department Law Clerk dept28lc@clarkcountycourts.us

20 Robert Draskovich robert@draskovich.com

21 KENNETH PORTZ KENNETH.PORTZ@CLARKCOUNTYDANV.GOV

22 Erika Magana draskovicherika@gmail.com

23 Tiffany Solari tsolari@clarkhill.com

24 Master Calendar Clerk AAA clerkmastercalendar@clarkcountycourts.us

25 Austin Barnum abarnum@clarkhill.com
26
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Annette Mullin

amullin@clarkhill.com

Heather S. Smith
CLERK OF THE COURT

AJOC

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

KEVIN HENDRICK MENON,
#6016545

Defendant.

CASE NO. C-24-387164-1

DEPT. NO. XXVIII

AMENDED JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730; COUNT 2 – POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730; COUNT 3 – POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony) in violation of NRS 200.700, 200.730; COUNT 4 – CAPTURING AN IMAGE OF THE PRIVATE AREA OF ANOTHER PERSON (Gross Misdemeanor) in violation of NRS 200.604; thereafter, on the 4th day of August, 2025 the Defendant was present in court

EXHIBIT N

1 for sentencing with counsels, ROBERT M. DRASKOVIC, Esq. and MICHAEL
2 HORVATH, Esq., and good cause appearing,

3 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
4 addition to the \$25.00 Administrative Assessment, \$1,676.70 Psychosexual Evaluation
5 Fee, and \$150.00 DNA Analysis Fee including testing to determine genetic markers
6 plus \$3.00 DNA Collection Fee, the Defendant is sentenced to the Nevada Department
7 of Corrections (NDC) as follows: **COUNT 1** – a MAXIMUM of FIVE (5) YEARS with a
8 MINIMUM Parole Eligibility of TWO (2) YEARS; **COUNT 2** – a MAXIMUM of FIVE (5)
9 YEARS with a MINIMUM Parole Eligibility of TWO (2) YEARS, CONSECUTIVE to
10 COUNT 1; **COUNT 3** – a MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole
11 Eligibility of TWO (2) YEARS, CONCURRENT with COUNT 1 and COUNT 2; **COUNT**
12 **4** – THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center
13 (CCDC), CONCURRENT with COUNT 1 and COUNT 2; with SIXTY-NINE (69) DAYS
14 credit for time served. The AGGREGATE TOTAL sentence is TEN (10) YEARS
15 MAXIMUM with a MINIMUM of FOUR (4) YEARS.

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19 ADDITIONALLY, the Defendant is ORDERED to REGISTER as a sex offender
20 in accordance with NRS 179D.460 within FORTY-EIGHT (48) HOURS after any release
21 from custody.

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23 THEREAFTER, clerical errors having been discovered, the Amended Judgment
24 of Conviction reflects the following correction: Typographical errors corrected as noted
25 below: **COUNT 1** – a MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole Eligibility
26 of TWO (2) YEARS; **COUNT 2** – a MAXIMUM of FIVE (5) YEARS with a MINIMUM
27 Parole Eligibility of TWO (2) YEARS, CONSECUTIVE to COUNT 1; **COUNT 3** – a
28

1 MAXIMUM of FIVE (5) YEARS with a MINIMUM Parole Eligibility of TWO (2) YEARS,
2 CONCURRENT with COUNT 1 and COUNT 2; and **COUNT 4** – THREE HUNDRED
3 SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC),
4 CONCURRENT with COUNT 1 and COUNT 2. The AGGREGATE TOTAL sentence is
5 TEN (10) YEARS MAXIMUM with a MINIMUM Parole Eligibility of FOUR (4) YEARS.
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7
8 August 19, 2025



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14 CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

Dated this 18th day of August, 2025

Ronald J. Israel

pc

G-24-387164-1

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123 002 7E6C 5F42
Ronald J. Israel
District Court Judge

1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-24-387164-1

7 vs

DEPT. NO. Department 28

8 Kevin Menon
9

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11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Amended Judgment of Conviction was served via the court's electronic
13 eFile system to all recipients registered for e-Service on the above entitled case as listed
below:

14 Service Date: 8/18/2025

15 Malcolm LaVergne mlavergne@lavergnelaw.com

16 Dominic Gentile dgentile@clarkhill.com

17 Vincent Savarese III vsavarese@clarkhill.com

18 Stacey Concepcion sconcepcion@clarkhill.com

19 Department Law Clerk dept28lc@clarkcountycourts.us

20 Robert Draskovich robert@draskovich.com

21 KENNETH PORTZ KENNETH.PORTZ@CLARKCOUNTYDANV.GOV

22 Erika Magana draskovicherika@gmail.com

23 Tiffany Solari tsolari@clarkhill.com

24 Master Calendar Clerk AAA clerkmastercalendar@clarkcountycourts.us

25 Austin Barnum abarnum@clarkhill.com
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Annette Mullin

amullin@clarkhill.com

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 Public Hearing and regularly scheduled meeting – February?

17. DISCUSSION AND FOR POSSIBLE ACTION.

Adjournment.