



Nevada Commission on Peace Officers'  
Standards and Training

**WORKSHOP**

MONDAY, OCTOBER 28, 2013 – 3:30AM

**PUBLIC COMMENT HEARING  
&  
POST COMMISSION MEETING**

TUESDAY, OCTOBER 29, 2013 – 5:00PM

PALACE STATION HOTEL AND CASINO,  
2411 W. SAHARA AVENUE,  
SALON F,  
LAS VEGAS, NEVADA

**WORKSHOP ON PROPOSED REGULATIONS**

**MONDAY OCTOBER 28, 2013**

**3:30PM**





STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

August 28, 2013

## NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Commission on Peace Officers' Standards and Training, 5587 Wa Pai Shone Avenue, Carson City, Nevada, Telephone Number (775) 687-7678, is proposing the Adoption, Amendment and Repeal of regulations pertaining to Chapter 289 of the Nevada Administrative Code.

A workshop has been scheduled for 3:30 pm, on Monday October 28th, 2013, at the Palace Station Hotel and Casino, 2411 W. Sahara Avenue, Salon F, Las Vegas, Nevada.

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

### TOPIC

### NAC REGULATION

- A. The Commission to consider amending NAC 289.230, which establishes the requirements for mandatory annual continuing education, to include proposed changes to the annual 24 hour continuing education training requirement. The regulation changes are being considered in order to provide agencies more flexibility in meeting individual training needs and increasing overall professionalism.

**NAC 289.230**

A copy of all materials related to the proposal may be obtained at the workshop or by contacting the Commission on Peace Officers' Training, 5587 Wa Pai Shone Avenue, Carson City, Nevada, Telephone Number (775) 687-7678. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all listed meeting locations, all persons on the agency's mailing list for administrative regulations, all Nevada law enforcement agencies, law enforcement training academies, agency single points of contact, and posted on the POST web site at [www.post.state.nv.us](http://www.post.state.nv.us) and at the following locations:

<p><b>CARSON CITY</b>          Blasdel Building, 209 East Musser Street          Nevada State Library, 100 Stewart Street          Capitol Building, 101 N. Carson Street          POST Administration, 5587 Wa Pai Shone          Carson City Sheriff's Office, 901 East Musser Street</p>	<p><b>LAS VEGAS</b>          Grant Sawyer State Building, 555 Washington Avenue</p> <p><b>ELY</b>          White Pine County Sheriff's Office, 1785 Great Basin Rd</p>
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**NOTE:** We are pleased to make reasonable accommodations for members of the public with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the POST Commission, in writing, at 5587 Wa Pai Shone Avenue, Carson City, Nevada, 89701 or call Scott Johnston, at (775) 684-7678, Extension 3335, no later than five working days prior to the meeting.



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

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

NOTICE IS HEREBY GIVEN THAT STARTING AT 3:30 PM ON MONDAY, OCTOBER 28, 2013, THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING WILL HOLD A WORKSHOP AT PALACE STATION HOTEL AND CASINO, 2411 W. SAHARA AVENUE, SALON F, LAS VEGAS, NEVADA.

THE WORKSHOP HAS BEEN PREVIOUSLY NOTICED PURSUANT TO THE REQUIREMENTS OF NRS CHAPTER 233B. THE PUBLIC CAN COMMENT ON THE PROPOSED REGULATIONS DURING THE WORKSHOP BY APPEARING AT THE LOCATION SET OUT ABOVE.

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.

**1. WORKSHOP ON PROPOSED REGULATIONS**

THE PURPOSE OF THIS PORTION OF THE AGENDA IS TO SOLICIT COMMENTS FROM INTERESTED PERSONS ON THE FOLLOWING GENERAL TOPICS THAT MAY BE ADDRESSED IN THE PROPOSED REGULATIONS:

<u>TOPIC</u>	<u>NAC REGULATION</u>
A. The Commission to consider amending NAC 289.230, which establishes the requirements for mandatory annual continuing education, to include proposed changes to the annual 24 hour continuing education training requirement. The regulation changes are being considered in order to provide agencies more flexibility in meeting individual training needs and increasing overall professionalism.	<b>NAC 289.230</b>
2. Public Comments. <i>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.</i>	
3. <b><u>DISCUSSION, PUBLIC COMMENT AND FOR POSSIBLE ACTION.</u></b> Adjournment.	

**POSTED AT THE FOLLOWING LOCATIONS:**

POST Administrative Office, Carson City  
Nevada State Capitol, Carson City  
Blasdel State Building, Carson City  
Nevada State Library and Archives, Carson City  
Grant Sawyer Building, Las Vegas  
White Pine County Sheriff's Office, Ely  
Carson City Sheriff's Office  
<http://www.post.state.nv.gov>  
[www.http://leg.state.nv.us](http://www.leg.state.nv.us)

**Electronically Posted pursuant to NRS 241.020(4)**

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

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

**AGENDA ITEM #1**

**WORKSHOP ON PROPOSED REGULATIONS  
NAC 289.230**

- A. The Commission to consider amending NAC 289.230, which establishes the requirements for mandatory annual continuing education, to include proposed changes to the annual 24 hour continuing education training requirement. The regulation changes are being considered in order to provide agencies more flexibility in meeting individual training needs and increasing overall professionalism.

**NOTATION: Wording in bold italic is proposed draft changes.**

289.230 1. To maintain a basic certificate or reserve certificate, the officer must annually *demonstrate proficiency as provided in subsection 4, and* complete ~~12~~ 24-hours of additional *agency in-service* training *which may include, but not limited to, topics consisting of legal issues, agency policies and procedures, driving, first aid, cardiopulmonary resuscitation, bloodborne pathogens, sexual harassment or any other agency in-service training as may be prescribed* by the administrator of the employing agency of the officer. ~~and approved by the Executive Director.~~ The employing agency shall ensure that its officers receive the required training. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 3 for failure to comply with this section. After an officer completes such training, the employing agency shall submit verification of completion of training to the Executive Director by [any means approved by the Executive Director](#). Verification must be submitted before ~~December~~ *January* 31 following the year in which training was required.

**AGENDA ITEM #2-3**

**WORKSHOP ON PROPOSED REGULATIONS**

2. Public Comments
3. Adjournment

**I. PUBLIC COMMENT HEARING**

**TUESDAY OCTOBER 29  
5:00PM**





STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

09/3/2013

## **NOTICE OF INTENT TO ACT UPON A REGULATION**

### **Notice of Hearing for the Adoption, Amendment and Repeal**

**Of**

### **Regulations of the Commission on Peace Officers' Standards and Training**

**PUBLIC COMMENT HEARING NOTICE:** The Peace Officers' Standards and Training Commission will hold a public hearing at 5:00 pm, on October 29, 2013, at the Palace Station Hotel and Casino, 2411 W. Sahara Las Vegas, Nevada, Salon rooms F and G. The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment and repeal of regulations that pertain to Chapter 289 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. A statement of the need for and purpose of the proposed regulations. This proposed regulation involves the amendment of following NAC Chapters.

A. Amend NAC 289.230 to permit the Executive Director to approve various methods, including electronic submission, for law enforcement agencies to report to the Commission continuing education compliance by its peace officers. Amend NAC 289.230 to authorize the Executive Director to temporarily reinstate the certification of a peace officer whose certification has been previously suspended for failure to complete required mandatory annual continuing education upon receiving documentation showing the officer has completed the mandatory continuing education. The temporary reinstate expires on the date the Commission considers whether the peace officer's certification should be reinstated.

B. Amend NAC 289.240, which establishes the minimum requirements for an Intermediate Certificate, to re-align the education, training, and time of service eligibility requirements for officers.

C. Amend NAC 289.250, which establishes the minimum requirements for an Advanced Certificate, to re-align the education, training, and time of service eligibility requirements for officers.

D. Amend NAC 289.310(1)(6)(7)(8)(9), which establishes the requirement to report certain information for courses above level of basic training, to include that an agency or training provider may apply for course certification utilizing the electronic submission format.

E. Under subsection 6 to require private training providers to maintain and make available for inspection upon request of the Commission or its designee certain training records outlined under this section.

F. Under subsection 7 to require agencies that are not required to submit courses for certification to 1 maintain and make available for inspection upon request of the Commission or its designee a roster of attendees, examination results and course evaluations.

G. Under section 8 to require an agency or training provider whose course has been certified to issue a certificate of completion to all peace officer attendees who successfully complete the training. The certificate of completion shall contain the POST Commission certification number, course name, course hours, and date course presented.

H. Addition of new section 9 to require an employing agency whose peace officer attends a certified course upon receipt of a certification of completion, to report the attendance via electronic form approved by the Executive Director for importation into the POST Commission training record.

2. A copy of the proposed permanent regulations that have been prepared and approved by the Legislative Counsel pursuant to NRS 233B.063 can be found at the State Library, 100 Stewart Street, Carson City, Nevada. The approved text of the proposed regulations can also be found in the Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, on the internet at <http://www.leg.state.nv.us> and on the POST website at <http://www.post.state.nv.gov>. A copy of the LCB approved proposed permanent regulations will be available at the POST Commission Administrative Offices, 5587 Wai Pai Shone Avenue, Carson City, Nevada 89701, and in all counties in which an office of the agency is not maintained, at the main public library for inspection and copying by members of the public during normal business hours.

3. To our knowledge, these regulations do not overlap or duplicate the regulations of other state or local governmental agencies.

4. These regulations are not required pursuant to federal law.

5. These regulations do not include provisions which are more stringent than federal regulations that regulate the same activity.

6. These regulations do not establish any new fee or increase an existing fee.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. Both adverse and beneficial effects, immediate and long-term effects:

***Immediate and Long-term Effects:***

***A. Adverse effects:***

There are no anticipated adverse effects.

***B. Beneficial effects:***

The amendment to the regulations should lead to an increased level of professionalism among peace officers employed by law enforcement agencies. The amendment will authorize the Executive Director to temporarily reinstate an officer's certificate who has come into compliance with the continuing education requirements so they can return to work prior to the next Commission meeting. The Amendment restructures the training, education and time of service requirements to qualify for the Intermediate and Advanced Certificates providing merit for education and time of service. The amendment requires training providers to maintain and make available for inspection upon request of the Commission certain training records. The amendment should increase the efficiency of agencies and the Commission by permitting electronic submission of training records.

Persons wishing to comment upon the proposed action of the Peace Officers' Standards and Training Commission may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Richard Clark, Executive Director, POST Commission, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. **Written submissions must be received by the POST Commission on or before 5:00 pm on October 17, 2013.** If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Peace Officers' Standards and Training Commission may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and regulations to be adopted, amended or repealed will be available at the POST Commission Administrative Offices, 5587 Wai Pai Shone Avenue, Carson City 89701, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us> and on the POST web site at <http://www.post.state.nv.gov>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

The Notice of Hearing has been mailed to all criminal justice agencies on the Nevada POST mailing list and posted at the following locations:

**CARSON CITY**

Blasdel Building, 209 East Musser Street  
Nevada State Library, 100 Stewart Street  
Capitol Building, 101 N. Carson Street  
NV POST, 5587 Wa Pai Shone Avenue

**LAS VEGAS**

Grant Sawyer State Building, 555 Washington Avenue

**ELY**

White Pine County Sheriff's Office, 1785 Great Basic Blvd

**COUNTY LIBRARIES (MAIN BRANCHES)**

CARSON CITY LIBRARY  
900 NORTH ROOP STREET  
CARSON CITY, NEVADA 89702

CHURCHILL COUNTY LIBRARY  
553 SOUTH MAINE STREET  
FALLON, NEVADA 89406

LAS VEGAS-CLARK COUNTY  
833 LAS VEGAS BLVD - NORTH  
LAS VEGAS, NEVADA 89101

DOUGLAS COUNTY LIBRARY  
1625 LIBRARY LANE  
MINDEN, NEVADA 89423

ELKO COUNTY LIBRARY  
720 COURT STREET  
ELKO, NEVADA 89801

ESMERALDA COUNTY LIBRARY  
FOURTH AND CROOK STREETS  
GOLDFIELD, NEVADA 89013

EUREKA COUNTY LIBRARY  
10190 MONROE STREET  
EUREKA, NEVADA 89316

HUMBOLDT COUNTY LIBRARY  
85 EAST 5TH STREET  
WINNEMUCCA, NEVADA 89445

LANDER COUNTY LIBRARY  
625 BROAD STREET  
BATTLE MOUNTAIN, NEVADA 89820

LINCOLN COUNTY LIBRARY  
93 MAIN STREET  
PIOCHE, NEVADA 89043

LYON COUNTY LIBRARY  
20 NEVIN WAY  
YERINGTON NEVADA 89447

MINERAL COUNTY LIBRARY  
FIRST AND A STREETS  
HAWTHORNE, NEVADA 89415

TONOPAH LIBRARY DISTRICT  
167 CENTRAL STREET  
TONOPAH, NEVADA 89048

PERSHING COUNTY LIBRARY  
1125 CENTRAL STREET  
LOVELOCK, NEVADA 89419

STOREY COUNTY LIBRARY  
95 SOUTH R STREET  
VIRGINIA CITY, NEVADA

WASHOE COUNTY LIBRARY  
301 SOUTH CENTER STREET  
RENO, NEVADA 89520

WHITE PINE COUNTY LIBRARY  
950 CAMPTON STREET  
ELY, NEVADA 89301

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**SEE ATTACHED COPIES OF THE PROPOSED REGULATIONS**

**PROPOSED REGULATION OF THE PEACE OFFICERS’  
STANDARDS AND TRAINING COMMISSION  
LCB File No. R188-12**

June 21, 2013

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

AUTHORITY:           §§1-5, NRS 289.510.

A REGULATION relating to peace officers; revising provisions governing the training of peace officers; authorizing the Executive Director of the Peace Officers’ Standards and Training Commission to temporarily reinstate a basic or reserve certificate under certain circumstances; revising the requirements for obtaining intermediate and advanced certificates; revising provisions governing courses of training above the level of basic training; and providing other matters properly relating thereto.

**Section 1.** NAC 289.230 is hereby amended to read as follows:

289.230 1. To maintain a basic certificate or reserve certificate, the officer must annually complete 24 hours of additional training prescribed by the administrator of the employing agency of the officer and approved by the Executive Director. The employing agency shall ensure that its officers receive the required training. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 3 for failure to comply with this section. After an officer completes such training, the employing agency shall submit verification of completion of training to the Executive Director ~~[on a form approved by the Commission.]~~ *by any means approved by the Executive Director.* Verification must be submitted before January 31 following the year in which training was required.

2. If the Executive Director has not received verification of completion of training pursuant to subsection 1 before January 31 following the year in which training was required, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 1 and that if the verification is not received on or before March 1 of that year, 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 of completion of training pursuant to subsection 1 on or before March 1 following the year in which training was required, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

3. 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 continuing education requirement. 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 obtain the required training 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 continuing education requirement. 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 reinstated certificate* of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the continuing education requirement.

4. Except as otherwise provided in subsections 6 and 7, as part of 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 firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any firearm he or she

is authorized to use may not carry or use the 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 defensive tactics, demonstrate annually a minimum level of proficiency in the use of defensive 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.

5. Each employing agency shall establish and provide the courses set forth in subsection 4 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

6. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 12 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 12 consecutive months but not more than 60 consecutive months; or

(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 12 consecutive months,

↪ must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 4 and demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use before resuming his or her duties as a peace officer.

7. An officer who instructs a course pursuant to subsection 4 is not required to comply with the continuing education requirements of subsection 4 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.

8. Each agency shall maintain documentation of the courses provided pursuant to subsection 4. 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.



**Sec. 2.** NAC 289.240 is hereby amended to read as follows:

289.240 The Executive Director shall grant an intermediate certificate to an officer upon submission of proof satisfactory to the Executive Director that the officer ~~meets the following minimum requirements:~~

~~1. Forty hours of training concerning the skills of officers, consisting of courses certified by the Executive Director relating to the physical and technical aspects of the requirements of duty, including, without limitation:~~

~~(a) Firearms;~~

~~(b) Self-defense; and~~

~~(c) Use of equipment.~~

~~2. Forty hours of training concerning investigative skills, consisting of courses certified by the Executive Director covering various aspects and types of investigation, including, without limitation:~~

~~(a) Homicide;~~

~~(b) Interview and interrogation;~~

~~(c) Arson;~~

~~(d) Scientific methods; and~~

~~(e) Other investigative studies.~~

~~3. Forty hours of training concerning human development, consisting of courses certified by the Executive Director relating to the human aspects of the duties of a peace officer, including, without limitation:~~

~~(a) Stress;~~

~~(b) Leadership; and~~

~~— (c) Community relations and other related fields.~~

~~— 4. Forty hours of courses certified by the Executive Director in legal subjects such as civil liability and criminal law.~~

~~— 5. Forty hours of elective training in any courses relating to peace officers. These courses may include excess courses from the categories set out in subsections 1 to 4, inclusive.~~

~~— 6. Six units of credit from an accredited college or university, including three units of English composition.~~

~~— 7. A] :~~

*1. Has a valid basic certificate [*

~~— 8. Three] ;~~

*2. Is currently employed as a peace officer by an agency; and*

*3. Meets the minimum requirements set forth in one of the following paragraphs:*

*(a) The officer:*

*(1) Has 2 years of experience as a peace officer employed by a Nevada agency [*

~~— 9. Current employment as a peace officer by an agency.] ;~~

*(2) Holds a bachelor's degree or a higher degree from a college or university accredited by a national or regional accrediting body recognized by the United States*

*Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 20 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(b) The officer:*

*(1) Has 4 years of experience as a peace officer employed by a Nevada agency;*

*(2) Holds an associate's degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 40 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(c) The officer:*

*(1) Has 6 years of experience as a peace officer employed by a Nevada agency;*  
*(2) Has earned 45 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 80 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(d) The officer:*

*(1) Has 8 years of experience as a peace officer employed by a Nevada agency;*  
*(2) Has earned 30 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 120 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(e) The officer:*

*(1) Has 10 years of experience as a peace officer employed by a Nevada agency;*

*(2) Has earned 15 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 160 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(f) The officer:*

*(1) Has 12 years of experience as a peace officer employed by a Nevada agency; and*

*(2) In addition to the training required by NAC 289.230, has successfully completed 200 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

**Sec. 3.** NAC 289.250 is hereby amended to read as follows:

289.250 The Executive Director shall grant an advanced certificate to an officer upon submission of proof satisfactory to the Executive Director that the officer : ~~meets the following minimum requirements:~~

1. ~~[A]~~ *Has a* current basic certificate ; ~~[.]~~
2. ~~[A]~~ *Has a* current intermediate certificate ; ~~[.]~~
3. ~~[Six]~~ *Is currently employed as a peace officer by an agency; and*
4. *Meets the minimum requirements set forth in one of the following paragraphs:*

*(a) The officer:*

*(1) Has 4* years of experience as a peace officer ~~[.]~~

~~4. Six units of credit from an accredited college or university in addition to the units required for the intermediate certificate, including three units of courses related to communication, including, without limitation, public speaking and development of instructors.~~

~~5. Two hundred hours of training in any courses relating to peace officers in addition to the training completed for the basic and intermediate certificates.] ;~~

*(2) Holds a bachelor's degree or a higher degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 40 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(b) The officer:*

*(1) Has 6* years of experience as a peace officer;

*(2) Holds an associate's degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 80 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(c) The officer:*

*(1) Has 8 years of experience as a peace officer;*

*(2) Has earned 45 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 160 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(d) The officer:*

*(1) Has 10 years of experience as a peace officer;*

*(2) Has earned 30 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 240 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(e) The officer:*

*(1) Has 12 years of experience as a peace officer;*

*(2) Has earned 15 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 320 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(f) The officer:*

*(1) Has 14 years of experience as a peace officer; and*

*(2) In addition to the training required by NAC 289.230, has successfully completed 400 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

**Sec. 4.** NAC 289.310 is hereby amended to read as follows:

289.310 1. An agency *or other provider of training* may apply for certification above the level of basic training for a course by submitting to the Executive Director ~~{}~~, *by any means approved by the Executive Director, a request to certify the course on a form approved by the Executive Director and:*

(a) A concise synopsis of the course, including, without limitation, the title of the course, the intended goals of the course and specific objectives for the students in the course;

(b) A detailed lesson plan, including, without limitation, a chronological list of the major subject headings;

(c) A list of the intended instructors, including, without limitation, a brief resume of experience in the subject area and experience in instructing for each instructor;

(d) The total amount of hours of instruction;

(e) A description of the written or practical examinations on the material covered by the course which is to be graded on a pass or fail basis and which measures accomplishment of the objectives by the students, including, without limitation, an examination at the beginning and end of the course; and

(f) A bibliography of all resource materials used to prepare the course.

2. The Executive Director shall award certification of a course to an agency *or other provider of training* which did not comply with the provisions of subsection 1 for a course which has been certified by another state or other comparable agency if the submitting agency *or other provider of training* presents the supporting documents concerning the subject matter and instructors.

3. A request to certify a course must be approved ~~[and signed]~~ by the administrator of the agency *or other provider of training* or the administrator's designee. If the course offers training in legal issues and subjects relating to legal liability, the legal adviser of the agency *or other provider of training* must approve the course . ~~[and sign the request for certification.]~~

4. The Executive Director shall review courses certified pursuant to this section periodically for compliance with the provisions of this section. The Executive Director shall notify an agency *or other provider of training* that provides such a course of any noncompliance.

5. The Executive Director shall revoke the certification of a course if the agency *or other provider of training* that provides the course:

- (a) Requests revocation of the certification of the course;
- (b) Has not provided the course during any period of 24 consecutive months; or
- (c) Does not comply with the provisions of this section.

6. ~~[A training course offered by a private vendor must be sponsored by a law enforcement agency or an accredited university or college.~~

~~7.]~~ An agency *or other provider of training* whose course has been certified shall ~~[~~  
~~within 15 working days after the completion of the course and on a form that has been approved~~  
~~by the Executive Director, submit to the Executive Director:]~~ *maintain on file, and make*  
*available for inspection upon the request of the Commission or its designee:*

- (a) A roster of the peace officers who attended the course;
- (b) Each officer's results on the examination; and
- (c) An evaluation of the course by each peace officer who attended the course.

~~[8.]~~ **7.** An agency *or other provider of training* whose course is currently accredited by an organization, such as the National Accreditation Committee or the American Correctional Association, which:

- (a) Is nationally recognized; and
- (b) Gives accreditation to courses for peace officers,

↪ is not required to apply to the Executive Director for accreditation of the course. Such an agency *or other provider of training* shall ~~[, within 15 working days after the completion of a course and on a form that has been approved by the Commission, submit to the Executive Director]~~ *maintain on file, and make available for inspection upon the request of the Commission or its designee*, a roster of the peace officers who attended the course, ~~[and]~~ each officer's results on the examination ~~[,]~~ *and an evaluation of the course by each peace officer who attended the course.*

**8.** *An agency or other provider of training whose course has been certified shall issue a certificate of completion to all peace officers who successfully complete the course of training. The certificate must contain:*

- (a) The certification number assigned to the course by the Commission;*
- (b) The name of the course;*
- (c) The hours of training earned for the course; and*
- (d) The date on which the course was presented.*

**9.** *The employing agency of a peace officer who attends a course certified pursuant to this section shall, upon receipt of the certificate of completion issued to the peace officer pursuant to subsection 8, report the peace officer's successful completion of the course to the Executive Director by any means approved by the Executive Director.*

**Sec. 5.** NAC 289.320 is hereby amended to read as follows:

289.320 Upon making a final decision to deny the certification of a course pursuant to

NAC 289.300 or 289.310, the Executive Director shall provide the affected agency *or other*

*provider of training* with written notification of that decision. The agency *or other provider of*

*training* may appeal the decision by filing a written request for appeal with the Executive

Director within 30 days after the date set forth on the written notification. The request for appeal



must set forth specific reasons why the agency *or other provider of training* believes the denial is improper. The Commission will place the matter on the next available agenda for a meeting of the Commission.



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

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

NOTICE IS HEREBY GIVEN THAT STARTING AT 5:00 PM ON TUESDAY, OCTOBER 29, 2013, THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING WILL HOLD A REGULARLY SCHEDULED MEETING AT PALACE STATION HOTEL AND CASINO, 2411 W. SAHARA, SALONS F&G, LAS VEGAS, NEVADA.

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

**I. PUBLIC COMMENT HEARING**

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

THE PURPOSE OF THIS PORTION OF THE AGENDA IS TO RECEIVE COMMENTS FROM ALL INTERESTED PERSONS REGARDING THE AMENDMENT OF REGULATIONS PERTAINING TO THE NEVADA ADMINISTRATIVE CODE AS THEY RELATE TO THE COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING. A COPY OF THE PROPOSED REGULATIONS WILL BE AVAILABLE UPON REQUEST AT THE MEETING OR THEY CAN BE INSPECTED AT THE MAIN PUBLIC LIBRARY IN EACH COUNTY. The Public Comment Hearing has been previously noticed pursuant to the requirements of NRS Chapter 233B.

- A. Amend NAC 289.230 to permit the Executive Director to approve various methods, including electronic submission, for law enforcement agencies to report to the Commission continuing education compliance by its peace officers. Amend NAC 289.230 to authorize the Executive Director to temporarily reinstate the certification of a peace officer whose certification has been previously suspended for failure to complete required mandatory annual continuing education upon receiving documentation showing the officer has completed the mandatory continuing education. The temporary reinstate expires on the date the Commission considers whether the peace officer's certification should be reinstated.
- B. Amend NAC 289.240, which establishes the minimum requirements for an Intermediate Certificate, to re-align the education, training, and time of service eligibility requirements for officers.

- C. Amend NAC 289.250, which establishes the minimum requirements for an Advanced Certificate, to re-align the education, training, and time of service eligibility requirements for officers.
- D. Amend NAC 289.310(1)(6)(7)(8)(9) as follows:
1. Under subsection 1 which establishes the requirement to report certain information for courses above level of basic training, to include that an agency or training provider may apply for course certification utilizing the electronic submission format.
  2. Under subsection 6 to require private training providers to maintain and make available for inspection upon request of the Commission or its designee certain training records outlined under this section.
  3. Under subsection 7 to require agencies that are not required to submit courses for certification to maintain and make available for inspection upon request of the Commission or its designee a roster of attendees, examination results and course evaluations.
  4. Addition of new subsection 8 to require an agency or training provider whose course has been certified to issue a certificate of completion to all peace officer attendees who successfully complete the training. The certificate of completion shall contain the POST Commission certification number, course name, course hours, and date course presented.
  5. Addition of new subsection 9 to require an employing agency whose peace officer attends a certified course upon receipt of a certification of completion, to report the attendance via electronic form approved by the Executive Director for importation into the POST Commission training record.

**ITEM #1**

CALL TO ORDER

**ITEM #2**

ROLL CALL OF MEMBERS

## **II. REGULARLY SCHEDULED MEETING**

## II. REGULARLY SCHEDULED MEETING AGENDA ITEMS

1. Commission Chairman Ron Pierini
  - a. Farewell, retirement of Commissioner Assistant Sheriff Marshall Emerson of the Washoe County Sheriff's Office.
  - b. Welcome new Commissioner, Director James M. Wright of the Nevada Department of Public Safety
2. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Approval of the minutes from the July 24 Workshop and July 25, 2013 POST Commission meeting.
3. Executive Director's Report.
  - a. **INFORMATION ITEM** Bureau updates.
  - b. **INFORMATION ITEM** POST Budget.
  - c. **INFORMATION ITEM** 1st Quarter Report/Performance Indicators.
  - d. **INFORMATION ITEM** Certificates issued.
  - e. **INFORMATION ITEM** Courses certified.
4. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
The Commission will discuss, receive public comment and possibly take action to adopt proposed amendments.

### **TOPIC**

### **NAC REGULATION**

- |   |                                      |
|---|--------------------------------------|
| A. Amend NAC 289.230 to permit the Executive Director to approve various methods, including electronic submission, for law enforcement agencies to report to the Commission continuing education compliance by its peace officers. Amend NAC 289.230 to authorize the Executive Director to temporarily reinstate the certification of a peace officer whose certification has been previously suspended for failure to complete required mandatory annual continuing education upon receiving documentation showing the officer has completed the mandatory continuing education. The temporary reinstatement expires on the date the Commission considers whether the peace officer's certification should be reinstated. | NAC 289.230                          |
| B. Amend NAC 289.240, which establishes the minimum requirements for an Intermediate Certificate, to re-align the education, training, and time of service eligibility requirements for officers.   | NAC 289.240                          |
| C. Amend NAC 289.250, which establishes the minimum requirements for an Advanced Certificate, to re-align the education, training, and time of service eligibility requirements for officers.   | NAC 289.250                          |
| D. Amend NAC 289.310(1)(6)(7)(8)(9) as follows: <ol style="list-style-type: none"><li>1. Under subsection 1 which establishes the requirement to report certain information for courses above level of basic training, to include that an agency or training provider may apply for course certification utilizing the electronic submission format.</li><li>2. Under subsection 6 to require private training providers to maintain and make available for inspection upon request of the Commission or its designee certain training records outlined under this section.</li></ol>   | NAC 289.310(1)<br><br>NAC 289.310(6) |

**TOPIC**

**NAC REGULATION**

3. Under subsection 7 to require agencies that are not required to submit courses for certification to maintain and make available for inspection upon request of the Commission or its designee a roster of attendees, examination results and course evaluations. NAC 289.310(7)
4. Addition of new subsection 8 to require an agency or training provider whose course has been certified to issue a certificate of completion to all peace officer attendees who successfully complete the training. The certificate of completion shall contain the POST Commission certification number, course name, course hours, and date course presented. NAC 289.310(8)
5. Addition of new subsection 9 to require an employing agency whose peace officer attends a certified course upon receipt of a certification of completion, to report the attendance via electronic form approved by the Executive Director for importation into the POST Commission training record. NAC 289.310(9)
5. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
The Commission will discuss and possibly take action to continue the rulemaking process to amend NAC 289.230, which establishes the requirements for mandatory annual continuing education, to include proposed changes to the annual 24 hour continuing education training requirement.
6. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Aaron Hughes, formerly of the Elko Police Department, for a felony conviction of Incest. The Commission will decide whether to revoke Mr. Hughes's Category I Basic Certificate which was previously suspended upon the original Criminal Information.
7. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Hearing pursuant to NAC 289.290(1)(g) on the suspension of Armando Flores, formerly of the Clark County Juvenile Justice Services, for felony indictment of Attempted Theft. The Commission will decide whether to suspend the Category II Basic Certification.
8. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Edward Lattin III, formerly of the Nevada Department of Public Safety, for a felony conviction of Reckless Driving. The Commission will decide whether to revoke the Category I Basic Certification.
9. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
Hearing pursuant to NAC 289.290(1)(g) on the revocation of James Segura, formerly of the Las Vegas Metropolitan Police Department, for felony conviction of Attempted Discharge of Firearm in a Structure. The Commission will decide whether to revoke the Category I Basic Certification.
10. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**  
POST Commission to consider a request from the Henderson Police Department for an Executive Certificate for Captain Bobby Long.
11. **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION.**

POST Commission to consider a request from the Douglas County Sheriff's Office for an Executive Certificate for Captain Joseph Duffy.

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

POST Commission to consider a request from the Department of Public Safety for an Executive Certificate for Captain Chad Hastings.

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

POST Commission to consider a request from the Department of Public Safety for an Executive Certificate for Captain Susan K. Aller-Schilling..

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

Request from the Mineral County Sheriff's Office requesting a six-month extension of time pursuant to NRS 289.550 to complete the certification process for a peace officer that has not completed the process within the one year time period for their employee Deputy Jason Graves.

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

Request from the Pyramid Lake Police Department requesting a six-month extension of time pursuant to NRS 289.550 to complete the certification process for a peace officer that has not completed the process within the one year time period for their employee Morgan Blake.

16. **PUBLIC COMMENTS**

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

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

Schedule upcoming Commission meetings.

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

Adjournment.

**POSTED AT THE FOLLOWING LOCATIONS:**

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

Electronically Posted pursuant to NRS 241.020(4)

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

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



## **AGENDA ITEM #1**

- a. Retirement of Commissioner Assistant Sheriff Marshall Emerson of the Washoe County Sheriff's Office.
- b. Welcome new Commissioner, Director James M. Wright of the Nevada Department of Public Safety.



*Dedicated Service in Partnership with our Community*

August 23, 2013

Richard P. Clark  
Executive Director  
Commission on Peace Officers' Standards and Training  
5587 Wa Pai Shone Ave.  
Carson City, NV 89701

Dear Dick:

I will be retiring from Washoe County Sheriff's Office effective August 30, 2013. Therefore, I hereby submit my resignation as a POST Commissioner for the State of Nevada, effective August 30, 2013.

Thank you for the opportunity to serve as Commissioner. It has been a pleasure working with you over the years. Please do not hesitate to ask if I can provide you with any assistance in the future.

I wish you good luck and continued success.

Sincerely,

A handwritten signature in blue ink, appearing to read "Marshall R. Emerson".

Marshall R. Emerson  
Assistant Sheriff

cc Annalyn Carrillo  
Scott Johnston

ONE HUNDRED ONE NORTH CARSON STREET  
CARSON CITY, NEVADA 89701  
OFFICE: (775) 684-5670  
FAX No.: (775) 684-5683



555 EAST WASHINGTON AVENUE, SUITE 5100  
LAS VEGAS, NEVADA 89101  
OFFICE: (702) 486-2500  
FAX No.: (702) 486-2505

## Office of the Governor

August 26, 2013

Director James Wright  
Department of Public Safety  
555 Wright Way  
Carson City, NV 89711

RE: Appointment to the Peace Officers' Standards and Training Commission  
Term: 8/28/2013 to 6/30/2015

Dear Director Wright:

Congratulations on your appointment to the Peace Officers' Standards and Training Commission for the State of Nevada. I truly appreciate your commitment to serve Nevada and your fellow citizens.

The official commission, signed by me and Secretary of State Miller, is for your records. Accompanying your commission is an oath of office, which must be executed before a notary public or any other authorized official (as required by NRS 281.030). This oath must be signed and returned to the Governor's office, and a copy to the commission before serving your term.

Should you have any questions regarding the enclosed, please contact Annalyn Carrillo at (702) 486-0625. We wish you the best of luck in your position, and thank you for agreeing to serve the citizens of Nevada.

*Thank you for  
your service to  
Nevada -*

Sincere regards,

A handwritten signature in blue ink, appearing to read "Brian Sandoval".

BRIAN SANDOVAL  
Governor

Enclosures

cc: Richard Clark, Executive Director  
Commission on Peace Officers' Standards and Training

**AGENDA ITEM #2**

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

Approval of the minutes from the July 24, 2013 Workshop and July 25, 2013 POST Commission meeting.

**PEACE OFFICERS' STANDARDS AND TRAINING**

**WORKSHOP**

July 24, 2013

9:33 a.m.

Peace Officers' Standards And Training  
Prospector Hotel and Casino  
1501 East Aultman  
Ghost Train Room  
Ely, Nevada

**MEMBERS PRESENT:**

**Ronald Pierini**, Sheriff - Chairman,  
Douglas County Sheriff's Office

**Karen Coyne**, Chief Officer  
Public Safety, City of Las Vegas

**Marshall Emerson**, Assistant Sheriff  
Washoe County Sheriff's Office

**Troy Tanner**, Chief of Police  
City of Mesquite Police Department

**Dan Watts**, Sheriff  
White Pine County Sheriff's Office

**STAFF PRESENT:**

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

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

**Scott Johnston**, Bureau Chief,  
Commission on Peace Officers'  
Standards and Training

**Michael Sherlock**, Audits and  
Compliance  
Peace Officers' Standards and  
Training

**Elaine Moore-Cerda**  
Commission on Peace Officers'  
Standards and Training

1                   RONALD PIERINI: Okay, we're going to get  
2 started, if we could, and one of the things -- and  
3 the audience, if you would please sign up over to my  
4 left. If you haven't done that, we'd ask you to do  
5 that. Today we're having a July -- oh, excuse me,  
6 just a second, Wednesday, July 24th, and we're  
7 having a workshop in reference to a couple of items  
8 that we're going to discuss. And before -- we have  
9 a couple of new members with our Commission that we  
10 want to go over some of the rules if we could or  
11 least advise them what this workshop's all about.

12                   We are in Ely and we're at the Prospector  
13 Hotel and what I'd like to do is to start off with a  
14 roll call, if we could, and we'll start with you,  
15 Dan, if you could say who you are.

16                   DAN WATTS: Dan Watts, White Pine County.

17                   MARSHALL EMERSON: Marshall Emerson,  
18 Washoe County.

19                   RONALD PIERINI: Ron Pierini, Sheriff,  
20 Douglas County.

21                   KAREN COYNE: Karen Coyne, City of Las  
22 Vegas.

23                   TROY TANNER: Troy Tanner, Mesquite Police  
24 Department.

25                   RICHARD CLARK: Dick Clark, P.O.S.T.

1                   MICHAEL JENSEN:  Mike Jensen, Attorney  
2  General's Office.

3                   MICHAEL SHERLOCK:  Mike Sherlock, P.O.S.T.

4                   SCOTT JOHNSTON:  Scott Johnston, P.O.S.T.

5                   ELAINE MOORE-CERDA:  Elaine Moore-Cerda,  
6  P.O.S.T.

7                   RONALD PIERINI:  Okay.  Thank you.  I'd  
8  like to remind the public, as I just said, there's  
9  an attendance roster to my left.  If you haven't  
10 filled that out, please do so.  And, also, this is a  
11 public event meeting more than anything is getting  
12 input on some of the issues that we want to bring  
13 forward.  If anybody in the audience wishes to do  
14 that, come up to the table and you go ahead and say  
15 your name and who you represent.  And, as a courtesy  
16 to others, we ask that all cell phones are turned  
17 off or least-wise on vibrate.  Remind the  
18 Commissioners that they state their name before you  
19 speak, so we can get that on the record.  And that  
20 also as a reminder that the -- the microphones are  
21 very sensitive, so if you happen to be talking to  
22 your -- one of the Commissioners next to you, it may  
23 be picked up for that, so be very careful of that.  
24 And then we're not going to do any -- any motions  
25 right now as we're -- on these particular topics,



1 but in the future if there's any motions that are  
2 made, be sure to say your name and clearly what your  
3 motion is.

4 I'd like to start off with Scott Johnston,  
5 if I could, and -- and for the record, talk about  
6 where we actually posted this as a way that people  
7 know that we were having this workshop.

8 SCOTT JOHNSTON: Thank you. Scott  
9 Johnston for the record. The notice for this  
10 workshop was posted at the P.O.S.T. administrative  
11 office in Carson City, the Nevada State Capitol,  
12 Carson City, Blasdel State Building in Carson City,  
13 Nevada State Library and Archives, Carson City,  
14 Grant Sawyer Building, Las Vegas, White Pine County  
15 Sheriff's Office, Ely, Carson City Sheriff's Office,  
16 at the P.O.S.T. website at [www.post.nv.gov](http://www.post.nv.gov) and at  
17 the legislative state website at [www.leg.state.nv.us](http://www.leg.state.nv.us)  
18 and notices were sent out electronically to all  
19 agencies that it affected in the State.

20 RONALD PIERINI: Thank you, Scott. Also,  
21 for the record, the two topics that we're going to  
22 talk about is affecting the NAC's 289, which is  
23 dealing with the annual 24-hour continuing education  
24 training requirement and then, secondly, dealing  
25 with the Management Certificate process. I would

1 like to spend just a second or two with Mr. Jensen  
2 and talk about what a workshop is so everybody has a  
3 clear understanding of why we're doing this and what  
4 we expect.

5           MICHAEL JENSEN: Thank you, Mr. Chairman.  
6 Mike Jensen for the record. I guess the easiest way  
7 to just give a quick overview about what we're doing  
8 here to today is to start with the statute that  
9 creates the Commission in 289, Chapter 289. It  
10 provides that the Commission shall adopt certain  
11 regulations that deal with training and  
12 certification requirements. As part of that, the  
13 Commission has adopted regulations that deal with  
14 continuing education. Those are found in NAC in the  
15 Nevada Administrative Code, Chapter 289.230.

16           The rule -- the statutes provide that if a  
17 Commission is going to change its regulations or its  
18 rules, it has to follow certain procedures to do so  
19 and those -- those rules are found in Chapter 233B  
20 of the NRS. And part of that process to change a  
21 regulation is to have a workshop. And the workshop  
22 is basically designed just to allow interested  
23 parties, stakeholders, to come together to talk  
24 about a topic that affects regulations. In some  
25 cases, you will have a draft -- a set of draft

1 language in front of you. In other cases, you may  
2 not. It's not required that there be actual draft  
3 language for a regulation when you meet. It can be  
4 just an opportunity to talk about your regulations  
5 and a particular topic of interest under the  
6 regulations that maybe needs to be changed or  
7 revised.

8           So that's the -- the purpose today is to  
9 allow the Commission and members of the public,  
10 interested parties, to discuss these two topic areas  
11 that are outlined in the agenda.

12           RONALD PIERINI: Thank you. And just as a  
13 suggestion, again, for all of our Commissioners,  
14 this is the time that you feel free about discussing  
15 this issue. You know, sometimes at workshops,  
16 nobody wants to say anything. Well, that's not what  
17 our intent is. If we're going to be changing some  
18 NACs, we need to really talk about those and to be  
19 able to get that information out, what you feel  
20 about that and which direction we should go.

21           To back up for a minute, I want to make  
22 sure that we get for the record is that Nevada  
23 Department of Corrections Director Greg Cox and Tony  
24 DeMeo from Nye County Sheriff's Office and Gary  
25 Schofield from Metro are not present.

1           What I'd like to do is that -- a little  
2 bit of a history. Back in May, we had, if I recall  
3 right, it was -- we did a workshop about this very  
4 topic and we didn't feel very comfortable about  
5 that, only to make a decision at that time and move  
6 forward because we had some concerns about it, so  
7 that's why we're revisiting it again today. I know  
8 that we got some correspondence and, Scott, you have  
9 one from a sheriff that sent a letter in.

10           SCOTT JOHNSTON: Yes, sir. That's right.  
11 Scott Johnston for the record. After the May  
12 meeting, we did -- we got some feedback and we got a  
13 letter from the Sheriff at Churchill County, Sheriff  
14 Trotter, expressing his views on this issue and as  
15 well as two of his captains, Captain Joseph and  
16 Captain Matheson. And this is under tabbed agenda  
17 item number one. There's a copy of the letter from  
18 the Commissioners in their book. And at this time,  
19 I would like to read this letter into the record. I  
20 do not see a representative here present from the  
21 agency. The letter is dated July 3, 2013, and it  
22 was addressed to Mr. Richard Clark, Executive  
23 Director of P.O.S.T.

24           "Dear Sir: I am sending this letter in  
25 support of the recommendation to amend NAC 289.230.

1 In particular, I wish to address the provision,  
2 which provides for the annual 24-hour training  
3 requirement. I am in favor of allowing individual  
4 agencies more flexibility in this training  
5 requirement. I would support an amendment that  
6 specified that individual employees be required to  
7 exhibit proficiency in training, rather than a set  
8 24 hours of training. I am including the signatures  
9 of my division captains to express their support for  
10 this measure." And it is signed by Sheriff Ben  
11 Trotter and by Captain Mark Joseph and Captain  
12 Michael Matheson.

13 RONALD PIERINI: Thank you, Scott. I  
14 think the one thing, just for new the Commissioners  
15 that are here, and some of the dialogue that we had  
16 in May and if you read some of the minutes from the  
17 last one, you'll see that it was kind of torn in  
18 between different directions, which way we were  
19 going, and one of which was that Pool Pact had made  
20 a statement about the importance of having records  
21 of training to make sure that if there is a civil  
22 litigation, they can pull those records and say that  
23 agency was up to the standard.

24 What I heard out of that at least was --  
25 is that they didn't feel comfortable about erasing

1 all the hour numbers. They wanted to have a hard  
2 number of what are we doing and where are we going  
3 and how many hours is somewhat suggested to be done  
4 or at least modify some of the -- maybe not all 24  
5 hours have to be spelled out, but at least half of  
6 them to say to a judge if there happens to be a  
7 legal litigation that these officers are well  
8 trained. That was one of the things that got us to  
9 where we are today is that we need to review that.

10           And under the first one under A, under  
11 Topic is amending NAC 289.230, which establishes the  
12 requirements of mandatory annual continuing  
13 education, to include proposed changes to the annual  
14 24-hour continuing education training requirement.  
15 The regulation changes are being considered in order  
16 to provide agencies more flexibility in meeting the  
17 individual training needs and increasing overall  
18 professionalism.

19           And what we did ask was that there was  
20 three different kinds of categories that we were  
21 going to look at. One of which is that we don't  
22 even have hours down, that we are saying that they  
23 provide that training for those certain situations  
24 or those certain classes, if they're completed,  
25 that's good enough. The other one was is they'll

1 split it in half and say in one of them 12 hours of  
2 professional training and then the others was  
3 something that just had to be signed off that they  
4 were proficient in. Or number three was we'll keep  
5 it exactly what it is.

6 And I see Mike Sherlock is here and he's  
7 going to give us a presentation and kind of go  
8 through all the different categories and so we can  
9 discuss those and see which way we're going to go  
10 with them. So, Mike, you're up.

11 RICHARD CLARK: Mr. Chairman.

12 RONALD PIERINI: I'm sorry.

13 RICHARD CLARK: Dick Clark for the record.  
14 It might be easier for Mike's presentation if the --  
15 the P.O.S.T. Commissioners moved to the area there.  
16 Do you think?

17 RONALD PIERINI: I do.

18 RICHARD CLARK: Because are you going to  
19 be showing from there or --

20 MICHAEL SHERLOCK: I don't want anyone to  
21 throw their back out, but, yeah.

22 RICHARD CLARK: Okay. Because you're  
23 actually -- you're going to be --

24 MICHAEL SHERLOCK: Whatever works. It's  
25 going to -- yeah, it's a PowerPoint, so.

1           RICHARD CLARK:  Then I think it probably  
2  would -- might be easier if we move to the chairs.

3           MICHAEL SHERLOCK:  Okay.  Mike Sherlock  
4  for the record.  I apologize for the clarity, it's  
5  not us, it's the screen, so you may not even be able  
6  to read it from back here, but we'll give it a shot.  
7  At the last workshop, it was pretty clear that, at  
8  least from our perspective, that there's still some  
9  misunderstanding as to what 289.230 is and what it  
10 requires.  And so we wanted to try to go through  
11 this and try to explain it better, perhaps better  
12 than I did last time.

13           I just want to remind everyone that  
14 289.230 addresses the requirements to maintain a  
15 Basic Certificate.  Okay?  It's -- we have a  
16 separate process for professional development.  It  
17 has -- that is not what it addresses and, again, we  
18 have a process for that.  But 289.230 applies to the  
19 Basic Certificate and how you maintain the Basic  
20 Certificate and what is required.

21           Under the current regulation, I know you  
22 can't read that, but I just want to point out a  
23 couple things.  Under the current regulation, it  
24 starts out and tries to address the need for 24  
25 hours of additional training.  That in alone is



1 confusing because it's in addition to what? You  
2 know, it just says additional training. Then the  
3 section goes on to state that an officer must attend  
4 continuing education, so it goes from training to  
5 continuing education. And as -- then as you go  
6 further into the regulation, it states that an  
7 officer, as part of the continuing education, must  
8 demonstrate proficiency. So we're looking at three  
9 different things and one regulation. It's training,  
10 it's education or it's proficiency. And this is  
11 causing confusion as far as what we can tell from --  
12 for agencies.

13           So one of the problems that's been brought  
14 forward to us is the section, again, states both  
15 continuing education and demonstrate proficiency.  
16 Most agencies agree that those are two different  
17 things. Some agencies interpret proficiency as not,  
18 you know, it's not being education and they do not  
19 count proficiency towards the 24 hours. Proficiency  
20 is testing, it's not training and it doesn't count.  
21 While others simply call each critical skill,  
22 firearms, those kind of things, as a random number,  
23 five hours. Generally, it's five hours because we  
24 have five critical skills and if they're five hours  
25 each, when you're done, you're at 24 hours -- you're

1 at 25 hours and you've met the 24-hour requirement.

2 In either case, agents from our  
3 perspective, the agencies are simply conducting  
4 training to meet the regulation rather than, you  
5 know, to the benefit of the organization. They're  
6 trying to meet that 24 hours. Under the NAC,  
7 training used to comply with 230 cannot be used  
8 towards professional development hours.

9 So, last year, we -- we did a quick study  
10 and we determined there were 11,000, approximately  
11 11,000, it was 10,800 hours, something like that, in  
12 training that was simply used for compliance alone  
13 cannot be used for professional development and none  
14 of those hours could apply towards professional  
15 development. And that's because the section is  
16 about maintaining a Basic Certificate, so these  
17 extra hours really do not make sense. It forces  
18 agencies to either use, you know, limited value  
19 training simply to meet the 24 hours or use, you  
20 know, important professional development hours to  
21 meet the 24 hours.

22 The other problems that we see, many  
23 agencies don't practice all critical skills. So we  
24 have an arbitrary 24 hours that includes critical  
25 skills, but the agency, you know, they may not carry

1 less lethal. They may not carry firearms. So what  
2 happens for these agencies is they are scrambling to  
3 meet the 24-hour requirement. They don't get to  
4 arbitrarily say we do five hours on firearms because  
5 they don't carry firearms. And so they're --  
6 they're at a disadvantage. They have to somehow  
7 make up that 24 hours in other ways. And, again,  
8 anything they do to make up those 24 hours will not  
9 count towards professional development.

10           Again, demonstrating proficiency is in  
11 conflict with the hourly requirement. So, you know,  
12 agencies are reporting hours simply because the  
13 current regulation requires hours. And, you know,  
14 there was a lot of talk about liability, but I think  
15 the question becomes why did it take the officer  
16 five hours to demonstrate proficiency, while in  
17 other agencies it only took one hour to demonstrate  
18 proficiency? Because the regulation says  
19 demonstrate proficiency.

20           And just -- just to throw up some of the  
21 inconsistencies, if you can see that -- that we see  
22 with this -- these hour requirements and I just have  
23 them up here. DPS, for example, they report to  
24 P.O.S.T. either two or three hours depending if, you  
25 know, they're using long guns or what not for

1 firearms training, three hours for less lethal,  
2 seven for DTs and one hour for use of force policy.  
3 You go to Metro. They're doing four hours,  
4 reporting four hours for firearms, six hours for  
5 less lethal, eight hours for DTs and two hours for  
6 use of force policy. So you can see there, it's all  
7 over the board. There's no consistency in what  
8 proficiency is and how long it takes an agency to  
9 demonstrate proficiency.

10           Again, why the inconsistency is because  
11 agencies are simply looking at what it takes to meet  
12 the 24-hour requirement, rather than recording  
13 proficiency or they're including hours that lead up  
14 to proficiency as part of that -- what they're  
15 reporting to P.O.S.T. And, you know, again these  
16 are then reported to P.O.S.T. as hours because we  
17 require hours.

18           We took a look at what surrounding states  
19 do. Arizona requires eight hours of professional  
20 development per year and eight hours of critical  
21 skills every three years. I wouldn't recommend  
22 this. They're -- they're pretty loose. They --  
23 that eight hours can be anything you want, any of  
24 the critical skills you want. So, in Arizona, if  
25 you do eight hours of firearms once every three

1 years, you're in compliance. You don't have to do  
2 DTs; you don't have to do any of that. So that's  
3 what they do. California, again, I -- you know, I  
4 know everybody hates California, but, as I said  
5 before, California has more attorneys than we have  
6 population and you can see what they do. They  
7 require 24 hours every two years, 12 of which must  
8 include tactical firearms, arrest control and  
9 driving and must also include two hours of  
10 communication. They have special level for command  
11 staff. They reduce those hours and that kind of  
12 thing. The remaining 10 hours in California is used  
13 to cover legislative and P.O.S.T. mandated specific  
14 subjects. So that 24 hours includes every year  
15 their legislature or their P.O.S.T. Commission  
16 mandates specific training and that's what that  
17 extra 10 hours is about.

18 RICHARD CLARK: California provides money.

19 MICHAEL SHERLOCK: And California pays for  
20 it, yeah. But, again, you can see what they require  
21 and that is based on liability and they've done  
22 studies. Idaho, again, they simply require 40 hours  
23 every two years. They don't care what it is. No  
24 critical skills requirement, no perishable skills  
25 requirement, anything like that, just 40 hours and

1 you're done in two years. Oregon requires 28 hours  
2 per year, eight of which must be firearms. That's  
3 their only requirements. Utah is 40 hours of what  
4 they call in-service training per year. There's no  
5 critical skill requirements. None of it counts  
6 towards professional development and almost anything  
7 counts towards the 40 hours. So you could take  
8 underwater basket weaving and it would count towards  
9 their 40 hours. They give you five hours just for  
10 participating in a physical fitness program and  
11 that's Utah's. And Washington requires 24 hours per  
12 year. They have no critical skills requirement and  
13 they don't issue professional development  
14 certificates. They have no process for professional  
15 development. You do 24 hours and you maintain your  
16 position as a sworn officer.

17           So after looking at what -- what P.O.S.T.  
18 staff is recommending is that we remember the  
19 regulation addresses what is necessary to maintain a  
20 Basic Certificate. And the recommendation is to  
21 maintain a Basic Certificate, an officer should  
22 demonstrate proficiency in the each of the critical  
23 skills yearly and twice for firearms, it's already  
24 in the regulation that way. No hourly requirement  
25 for maintaining the Basic Certificate, just those

1 perishable skills. And demonstrate proficiency is  
2 saying that they are proficient in those critical  
3 skills and that's what you would report to P.O.S.T.  
4 Any additional training could be at the discretion  
5 of the employing agency and it would be used for  
6 professional development, not for maintaining the  
7 Basic Certificate or trying to meet the, you know,  
8 the regulatory requirement. It would remove  
9 confusion and focus on those critical skills.  
10 Allows training to an agency standard rather than to  
11 meet a regulation and, of course, for us it would  
12 allow for more accurate reporting. Again, when we  
13 see that it took eight hours, because you have to  
14 report eight hours to demonstrate proficiency, we  
15 see that as a problem.

16           And if you look at the other states, it  
17 would really put Nevada at or above the requirements  
18 of all surrounding states. No state requires  
19 critical skills every year proficiency, not one.  
20 So, we'd be above the surrounding states just by  
21 doing this.

22           I know you can't read that. We threw in a  
23 sample -- sample wording of the recommendation. It  
24 would read almost identical to what it does now,  
25 just taking out the 24-hour requirement. We'd leave

1 the -- proficiency would be at the discretion of the  
2 agency. An agency would decide and determine what  
3 proficiency, as based on the type of weapon, the,  
4 you know, methods they use, that kind of thing.  
5 We'd leave that discretion in there, but would  
6 simply say to maintain a Basic Certificate, an  
7 officer must show that they are proficient in these  
8 critical skills and they -- and they can maintain  
9 their Basic Certificate that way. And, again, we  
10 have a separate system that values professional  
11 development and that's not what this section is  
12 about. And, again, you know, I won't read the whole  
13 thing, but the wording is -- is essentially the  
14 same, just removing that 24-hour requirement,  
15 removing the confusion between additional training,  
16 continuing education and demonstrating proficiency.

17 I did put in here, at the last workshop,  
18 it was recommended that we look at what we call  
19 extended absence, so I've included that in there.  
20 Basically, that is dropping from the one 12-month to  
21 the four month. If an officer is absent for four  
22 months or more, they have to do any training that  
23 they missed as a result of that four-month absence  
24 and that's all that is. And the same exemptions  
25 would apply for those who are range masters or DT



1 instructors, that kind of thing. That wouldn't  
2 change if -- if we were to adopt this type of  
3 regulation.

4           And I throw in another idea. There was  
5 lot of lip service paid to liability. Another idea  
6 would be to research what the appropriate hourly  
7 requirements are to maintain proficiency in each  
8 critical skill and any of the other high liability  
9 areas that the Commission might identify. The  
10 problem with that is, as -- as Mr. Clark pointed  
11 out, as opposed to California, they have a different  
12 budget structure and they're able to do that. And  
13 if we were to go this way, it would require a  
14 substantial research project to try to determine  
15 what would be a common number of hours to place on  
16 those critical skills. It would require us to  
17 mandate those hours for every agency and take a lot  
18 of discretion away from agencies and could result in  
19 a higher cost for training simply to maintain the  
20 Basic Certificate.

21           I put that in there because of the  
22 California regulation where they have done extensive  
23 studies on liability and what training should be  
24 done. And, again, they also zero in on critical  
25 skills. Of course, they add driving, but I throw

1 that in there based on the comments related to  
2 liability.

3           The other thing I want to point out, I  
4 know it was mentioned that there were -- there's  
5 some benefit in the mind of some that the 24 hours  
6 allows for legal update. I just want to point out  
7 again that the current regulation does not require  
8 legal update training at all. It is not specific,  
9 it is not targeted training, it is simply 24 hours,  
10 so that is not in there. And if we were to change  
11 this regulation, it would not take that discretion  
12 away from an agency that wanted to mandate legal  
13 update training every year for their agency. We're  
14 simply looking at the confusion between proficiency  
15 and training and reminding that this regulation  
16 applies to Basic Certificate maintenance, not  
17 professional development. And that's it.

18 Questions?

19           RICHARD CLARK: Let me make a comment  
20 based on the fact that, I mean, I just -- I became  
21 aware of this when I looked at it, but we have been  
22 using the term continuing education and that  
23 actually is a confusing term in reality because it  
24 bridges the need to maintain proficiency to maintain  
25 basic skills and professional development. The

1 truth is we really have "maintaining critical  
2 skills" to maintain a Basic Certificate and  
3 "professional development" is a whole different  
4 thing. And when you make that division, it makes us  
5 a little more clear. When you start using the term  
6 continuing education, it kind of marries those  
7 things together, which has become confusing. So,  
8 anyway, I think you probably have some questions for  
9 Mike.

10           MICHAEL SHERLOCK: If there's any  
11 questions, I'll try to clear it up. I don't know if  
12 I can, but.

13           RONALD PIERINI: Any of the Commissioners  
14 have any questions?

15           DAN WATTS: Dan Watts for the record.  
16 Well, we talked about cost and I know with the  
17 insurance company, Pool Pact, was here last time and  
18 they're not really in favor of this. Is that going  
19 to cause our insurance rates to go up? Is it going  
20 to cost us more in the long run there?

21           RONALD PIERINI: I don't -- I don't think  
22 it would increase probably the cost unless there was  
23 some litigation and because of not having that kind  
24 of documents, it lost cases that would increase the  
25 amount of money that people would pay or agencies

1 that would have to pay, but I don't think that right  
2 off the bat, it would increase that. That's just my  
3 own -- I'm not an attorney, but Mr. Jensen, that's  
4 probably pretty fair to say, I think.

5           MICHAEL JENSEN: I'm not familiar enough  
6 with how Pool Pact works to be able to answer a  
7 question on that.

8           RONALD PIERINI: I'm going to ask to the  
9 public. Is there anybody in the audience that would  
10 like to make a comment on this? Okay. Seeing none,  
11 go on to Karen.

12           KAREN COYNE: Mr. Chair, Karen Coyne.  
13 Mike, who -- is this presentation going to be given  
14 at the regular meeting tomorrow afternoon?

15           MICHAEL SHERLOCK: No. We're not on the  
16 agenda.

17           KAREN COYNE: I -- I would just like to  
18 say this. Thank you for putting that together  
19 because I think it was incredibly informative and  
20 clarified a number of things that were questionable  
21 during our last presentation. And I appreciate that  
22 we got a letter from one of those who had either, I  
23 can't recall if he had representatives present or if  
24 it was expressed by others who were against this  
25 adjustment that -- that he was also against it, but

1 I think that this presentation could be very helpful  
2 to others who may have the same questions in mind as  
3 we did.

4 MICHAEL SHERLOCK: Uh-huh. Sure.

5 SCOTT JOHNSTON: Scott Johnston for the  
6 record. Mr. Chairman, we do -- it is an agenda item  
7 tomorrow to either move forward continuing the  
8 rulemaking process and if it's the Commission's  
9 desire, we could present this PowerPoint  
10 presentation at the Commission meeting tomorrow.

11 RONALD PIERINI: I think we should do  
12 that, if we could. So if, Mike, you could have that  
13 here again and go over that in case there's people  
14 from the audience or the Sheriffs and Chiefs that  
15 are completed with that tomorrow morning, would like  
16 to stay and see that, we could -- we could maybe do  
17 that.

18 MICHAEL SHERLOCK: Sure.

19 MARSHALL EMERSON: One comment.

20 RONALD PIERINI: Yeah.

21 MARSHALL EMERSON: Marshall Emerson for  
22 the record. Regarding the concern of Pool Pact or  
23 any other insurance carrier, regardless of who that  
24 may be, my belief is -- is that that's between the  
25 insurance carrier and the insured. So I think what

1 this does is it provides the agencies across the  
2 state the opportunity to -- to determine the type of  
3 training past the basic skills level that they want  
4 to provide to their -- to their officers. And,  
5 additionally, it puts the onus, quite frankly, back  
6 on the agency.

7           And so if the agency, for example, if the  
8 executive staff of a particular agency is in favor  
9 of this and they -- and their insurance carrier and  
10 a lot of counties or some counties are self insured,  
11 others are not, come to the agreement that -- that  
12 this standard is -- is appropriate and the  
13 proficiency, demonstration of proficiency, is what's  
14 required, then that's fine between that agency and  
15 their carrier.

16           On the other hand, if a particular  
17 insurance carrier says, well, we know what -- what  
18 the State standard is, however, we want everybody  
19 that we insure to meet this standard, and that's  
20 adopted, then that's an administrative decision  
21 that's between that agency and their carrier and so  
22 be it. They're still meeting the standard. That's  
23 my comment.

24           RONALD PIERINI: Any other comments from  
25 the Commission?

1                   RICHARD CLARK: Mr. Chairman, I just  
2 wanted to mention that I -- I believe we can  
3 probably get a printout of what was not readable on  
4 the screen, which I think would be beneficial for  
5 everybody to be able to read and review, so maybe we  
6 can get a printout on some of those things and then  
7 hand -- hand that out to people.

8                   MICHAEL SHERLOCK: Everybody should have  
9 -- all the Commissioners have one of these.

10                  RICHARD CLARK: Oh, okay.

11                  MICHAEL SHERLOCK: And there's some for --

12                  RICHARD CLARK: Oh, okay, so you really  
13 already have it in front of you in a packet?

14                  MICHAEL SHERLOCK: Yeah.

15                  RONALD PIERINI: Now, let me -- let me  
16 outline some of the things that are my concerns  
17 and/or whatever and just -- just as a personal  
18 thing. The (inaudible) proficiency thing. I do  
19 truly -- truly understand that. I understand that  
20 agencies were spending a lot of time dealing with  
21 their training to get those hours in so they could  
22 complete the 24 hours or help them get to that --  
23 that number. And we also know that during that  
24 training, a lot of them are done and they're still  
25 waiting because they got to stay until 1:00 and then

1 we're paying overtime and I realize the money issue  
2 in dealing with that. And what I think what we're  
3 trying to do, and correct me if I'm wrong, is that  
4 what we would do is we would have a -- a form that  
5 would sit there and say the firearm's done and  
6 completed, you check it off. It doesn't have how  
7 many hours down there. Going to next one. Yeah, he  
8 did that one, he did this one, he did whatever, so  
9 that the agency is then absolutely saying that they  
10 had the training to complete that and they were  
11 successful in that particular event.

12           Where I have a problem with all of it is,  
13 is that we don't have a number of training to be on  
14 those critical proficiencies. That's where I have  
15 the problem. And our past commissioner and -- and  
16 director of DPS made it real clear at our last  
17 meeting was the fact that, you know what, we really  
18 need to make sure agencies are training people.

19           You know, the mission of P.O.S.T., in my  
20 opinion is, is not there for -- really for the  
21 individual officers, in a way it is, but on the  
22 other side of it is we're here to bring safety to  
23 the residents and the visitors coming through the  
24 State of Nevada. That's what we're trying to do is  
25 make a standard so that we are proud of our law



1 enforcement doing a successful job and doing the  
2 right thing in our communities.

3           And I don't have a problem with the fact  
4 of splitting this and it's not a compromise. Make  
5 no mistake about it. I think this critical  
6 proficiency thing, the check-off list is great. No  
7 problem. I still think we need to tag on hours that  
8 need to be done for training outside that. Some  
9 agencies may say, well, there's not any real  
10 requirement. Well, then on the other hand, if they  
11 get caught like Marshall said, was that, you know,  
12 they get into a liability and they never had any  
13 training, then guess what, there's a problem, isn't  
14 there?

15           I think that we are, again, trying to get  
16 the professional standard up pretty high. And in  
17 order to do that, you have to have regulations to  
18 make sure that it's done. And what I'm trying to  
19 say is 12 hours a year is nothing when you think  
20 about it. I mean, how many hours in Washoe County,  
21 Marshall, you guys teach -- I mean, I'm sure it's in  
22 the 40s-50 hours. I'm sure every year and I'm sure  
23 at Highway Patrol, same thing. I know Douglas  
24 County's the same, so it's not a big issue. And,  
25 yeah, we can put it on paper and say they went

1 through all these different things.

2           What I'm fearful of is the agency in the  
3 smaller rural areas that do not have the ability,  
4 the money, to do that, say, well, you know, we'll do  
5 the best we can, we're doing the critical, we'll put  
6 on some classes, but we're really not getting in the  
7 direction we really want to be to be as high as  
8 professional officers as we want.

9           And I'm kind of siding for, and it's okay  
10 if I lose the motion if we go forward with that, is  
11 that we still do 12 hours of training to make sure  
12 that there is accountability to a certain point for  
13 every agency. That's -- that's my thought. Again,  
14 it's not a compromise, it's more of forcing agencies  
15 to continue with that, for lack of a better term, is  
16 a cloud over their head saying we got to get that  
17 training done. Well, that's good because we need to  
18 have training. So that's kind of where I am at and  
19 if you don't agree or you have other things, then  
20 you need to bring it up now. That's what this  
21 workshop's about is talking about this and what we  
22 think. Mike?

23           MICHAEL SHERLOCK: Mr. Chairman, Mike  
24 Sherlock for the record. Just so I can address that  
25 a little because I have had comments on that. Just

1 last weekend in Las Vegas, this came up at one of my  
2 meetings. Some of the concerns on doing that,  
3 currently agencies value education by either  
4 providing incentive pay for intermediate advance or  
5 making it a requirement that you have your  
6 intermediate or advanced to, for example, test for  
7 sergeant or something like that.

8           The comments I received were if we mandate  
9 training as part of the Basic Certificate, you  
10 devalue the intermediate and advanced. And the  
11 other comments were, if we're going to say someone  
12 has to have an intermediate to test for sergeant,  
13 but we're going to force them to get their  
14 intermediate, there's no self initiative at all,  
15 they're getting 12 hours a year, it applies towards  
16 their intermediate. You know, if they have a  
17 degree, in two years they have their intermediate  
18 without ever applying any self initiative.

19           And that -- I just want to bring that up  
20 because that did come up last week and that were --  
21 those were the comments that I received in regards  
22 to requiring professional development hours or  
23 training hours as part of the Basic Certificate is  
24 that it would devalue the intermediate and advanced.  
25 And I just bring that up as -- as a comment that was

1 brought to me.

2           RONALD PIERINI: Mike, I appreciate that,  
3 but on the other side of it is if somebody already  
4 gets those certificates and does not need to go  
5 further with those, this is saying, well, I'm all  
6 done, I don't have to worry about it.

7           MICHAEL SHERLOCK: True.

8           RONALD PIERINI: And I don't need to worry  
9 about any more training. So, I mean, you're still  
10 -- you're still directing them, because I'm sure the  
11 majority of the officers that we have are really  
12 going forward with that, especially if they've been  
13 in the system for a long time. They are getting  
14 extra pay through the unions or, you know, the  
15 contracts, you know, and they're trying to build  
16 that. But what happens is that, you know, I got  
17 intermediate, I'm not going to go any further, I'm  
18 not going to worry about.

19           So where would we hurt ourselves by saying  
20 12 hours? Where -- what -- what was going to cause  
21 a big problem for the majority of employees for  
22 every law enforcement agency? Is that something we  
23 really are concerned about or are we saying the  
24 State of Nevada has standards that we're doing the  
25 critical proficiency end of it and we're also

1 mandating other training? Is that really a  
2 difficult thing?

3           So, I don't know, that's just my points.  
4 So I don't know. For whatever it's worth, does  
5 anybody want to throw some -- you know, we have to  
6 kind of look at this, where are we going to go  
7 tomorrow because tomorrow do we go forward with this  
8 and what direction do we give staff how to -- to  
9 then put it on the agenda again to make this NAC,  
10 you know, valid. And we're going to have to as a  
11 group of people either say we're just going to stay  
12 the way we've been or we're going to split it in  
13 half, we're going to not even have any hours.

14           So, I mean, tomorrow we're going to have  
15 to make that decision and something to think about  
16 and I think that all of us need to talk about that  
17 even today is what direction, kind of, do you like  
18 the best and -- and you know what, that's a -- it's  
19 a system here as Commissioners that vote on that and  
20 that's the way we'll go. So, I don't know. I guess  
21 that's what I'm trying to say. Karen.

22           KAREN COYNE: Karen Coyne. So I'm torn.  
23 I'll be perfectly honest. I do share your concerns  
24 and expressed the same at our last meeting that  
25 particularly for those smaller agencies who constant

1 -- I mean, we all constantly battle for our budget  
2 dollars, but the smaller agencies, when they don't  
3 have something to point to that says I am required  
4 and we have an obligation and a responsibility to  
5 provide this training for our staff and it's going  
6 to cost "X" amount of dollars, I think that that is  
7 a disadvantage for those organizations.

8           And the very issue here that we're talking  
9 about with those who are hanging around to get the  
10 hours in, do they have the means to produce or  
11 develop the training that would be required to -- to  
12 fill those hours if we mandated them? So I'm -- I'm  
13 really torn. I'm -- I'm curious if any outreach was  
14 done with those who testified against this during  
15 our last meeting. Were they involved in any way,  
16 shape or form as -- as you've progressed through to  
17 where we're at today? Because I'd just like to take  
18 advantage of the time we have between today and  
19 tomorrow and circle back with those folks in  
20 particular and reach out to a few others to see how  
21 they -- how they really feel about this.

22           MICHAEL SHERLOCK: Mike Sherlock for the  
23 record. I did not reach out to them, partly because  
24 there was some confusion. I think one comment was  
25 made, and I don't recall who, that they were in

1 favor of maintaining the 24 hours because it allows  
2 when there's a lateral hire, they know that they've  
3 been trained. And, again, the reason we didn't  
4 really address it is there's some confusion with  
5 that. Under the current regulation, that 24 hours  
6 is not specific, so I don't know how it helps with a  
7 lateral hire because you don't -- there is no  
8 mandated training. You don't know what training  
9 fulfilled that 24 hours, which kind of goes to our  
10 whole point is much of that training is not valuable  
11 training. It's simply to meet the regulations.

12           So that's one comment from -- from one of  
13 the -- I believe it's a sheriff and we did not reach  
14 out because there's a confusion on what really the  
15 regulation requires and we kind of addressed that  
16 today and lateral -- at least that you would know  
17 that they are proficient in critical skills, you  
18 know, for lateral hire, so.

19           RICHARD CLARK: Mr. Chairman, Dick Clark  
20 for the record. Just to sort of reiterate what Mike  
21 was just saying is that the subcommittee that we --  
22 looking at this issue took into consideration the  
23 resistance, comments and concerns of those people  
24 who had testified and came to the meeting and -- and  
25 -- and surfaced to some degree the fact that a lot

1 -- some of what was said wasn't really valid because  
2 it was based out of confusion about what's going on  
3 now and wasn't really even accurate.

4           That, for instance, the Pool Pact issue of  
5 needing to make sure that there was a certain amount  
6 of hours so that legal updates would be viable and  
7 could be -- force agencies to -- budgets would be  
8 forced to pay for that. That -- that is -- there's  
9 no reality in that right now because there isn't  
10 anything in the regulations that mandates that they  
11 have to do that. So that really isn't even valid.

12           And it isn't valid, the other that Mike  
13 just brought up about the transferring because there  
14 isn't specifics in what has to be done, so agencies  
15 vary on how they train anyway and there's no way to  
16 validate that. The only thing that would be  
17 possible is if P.O.S.T. was to undertake a  
18 tremendous effort and expense to do a study to  
19 validate to find out what is proficiency in -- in  
20 less lethal. What exactly is -- level do you have  
21 to do and what -- what needs to be in that  
22 performance objectives in order to equalize all of  
23 those things? And that takes it away from the  
24 agencies because then they have to -- you know,  
25 obviously, we would try and come to some agreement



1 statewide with subject matter experts in each one of  
2 those fields. That would be a major undertaking to  
3 do that, but it would then set specific hours which  
4 probably liability-wise wouldn't be a bad idea, but  
5 I think expense-wise and -- and the ability to do  
6 that and taking away the, you know, the agency's  
7 ability to set their own standards would be  
8 affected.

9           RONALD PIERINI: Well, just as another  
10 comment, if I could. The only thing that I'm saying  
11 is I don't think that we -- we should rely on each  
12 agency to be professional, have good trainers, know  
13 exactly what the expectations of what we want do out  
14 of our training dealing with the critical  
15 proficiency. I don't think we need to get involved  
16 with that. I think that, you know what, we've got  
17 some great professionals out there doing a great  
18 job. They're all trained, they're -- they've been  
19 through, you know, programs and they're either  
20 dealing with weapons or dealing with a host of other  
21 things or experts and I think we allow them to do  
22 that. That's their responsibility. They should do  
23 that.

24           So, you know, I -- I don't think on that  
25 particular one, I would hate to see us go and -- and

1 start all this all over again and trying to say  
2 hours. That's not what I'm saying. I just -- just  
3 want to reiterate the fact that I still think that  
4 training is a very important thing and that's where  
5 I'm coming from. Marshall?

6           MARSHALL EMERSON: Marshall Emerson for  
7 the record. Supporting what Sheriff Pierini brought  
8 up here just awhile back about the additional  
9 training hours that would ensure the professional --  
10 professionalism of peace officers across the state.  
11 Maybe a consideration may be to expand the list of  
12 critical proficiencies and knowledge for this  
13 proposal, meaning that you don't necessarily have to  
14 attach hours to the proposal, but rather expand the  
15 list of required courses or proficiencies, I guess,  
16 for a lack of a better word, that an officer has to  
17 demonstrate.

18           So, for example, passed firearms and  
19 driving and things such as that, which we all are  
20 aware of, it might be appropriate to add an area of  
21 legal or legislative updates. You know, search, you  
22 know, rest, search and seizure, etc., etc., so that  
23 you know -- we know as a -- as a Commission, that  
24 every agency in the State at least is required to,  
25 in some way, provide that level of proficiency or

1 validation for their officers that they're receiving  
2 that and then leave the number of hours away from  
3 that.

4           And, again, short of mandating that people  
5 sit in a classroom and receive "X" number of hours,  
6 I again believe that it -- that that responsibility  
7 falls on those agencies, but I think that if you  
8 make it reasonable enough for the organizations,  
9 regardless of how large they are, it seems to me  
10 that, for example, most agencies on the legal  
11 updates have access to either their district  
12 attorney's office or some other legal counsel for  
13 their agency. And that person or somebody that's  
14 authorized by them to provide that -- that level of  
15 training and then validate the proficiency or the  
16 knowledge of their officers, whether it be given the  
17 form of a -- of a quiz, a test or whatever.

18           And, again, when it comes to, again,  
19 liability issues where lawsuits and complaints and  
20 things like that come forward, you know, that onus  
21 rests on the shoulders of the agency. So,  
22 basically, what you're doing is you're self-policing  
23 yourself, but you're setting the standards by which  
24 you're policing yourself.

25           RONALD PIERINI: Thank you. Dan, do you

1 have any more?

2 DAN WATTS: I agree. Dan Watts for the  
3 record. I agree with him. I think we need to put  
4 something in there to continue that people  
5 understand that -- of what we're doing. I think,  
6 you know, and as I talk about proficiency, I look at  
7 firearms and what's proficient? If he fires one  
8 shot, hits a target, is that proficient for that  
9 agency? I think we need to have something down that  
10 -- to back it up a little more. I think if you just  
11 leave it to proficient, it's going to be interpreted  
12 by whoever is teaching them at that time.

13 RONALD PIERINI: Okay. Karen, would you  
14 like to add anything more?

15 KAREN COYNE: No, sir.

16 RONALD PIERINI: Okay. Anybody else? Mr.  
17 Tanner, do you want to add something?

18 TROY TANNER: Sure. I thought about this  
19 while I was over at training for awhile. Oh, Troy  
20 Tanner. And, anyway, the P.O.S.T. requirements, you  
21 know, proficiency's what we're looking for. I don't  
22 know how many times trainers have told me that the  
23 range -- that we're not really doing training, you  
24 need to allow this other time for training, we're  
25 doing, you know, a qualification, which just makes

1 them proficient, using their guns.

2           But I think it's the agency's  
3 responsibility to develop their people and, of  
4 course, we require, you know, like Mike just talked  
5 about, to move up almost anywhere, to any special  
6 assignment, any advancement or organization, they  
7 have to have a certain amount of training in  
8 different areas, you know. And I think it's the  
9 agency's responsibility to develop their people and  
10 I think every agency will definitely see it a little  
11 different like what Mike showed on his PowerPoint,  
12 everyone has different concerns of training and they  
13 put a little bit more time to this area and some put  
14 it to a different area. And I think as long as we  
15 have a requirement they're proficient in all those  
16 areas of concern, it's still going to be up to the  
17 agency to, you know, find areas to highlight and  
18 things that are important to them. Everyone's got  
19 different opinions. There's a lot of different  
20 personalities out there. So that's all I have to  
21 add.

22           RONALD PIERINI: Okay. Thank you. Okay.  
23 I'm going to reach out one more time out to the  
24 public. Is there anybody would like to make any  
25 comments or suggestions? Okay. Seeing none. All

1 right. We'll go onto Number B, which is the NAC  
2 289, which establishes the minimum requirements for  
3 a Management Certificate to include the removal of  
4 the wording "in addition to the units required for  
5 the intermediate and advanced certificates." Scott,  
6 is that up to you?

7           SCOTT JOHNSTON: Thank you, Mr. Chairman.  
8 Scott Johnston for the record. This went before the  
9 Commission in a workshop for discussion at the last  
10 meeting. And this is -- we need to realign some of  
11 the wording in the Management Certificate  
12 requirements, so they don't conflict with  
13 intermediate and advanced. Currently, the wording  
14 in question here says "in addition to the units  
15 required for the intermediate and advanced  
16 certificate." That's the way the current standard  
17 is. You do so many hours of training for the  
18 intermediate, then so many more above and beyond  
19 that for the advanced and so many more above and  
20 beyond for the management.

21           However, with the new standard that is --  
22 has been discussed and approved to move forward with  
23 language on the intermediate, advanced and all the  
24 professionals, it's a total number of hours, which  
25 is inclusive of all of the levels of certificate.

1 So the total of number of hours increased, but it's  
2 -- when you look at the intermediate certificate,  
3 it's on a sliding scale based on education and  
4 experience, same with the advanced. And if we leave  
5 the language in addition to the units required for  
6 the intermediate and advanced, it's going to create  
7 a conflict because you could potentially not need  
8 hardly any training for the intermediate and  
9 advanced in exchange for a lot of years of  
10 experience and really higher education into the  
11 four-year, five, six-year degrees. So it creates a  
12 conflict with the other two certificates. So by  
13 moving forward for language to remove that, we'd  
14 clean that up and make it fall in line and be  
15 consistent.

16           RONALD PIERINI: Thank you, Scott. Any  
17 questions from the Commissioners? Seeing none,  
18 anybody in the public like to talk about this topic?  
19 Okay. Thank you, Scott. All right. Any -- the  
20 next one is dealing with public comments again.  
21 This is our legislature mandating certain things, so  
22 we're just doing what we are told. So I'm going to  
23 ask you and anybody in the public have any other  
24 comments on a subject that we haven't discussed  
25 today? Seeing none, we're going into adjournment.

1 And just for the record, before that is tomorrow.  
2 We will continue our regular P.O.S.T. Commission  
3 meeting in this very building at 1:30 tomorrow and  
4 to go over a different agenda and also include these  
5 two. So I'm looking for a motion for adjournment.

6 KAREN COYNE: Karen Coyne. I'll make a  
7 motion to adjourn.

8 RONALD PIERINI: Thank you, Karen. Do I  
9 have a second?

10 DAN WATTS: Dan Watts, second.

11 RONALD PIERINI: Dan Watts, second. All  
12 in favor?

13 COMMISSIONERS: Aye.

14 RONALD PIERINI: Thank you.

15

16

17 (MEETING ADJOURNED AT 10:26 A.M.)

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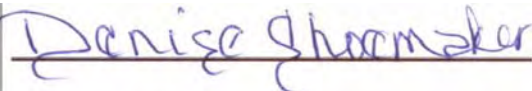
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I certify that the foregoing is a true and accurate transcript of the electronic audio recording from the meeting in the above-entitled matter.



8/7/13

DENISE SHOEMAKER  
COURT REPORTING SERVICES

**PEACE OFFICERS' STANDARDS AND TRAINING**

**REGULARLY SCHEDULED MEETING**

July 25, 2013

1:31 p.m.

Peace Officers' Standards And Training  
Prospector Hotel And Casino  
1501 East Aultman  
Ghost Train Room  
Ely, Nevada

**MEMBERS PRESENT:**

**Ronald Pierini**, Sheriff - Chairman,  
Douglas County Sheriff's Office

**Greg Cox**, Director  
Department of Corrections

**Karen Coyne**, Chief Officer  
Public Safety, City of Las Vegas

**Anthony DeMeo**, Sheriff  
Nye County Sheriff's Office

**Marshall Emerson**, Assistant Sheriff  
Washoe County Sheriff's Office

**Troy Tanner**, Chief of Police  
City of Mesquite Police Department

**Dan Watts**, Sheriff  
White Pine County Sheriff's Office

**STAFF PRESENT:**

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

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

**Scott Johnston**, Bureau Chief,  
Commission on Peace Officers'  
Standards and Training

**Michael Sherlock**, Audits and  
Compliance  
Peace Officers' Standards and  
Training

**Elaine Moore-Cerda**  
Commission on Peace Officers'  
Standards and Training

1                   RONALD PIERINI: Okay, we'll get started  
2 if we could. Today is Thursday, July 25th, and  
3 we're having a P.O.S.T. meeting here at the  
4 Prospector Hotel and Casino in Ely, Nevada. Got a  
5 couple of things to go over as an introduction is to  
6 make sure that -- remind the public if anybody has  
7 the intention or wishes to make comments, we'd ask  
8 you to sign off to my left over here and be sure to  
9 put your name and the agency that you work for. We  
10 remind the public that -- that if you come up to  
11 that table that you state your name and the agency  
12 again, who you are representing, if that applies.  
13 For the courtesy of others, we ask that all cell  
14 phones be turned off or at least on vibrate. Remind  
15 the Commissioners that -- to say their name before  
16 that you start your speaking presentation. Remind  
17 the Commissioners that the microphones are very  
18 sensitive, so whatever you say in there could be  
19 recorded. And then, finally, this to Commissioners,  
20 if you're going to make a motion, please clarify the  
21 motion and who made that motion.

22                   So we're going to start with call to the  
23 order and, Mr. Watts, if you could start off.

24                   DAN WATTS: Dan Watts, Sheriff, White Pine  
25 County.

1                   GREG COX: Greg Cox, Director of  
2 Department of Corrections.  
3                   MARSHALL EMERSON: Marshall Emerson,  
4 Assistant Sheriff, Washoe County.  
5                   ANTHONY DEMEO: Tony DeMeo, Nye County  
6 Sheriff.  
7                   RONALD PIERINI: Ron Pierini, Douglas  
8 County.  
9                   KAREN COYNE: Karen Coyne, City of Las  
10 Vegas.  
11                  TROY TANNER: Troy Tanner, City of  
12 Mesquite.  
13                  RICHARD CLARK: Dick Clark, P.O.S.T.  
14                  MICHAEL JENSEN: Mike Jensen, Office of  
15 the Attorney General.  
16                  MICHAEL SHERLOCK: Mike Sherlock, P.O.S.T.  
17                  SCOTT JOHNSTON: Scott Johnston, P.O.S.T.  
18                  ELAINE MOORE-CERDA: Elaine Moore-Cerda,  
19 P.O.S.T.  
20                  RONALD PIERINI: Thank you. And we just  
21 want to make note that Gary Schofield from Metro  
22 Police Department is not present. We'll start off  
23 with an Information Item, the Governor's appointment  
24 for new P.O.S.T. Commissioners. We have two of  
25 them. Marshall Emerson from Washoe County Sheriff's

1 Office and Chief Troy Tanner from Mesquite Police  
2 Department. We welcome the both of you. Great to  
3 have you on board.

4           The other thing on information is that --  
5 a good thing for us is the Governor reappointed some  
6 P.O.S.T. Commissioners. Dan Watts from Washoe -- or  
7 excuse me, from White Pine County Sheriff's Office,  
8 Director Greg Cox, Nevada Department of Corrections  
9 and Karen Coyne, City of Las Vegas, Department of  
10 Public Safety. So we have the three that's been  
11 with us for a while and appreciate that you wanted  
12 to sign up again.

13           Discussion and public comment and for  
14 possible action. Approval of the minutes from the  
15 May 2, 2013, P.O.S.T. Commission meeting. All of  
16 the Commissioners have had the time to review that.  
17 Looking for a motion or if there's any corrections  
18 to be made, we need to know now.

19           KAREN COYNE: Karen Coyne. I'll make a  
20 motion for approval.

21           RONALD PIERINI: Thank you, Karen. Do I  
22 have a second?

23           DAN WATTS: Dan Watts, second.

24           RONALD PIERINI: Dan Watts, second. Any  
25 other discussion? All in favor?

1                   COMMISSIONERS:  Aye.

2                   RONALD PIERINI:  Anybody opposed?  So  
3  carried.  Mr. Clark.

4                   RICHARD CLARK:  Thank you, Mr. Chairman.  
5  Dick Clark for the record.  For the Executive  
6  Director report, make it fairly brief here.  We have  
7  an academy starting on Monday.  There's 32 people  
8  actually lined up.  As I mentioned before, we're  
9  only funded for 24, so we always need to cannibalize  
10 other parts of our agency to make it through.  So  
11 we'll hopefully make it through this one and then if  
12 there's still a fiscal problem, we may have to be  
13 going to the Governor's Office Budget Director to  
14 try and find out how we can get some funds to  
15 continue to run academies bigger than what we're  
16 funded for.

17                   The -- on Item B, it's just a -- the best  
18 thing to do is just look at the graph there.  It  
19 kind of shows the flow of the income.  The first  
20 line is our authority, the second is our income and  
21 the -- and then the third line, the white one, is  
22 what we've spent.  And it just gives a very clear  
23 indication that even though we have authorization  
24 throughout the year, we don't get the -- the court  
25 assessments are not coming in like they're supposed

1 to, so we don't actually get funded, even though  
2 we're authorized. Therefore, we don't spend the  
3 money, we don't buy equipment, we do without and it  
4 pushes us farther and farther into the hole over the  
5 last couple of years. So we're going to --  
6 actually, the Chairman and I are going to meet with  
7 the Budget Director the first week in September to  
8 see if we can get some sort of relief through the  
9 budget office. So we'll report back on where we are  
10 with that.

11           On the next item is -- under C, it's just  
12 the quarterly report. And, of course, you can  
13 always peruse that and look at it more closely, but  
14 I have provided this time around our annual report.  
15 I try and get that done at the end of the last  
16 quarter and we didn't get them back from the  
17 printer, but I did the best that I could to just  
18 kill a few trees and get at least a Xerox copy for  
19 each of the Commissioners to review.

20           And then I'll show you the year in review  
21 for 2014, so you can look at that at your leisure.  
22 You can see if -- when you do look at the -- at the  
23 quarterly report, you'll see that we continued to  
24 expand our use of technology and spreading the  
25 ability throughout the State for E-learning and web-



1 based computer-based trainings.

2           After that, under D, is the certifications  
3 that have been issued. Since the last meeting, 258  
4 Basics have been issued, 220 Intermediate, 194  
5 Advanced, 35 Supervisory, 4 Management and no  
6 Executives. And we've certified 36 courses.

7           And I think that -- actually, that is my  
8 report, Mr. Chairman.

9           RONALD PIERINI: Thank you, Mr. Clark.  
10 Does the Commissioners have any questions for Mr.  
11 Clark? Okay. Seeing none, we'll go onto Number 6  
12 and that's our legal advisor, Mike Jensen.

13           MICHAEL JENSEN: Thank you, Mr. Chairman.  
14 I understand you had some legislative updates  
15 yesterday and probably some fun and exciting law.  
16 I'm not going to be talking to you about anything  
17 fun and exciting for the next little bit. We're  
18 talking Open Meeting Law changes, but they are  
19 important for you to understand, so I thought I  
20 better give you a quick overview of some of those  
21 changes.

22           Behind tab number six, there's a  
23 memorandum that's put out by George Taylor from our  
24 office. It's a pretty good outline of the -- of the  
25 changes that have been made to the Open Meeting Law.

1 They're basically found in three bills: the  
2 Assembly Bill 65, Assembly Bill 445 and Senate Bill  
3 74.

4           The first one I'm going to be talking to  
5 you about, just to hit the highlights because I know  
6 you guys have that in front of you and you can, at  
7 your leisure, read through that. And if you really  
8 want some exciting reading, you actually go read the  
9 bills, but the -- the first few sections of the --  
10 of SB 65 I think are important for me to highlight.

11           In Section 3 of AB 65, which is effective  
12 July 1st or was effective July 1st of this year, it  
13 provides that a member of a public body essentially  
14 can't have a proxy vote on the Commission. That's a  
15 position that I've taken and the Commission has  
16 taken for a long time that a member can't have  
17 someone sit by designation at a Commission meeting,  
18 but that's now formalized in the statute.

19           The next section is Section 4 and it  
20 provides for what I -- I call, and it is a cure  
21 process which essentially is that if there's an Open  
22 Meeting Law violation that takes place at one of  
23 your meetings, that there's an opportunity for the  
24 Commission to cure that violation by within 30 days  
25 re-noticing a meeting and putting on that meeting

1 that you're going to take a corrective action. If  
2 the Commission had an issue with that and they --  
3 and they followed that procedure, the Attorney  
4 General has the discretion now under statute not to  
5 proceed to take any action if the Commission does  
6 that. So it provides an opportunity for the  
7 Commission. Fortunately, knock on wood, we haven't  
8 had an issue with the Open Meeting Law violations,  
9 but if that were to occur, there's a procedure in  
10 place to fix that.

11           Section 5 formalizes and clarifies that  
12 Commission members in appropriate circumstances, it  
13 really doesn't say what type of circumstances, but  
14 it allows for appearance by video conference or  
15 teleconference as long as the members of the public  
16 and the members of the Commission are able to be  
17 involved in the discussion and participate in the  
18 discussion that's taking place at the meeting. I  
19 know over the years we've had a few meetings with  
20 teleconference and this just formalizes the fact  
21 that that can take place.

22           Section 6 provides that -- well, to start  
23 off with, you may know that a -- a meeting that  
24 requires a notice and agenda is defined in the Open  
25 Meeting Law as a gathering of members of a public

1 body at which a quorum is present, and they've added  
2 whether in person or by electronic communication, to  
3 deliberate toward a decision or to take action on  
4 any matter over which the public body has  
5 supervision, controlled jurisdiction or advisory  
6 power. In the past, there wasn't a definition of  
7 what it meant to deliberate and the legislature  
8 added a definition for deliberate and you'll see  
9 that in the material. It basically says that  
10 deliberate means to collectively examine, weigh,  
11 reflect upon the reasons for or against an action  
12 that the Commission might take. It includes a  
13 collective discussion or exchange of facts  
14 preliminary to an ultimate decision.

15           So that would include any time there were  
16 a quorum of members of this Commission and you were  
17 talking about an action that might be taken by the  
18 Commission, that would be considered deliberating if  
19 you're talking about reasons for and against. That  
20 would include, and I try to warn against this,  
21 situations where you might send out an email to  
22 everybody and, you know, have a reply all when you  
23 respond to it. That's kind of a mine field that you  
24 can find yourself in if you start doing email kinds  
25 of discussions with the Commission. But there's a

1 good definition of what it means to deliberate now  
2 to help clarify what a meeting is when you need to  
3 have a meeting agendaized.

4           Section 7 provides for the notice to  
5 include contact information for where people can get  
6 a copy of the supporting materials. Supporting  
7 materials are all the -- are the documents that you  
8 guys have in your packets in front of you that  
9 you're looking at for each of the action -- or items  
10 that you're looking at during the meeting. It  
11 requires that we put on the actual notice or the  
12 agenda who is the person that the public can contact  
13 to get a copy of those supporting materials. And  
14 you'll see on our agenda today, we complied with  
15 that requirement and we have a person, a contact  
16 person, that's Scott Johnston, who is the contact  
17 person for the Commission with contact information  
18 for him. That's all with regard to AB 65.

19           AB 445 provides that beginning on January  
20 the 1st of next year, that the public body is  
21 required to post their agendas, their public  
22 notices, on a state official website. That website  
23 is going to be established and maintained by the  
24 State's Department of Administration and that should  
25 be easy enough to comply with.

1                   Finally, SB 74 provides that the  
2 Commission and other public bodies are required to  
3 provide a copy of their minutes or audio recordings  
4 to the public at no charge. And so that's something  
5 that I guess could have a fiscal impact. We haven't  
6 had a real run on people asking for copies of our --  
7 our minutes or audio recordings, but this bill  
8 requires that you -- you cannot have a charge for  
9 those minutes or recordings.

10                   And that's the end of my report, Mr.  
11 Chairman.

12                   RONALD PIERINI: Thank you, Mr. Jensen.  
13 Do the Commissioners have any questions? In  
14 reviewing that, I did not ask Scott Johnston to give  
15 us a list of the postings where they were -- the  
16 notifications were about this meeting in different  
17 places across the State.

18                   SCOTT JOHNSTON: I can do that now, if  
19 you'd like.

20                   RONALD PIERINI: If you would, please.

21                   SCOTT JOHNSTON: Scott Johnston for the  
22 record. This meeting and agenda was posted at the  
23 P.O.S.T. administrative office in Carson City,  
24 Nevada State Capitol in Carson City, Blasdel  
25 Building, Carson City, Nevada State Library and

1 Archives, Carson City, Grant Sawyer Building, Las  
2 Vegas, White Pine County Sheriff's Office, Ely,  
3 Carson City Sheriff's Office, P.O.S.T. website at  
4 www.post.nv.gov and in conformance with the new --  
5 new requirements with the legislative site that's  
6 been established at www.leg.state.nv.us.

7 RONALD PIERINI: Thank you, sir. Going to  
8 ask the Commissioners if anyone has any questions  
9 for Mr. Jensen. Okay. Thank you very much.

10 Number 7. Discussion, public comment and  
11 for possible action. The Commission will discuss  
12 and possibly take action to start the rulemaking  
13 process to amend NAC 289.230, which establishes the  
14 requirements for mandatory annual continuing  
15 education, to include proposed changes to the annual  
16 24-hour continuing education training requirement.  
17 And we got Mike Sherlock going to present that, if  
18 you would, please.

19 MICHAEL SHERLOCK: Yes. Mike Sherlock for  
20 the record. I'll just let this warm up here and  
21 hopefully you won't get blinded.

22 RONALD PIERINI: Going to have to move and  
23 watch it on that side.

24 UNIDENTIFIED MALE SPEAKER: Mr. Chairman.  
25 Excuse me. Can I have a copy of the -- the booklet

1 again? I don't have one with me.

2 RONALD PIERINI: Do we have another book?

3 UNIDENTIFIED MALE SPEAKER: I've got one.

4 UNIDENTIFIED MALE SPEAKER: Yeah, I'm  
5 sharing. I'm getting where I don't see as well.

6 UNIDENTIFIED MALE SPEAKER: I know that  
7 feeling.

8 RONALD PIERINI: Sir.

9 MICHAEL SHERLOCK: Okay. Now we had two  
10 workshops previously on this subject, 289.230. We  
11 put this together hopefully to clear up any  
12 confusion on what 289.230 of the NAC requires. One  
13 thing we'd like to make sure that the Commission  
14 understands is 289.230's intent is to address the  
15 requirements to maintain the Basic Certificate.  
16 That's what 289.230 addresses. We have a separate  
17 process for professional development classes and a  
18 process for that with the intermediate and advanced  
19 certificates.

20 Currently, under 289.230, if you look at  
21 that current regulation, some of the confusion that  
22 we see around the State is, first, you notice that  
23 the regulation calls for additional training. We  
24 don't know additional to what, but it says  
25 additional training. Then it speaks of continuing



1 education and then it goes to demonstrating a  
2 minimum level of proficiency, really different  
3 things. And so we looked at some of the problems  
4 that we're seeing in compliance with the regulation.  
5 Again, the section states really three things, but  
6 both continuing education and demonstrating  
7 proficiency, which are two different things, some  
8 agencies interpret proficiency as not being training  
9 or education and they do not count that towards the  
10 24 hours required under the regulation. Others --  
11 other agencies will just simply arbitrarily assign  
12 hours to critical skills, mostly to ensure that  
13 they're meeting the 24-hour requirement. So some  
14 agencies will say, you know, range is five hours,  
15 the defensive tactics or arrest control's five  
16 hours, you know, those -- let's leave those five  
17 hours just to make sure they get to the 24 hours.

18           In either case, agencies are reporting, I  
19 say conducting, they are reporting training simply  
20 to meet the regulation rather than to the benefit of  
21 the organization and it -- and it's a problem.

22           Some other problems with the current  
23 regulation, any training hours used to comply with  
24 230 cannot be used towards professional development  
25 hours. So we identified last year about 11,000

1 hours in training that was specifically and only  
2 used for compliance and that's not including  
3 critical skills. So it was only used for compliance  
4 and could not be used for professional development  
5 reasons. So it wouldn't -- it doesn't apply towards  
6 their intermediate and advanced.

7           And because the section is about  
8 maintaining a Basic Certificate, these extra hours  
9 just don't make sense to the agencies. It forces  
10 agencies to either use, you know, limited value-type  
11 training, whatever it may be, because it's -- it is  
12 at the discretion of the agency or to use important  
13 professional development hours to meet the Basic  
14 Certificate requirements. So they're sending people  
15 to training that's really quality training, but  
16 because they haven't met the 24 hours, they have to  
17 use it towards the 24 hours and it can't be used  
18 towards the intermediate and advanced.

19           The other issue that -- other issues we  
20 see, many agencies don't practice all critical  
21 skills. So they may not carry guns or specific --  
22 less lethal. They're at a disadvantage, as compared  
23 to agencies that carry everything, because they are  
24 scrambling to meet that 24 hours requirement. They  
25 can't use range time because they don't have

1 firearms. So it's a bit of a struggle for those  
2 agencies and those agencies are the ones that we see  
3 more often using normally what would be professional  
4 development type training. They're having to use  
5 that for the 24 hours because of that 24-hour  
6 requirement.

7           Again, the demonstrating proficiency is in  
8 conflict with the hourly requirement. Proficiency  
9 is more about testing and the agencies are reporting  
10 hours to us, P.O.S.T., simply because the current  
11 regulation requires hours. So the question often  
12 becomes why did it take the officer five hours to  
13 demonstrate proficiency, that's a testing, while  
14 some other agencies are reporting one hour and  
15 there's a -- there's a inconsistency there.

16           I have this up here just to give you an  
17 idea of the different reporting that we receive at  
18 P.O.S.T. Just an example, you see DPS. They'll  
19 report either two or three hours for firearms  
20 proficiency, three for less lethal, seven for DTs  
21 and an hour for use of -- use of forced policy  
22 review and you can see the difference there. Metro  
23 will do four, six, eight and two and it goes to the  
24 entire gamut. Every agency reports different hours  
25 for proficiency. And, again, it's proficiency which

1 causes some -- some problems.

2           And, again, they're doing this, agencies  
3 are reporting this simply -- they're looking at the  
4 proficiency requirement simply as it applies to the  
5 24 hours and what it takes to meet the 24-hour  
6 requirement. So they're either recording the  
7 proficiency that includes the training or  
8 maintenance that gets them to proficiency just  
9 simply to make that 24 hours.

10           We took a quick look around the -- the  
11 surrounding states on what they require for Basic  
12 Certificates. Arizona requires eight hours of  
13 professional development per year and eight hours of  
14 critical skills every three years and they don't  
15 care which critical skill. You have to do at least  
16 one every three years for eight hours.

17           California requires 24 hours every two  
18 years and they specify what the hours must be.  
19 Twelve must be -- it must include, you see there,  
20 tactical firearms, arrest control and driving at  
21 four hours each. They also must have two hours of  
22 communication and they break it down if their  
23 command level staff, they reduced hour requirements  
24 based on what their assignment is. The remaining 10  
25 hours in that 24 hours is used to cover legislative

1 and P.O.S.T. mandated hours, so that's why you see  
2 the 24 there.

3           Idaho requires 40 hours every two years  
4 and they have no critical or perishable skills  
5 requirement at all. Oregon, you have to have 28  
6 hours per year and eight of which must be firearms.  
7 And Utah requires 40 hours of in-service training  
8 per year. None of it counts towards professional  
9 development, but it can be pretty much anything that  
10 you want it to be. There's no requirement there.

11           Washington requires 24 hours per year.  
12 They're a little different, though, than the rest of  
13 the states in that they do not issue professional  
14 development certificates. They don't do  
15 intermediate and advanced. So just to maintain your  
16 ability as a sworn officer, you have to have 24  
17 hours a year.

18           So after looking at these -- these  
19 problems, P.O.S.T. is recommending a regulation that  
20 -- that zeros in on what is the minimum necessary to  
21 maintain a Basic Certificate. And the  
22 recommendation is to maintain a Basic Certificate,  
23 an officer should demonstrate proficiency in each of  
24 the critical skills yearly, twice for firearms with  
25 no hours attached to that proficiency. And -- and

1 one thing I'll say on that is that the issue is  
2 reporting hours to P.O.S.T. Internally, you will  
3 report hours that it takes for maintenance to  
4 maintain proficiency, but you're reporting to  
5 P.O.S.T. that they are proficient and that's what's  
6 important to P.O.S.T. Internally, obviously, the  
7 training hours are important to your agency.

8           Any additional training would be at the  
9 discretion of the employing agency and then would be  
10 used towards professional development, intermediate,  
11 advanced, that kind of thing, not for maintaining  
12 the Basic Certificate. It would remove some of the  
13 confusion that we see out there between the -- those  
14 three designations and focus on those critical  
15 skills, allows training to an agency standard rather  
16 than to meet the regulation and, again, it is more  
17 accurate reporting because you're reporting  
18 proficiency.

19           And if you looked at those other states,  
20 surrounding states, it would put us above the  
21 requirements of the surrounding states. If you  
22 notice that none of them require critical skills  
23 proficiency every year. Not one. The ones that  
24 mention it are either two years, which would be  
25 California, and the other ones don't designate.

1 Either it's firearms every three years or one every  
2 three years. We would require it every single year.

3 I think we handed out, and there's some on  
4 the table over here, because you can't read that,  
5 just the sample wording what the recommendation  
6 would be. As far as the NAC, it's basically the  
7 same as we have now. The discretion would still be  
8 with the agency. We just remove the 24 hours and we  
9 emphasize that each officer must demonstrate  
10 proficiency in those critical skills every year.

11 The only other thing I'll mention also,  
12 based on a previous workshop and Commission meeting,  
13 is changing the -- what we called extended absence.  
14 It was one year was the -- was the cutoff and we've  
15 moved that back to four months. If an officer is  
16 absent for whatever reason, FMLA, medical, military,  
17 if they're gone for four months or more, upon return  
18 and before resuming duties, they have to make up  
19 those critical skills that they missed as a result  
20 of that absence. And we just changed that to make  
21 that a little -- a little clearer.

22 The same exemption would apply to those  
23 who instruct, you know, your range masters and that  
24 kind of thing. There would be no change in that  
25 area than what is in the current regulation if this

1 recommendation is adopted. And that's it, in a  
2 nutshell.

3 RONALD PIERINI: Okay. I'd like to maybe  
4 start off with the public comment first. Is there  
5 anybody in the audience that'd like to make a  
6 comment on this possible change? Okay. Seeing  
7 none, how about the Commissioners? Is there any  
8 Commissioners that would like to -- to make comments  
9 on what we just saw?

10 DAN WATTS: I only have one comment. Dan  
11 Watts for the record. Sheriff Antinoro approached  
12 me. He couldn't be here, but he would like for us  
13 to refer back to his comments from the previous  
14 meeting in Carson City that he would -- he would  
15 like to see it stay the way it is.

16 RONALD PIERINI: Okay. Thank you, Dan.  
17 Any of the other Commissioners want to make  
18 comments? Okay. So what we're doing right now is  
19 we're going to take action or possibly not, in  
20 looking at this process, rulemaking process, to see  
21 if we want to go forward with that change and what  
22 we have today.

23 So, you know, there again, not to belabor  
24 this, we had talked about it yesterday at the  
25 workshop as you have several options on this, one of



1 which is not to change what we presently have. The  
2 other one is -- is to not have any hours recorded  
3 and the third is to split it in half and have the  
4 critical training have to be done, completed, on  
5 their own without an hour type of accounting and  
6 then, plus that, have some kind of training outside  
7 the certificate program. I guess what I'm looking  
8 at is maybe a motion or maybe more discussion. I  
9 don't know.

10           Okay. Then I'll talk a little bit more  
11 then. One of which is what I think what I'd like to  
12 see is what I mentioned before was the fact that,  
13 I'm not -- I'm not here compromising, I just feel  
14 more comfortable the fact that they have some  
15 training that is provided outside the certificate  
16 program that the agency feels it needs to be  
17 necessary for those officers to have that  
18 information. That could include that of legislative  
19 updates. It could do anything that's dealing with  
20 inside the organization that we have not done well  
21 with and we need to correct that. It could be a  
22 host of different things. It does not have to be  
23 certified by P.O.S.T. It's just training inside the  
24 house. Or if they send them to locations for  
25 whatever kind of training, that could be -- could

1 account for the 12 hours.

2 I have personally have mentioned that. I  
3 -- I know that some don't want to go this way, but I  
4 felt that it was good to have some kind of a  
5 accountability on -- on training. I'd hate to see  
6 some agencies that say, well, we're going through  
7 the critical process and get that done, but not  
8 worry about any other training. I think that we  
9 still have that labeled that there has to be some  
10 training by each one of the agencies and it should  
11 be 12 hours. There's nothing over a period of 12  
12 months, so you're talking one hour a month. And  
13 you're talking about even in briefing, you could do  
14 an hour once a month in each one of the briefings  
15 before changeover. Just things that we want to make  
16 our agency as professional as we possibly can be.

17 So that's my thoughts and I mentioned that  
18 yesterday and I'm just in favor of that. But I'm  
19 looking for any other inputs or any kind of  
20 suggestions that some of the Commissioners may have.

21 ANTHONY DEMEO: Well, I have to -- I have  
22 to agree that -- I have to agree with you that --  
23 Mr. Chair. Tony DeMeo for the record. I have to  
24 agree. You know, deputies are also being cheated in  
25 the process. I mean, as far as everybody's trying

1 to make the 24 hours, make that fit, and once that's  
2 accomplished, then -- then there isn't anything else  
3 outside of any kind of training and especially  
4 legislative or any kind of -- or anything else.

5           So I think that I appreciate the work that  
6 you put into this, Mike. I think that we should be  
7 looking at some way of changing that and make it  
8 more rounded to the individual agencies to just --  
9 once they get the proficiency levels addressed and  
10 firearms proficiencies addressed is get involved in  
11 more -- more different kind of training in a  
12 different area.

13           My other question is how to put that in --  
14 I was going to make a motion. I just was here  
15 trying to figure out how to make that into a motion,  
16 you know. So I think that we should move -- in my  
17 opinion, I -- I think we should move forward in that  
18 -- that direction. It's not out of the norm. Other  
19 agencies are doing it. I think that it would  
20 challenge the agencies to get -- to expand some of  
21 the training for their -- for their officers into  
22 more current stuff and once they get the criticals  
23 out of the way.

24           RONALD PIERINI: Thank you, Tony.

25           ANTHONY DEMEO: My pleasure. Thank you.

1           TROY TANNER: Troy Tanner. I had a  
2 comment. I sort of stole this from Karen. We were  
3 discussing it. I like the idea of not having hours  
4 required, but make sure proficient on those areas  
5 and maybe adding a list, a list the Board comes up  
6 with, with additional things of importance of  
7 several and you have to pick two off there, off that  
8 list, to maybe add for additional training like you  
9 guys are talking about.

10           RONALD PIERINI: Okay. Thank you, Troy.  
11 I think a big comment on that is that the downside  
12 of doing that is that our P.O.S.T. staff then would  
13 have to circle around a lot of different agencies  
14 and to have input from different agencies to be able  
15 to say which ones do we really need to outline to  
16 have done. And when you only have less than 15  
17 people that work for P.O.S.T., that's going to be  
18 very difficult at best to do that. Yes, Dick.

19           RICHARD CLARK: Yeah. Mr. Chairman, Dick  
20 Clark for the record. I agree the -- to -- to try  
21 and maintain the flexibility for the agencies, if we  
22 went to a specific list, there's always that  
23 possibility that we're going to be leaving off the  
24 ability for a particular agency to use certain  
25 trainings. If we just said if you wanted to do it

1 that way and just say additional training and not do  
2 a list, you're not -- you're not limiting a --  
3 whatever we happen to come up with, a menu. It  
4 would broaden that to whatever the agency felt was  
5 important at that particular time.

6 RONALD PIERINI: And I think that's  
7 exactly what we're doing here. I'm hoping that we  
8 -- we send a real clear message. One of which is  
9 that we're not going to -- to go the hour thing  
10 dealing with the critical situations. What we're  
11 going to do is we're going to allow those agencies  
12 to say that if an employee can go through those  
13 steps to do those exercises and whatnot, that we  
14 don't have to have four hours on it, it can be 30 --  
15 30 minutes. And we're saving the agencies a lot of  
16 time of overtime and -- and holding those officers  
17 accountable in a room that they're done and are  
18 completed, but they're just looking at the rest of  
19 the officers going through it.

20 Secondly, is I'd like the fact that the  
21 topics are under the management of each one of these  
22 law enforcement agencies to say these are the issues  
23 that we have and we want to address them without  
24 interference with P.O.S.T. saying this is the list  
25 that we have to have. I'd like to have the

1 discretion of those officers, rather those agencies,  
2 being able to determine where their weaknesses are  
3 and how we're going to correct those through  
4 training. That's -- that's my philosophy on that.

5 MARSHALL EMERSON: Mr. Chair?

6 RONALD PIERINI: Yes.

7 MARSHALL EMERSON: Marshall Emerson for  
8 the record. I -- I think I prepared some language  
9 that might fit what you had suggested, if that would  
10 be okay --

11 RONALD PIERINI: Absolutely.

12 MARSHALL EMERSON: -- if I could bring  
13 that forward and maybe some for discussion and maybe  
14 a move -- a move.

15 RONALD PIERINI: Okay. Sounds good.

16 MARSHALL EMERSON: So what -- what I'm --  
17 what I would recommend is, is eliminate the existing  
18 24-hour in-service requirement in exchange for  
19 proficiency training in each of those critical skill  
20 areas and require an additional 12 hours of  
21 professional development training, as mandated by  
22 the officer's agency. Is that -- is that what you  
23 had in mind?

24 RONALD PIERINI: It is.

25 MARSHALL EMERSON: Okay.

1                   RONALD PIERINI:  But it isn't all about  
2  me, guys, so I'm trying to say if that is -- we've  
3  had discussion of what Marshall just had presented.  
4  Is this okay?  Then go into -- to actually take  
5  action or is there things that we'd want to have  
6  changed?

7                   KAREN COYNE:  Sir, Karen Coyne.  I have a  
8  question for you, Mike.  What -- I notice in your  
9  overview of the surrounding states you mentioned  
10 that a few do have requirements for continuing ed on  
11 an annual basis.  What is ours if we have one  
12 presently?  I don't mean to put you on the spot,  
13 but --

14                  MICHAEL SHERLOCK:  Currently?

15                  KAREN COYNE:  Yes.

16                  MICHAEL SHERLOCK:  It's 24 hours with the  
17 proficiency included in that 24 hours.

18                  KAREN COYNE:  Okay.  Okay.  And, Marshall,  
19 then could you -- could you just restate what you  
20 said that -- when you get to the 12 hours?

21                  MARSHALL EMERSON:  Yeah.  In the -- and  
22 require 12 hours of professional development  
23 training as mandated by officer's agency.

24                  KAREN COYNE:  Okay.  Thank you.

25                  MICHAEL JENSEN:  Mr. Chair, Mike Jensen

1 for the record. Maybe another thing might help move  
2 things along a little bit. This action that's being  
3 taken today is only to go to the next step in the  
4 rulemaking process. You don't even have to vote on  
5 language. In fact, it might not be appropriate to  
6 vote on language yet. I think from your discussion  
7 what staff can do is take that back and create some  
8 language that would come back in a -- in a public  
9 comment hearing, which would be the next step in the  
10 rulemaking process. And that's very helpful for  
11 staff, I know, to have kind of an idea where the --  
12 the Commission wants to go. But, at this point, you  
13 wouldn't be voting on specific language.

14           RONALD PIERINI: Yes. And I -- I think,  
15 Mr. Jensen, what I think what I was trying to do was  
16 to give -- send a message of what we really kind of  
17 want to develop that rulemaking process so that you  
18 can actually present at the next meeting and say  
19 this is the wording we came up with. So we'd maybe  
20 be exactly what you're saying, Mr. Jensen. What we  
21 could do is, Marshall, that's kind of the philosophy  
22 we want to go if that's -- if that's what the  
23 Commission wishes and that gives you direction how  
24 to then script out something that would maybe fit  
25 that. So, with that said, do we have any other



1 Commissioners who'd like to comments? Now, again,  
2 that doesn't mean that next time when we -- we meet,  
3 you know, if I could say is that it doesn't -- the  
4 more you think about it, you have other changes.  
5 That's what this next step would be. This is not in  
6 concrete. It would at least give direction to staff  
7 to able to -- to form that formula to make it  
8 possibly fit that.

9           ANTHONY DEMEO: Mr. Chair. I'd like to  
10 echo what you said before referencing training  
11 because my training staff is kind of hindered by  
12 this mandatory hours that they have in proficiency.  
13 Some people are so proficient, like you said, 30  
14 minutes, but we have class sitting there for about  
15 four hours then trying to fill in time when that  
16 time could be better used in more professional  
17 develop areas.

18           So -- so we've been wrestling with this  
19 for -- for years already with this. It's been  
20 coming, you know, when we have classroom people that  
21 can show handcuffing skills very quickly and very  
22 proficiently. So we would like to move on in other  
23 areas of professional development. And you're  
24 right. Right now, budget's getting tight and we're  
25 trying to fit every type of the training we can into

1 the budget and any overtime and make -- to keep that  
2 down. And when it comes down to expanding their  
3 knowledge, unfortunately, those -- that time is cut  
4 -- cut.

5 RONALD PIERINI: Okay. Thank you, Tony.

6 ANTHONY DEMEO: Thank you.

7 RONALD PIERINI: But I think -- Marshall,  
8 if we could, is there anybody else who'd like to  
9 make comments?

10 GREG COX: I'd just like --

11 RONALD PIERINI: I'm sorry.

12 GREG COX: -- to make a comment, Mr.  
13 Chairman. Greg Cox. Looking at the proficiency, I  
14 think that's very valuable. I do -- I do agree with  
15 the Commission, in fact, that some people, of  
16 course, are more proficient, say in application of  
17 restraints. I think what people fail to recognize  
18 is those that aren't, let's say, if someone ran to  
19 another state, we saw that our people on, let's say,  
20 the graveyard or midnight shift weren't as  
21 proficient at applying restraints, of course, as  
22 first or second shift because inmates went outside  
23 their cells. So we spend a significant amount of  
24 more time on that shift training them and, actually,  
25 because they weren't as proficient over the time

1 because they've been on those shifts a long period  
2 of time and not taking inmates out of the cells. So  
3 I also see where you're going to increase your  
4 training by looking at the proficiency.

5           The other thing that we're dealing with in  
6 corrections across the country is communications.  
7 So it does allow the agency or specifically what  
8 issue you believe you're having in your agency or  
9 your office and how you can better your staff and  
10 train them, let's say on communications or some  
11 other items, so I think it makes sense.

12           RONALD PIERINI: Okay. Any other comment?  
13 Marshall, could we do a overall on what we think we  
14 want to do instead of actually having -- I guess  
15 we're still looking for a motion. We still have to  
16 have one.

17           KAREN COYNE: I'll make a motion.

18           RONALD PIERINI: Thank you.

19           KAREN COYNE: So -- Karen Coyne for the  
20 record. I move to follow staff's recommendation to  
21 proceed in the rulemaking process with respect to  
22 discussing the 24-hour requirement in continuing  
23 education requirement demonstrating proficiency for  
24 the maintenance of the Basic P.O.S.T. Certificate.

25           TROY TANNER: Second.

1 RONALD PIERINI: Troy?

2 TROY TANNER. Troy Tanner for the record.

3 I'll second the motion.

4 RONALD PIERINI: Okay. Are -- if I could  
5 -- comment then from the Commissioners. Are you --  
6 Mike clear on what that was?

7 MICHAEL JENSEN: Not fully.

8 KAREN COYNE: So let me restate it. I am  
9 making a motion to move forward with staff's  
10 recommendation --

11 MICHAEL JENSEN: Right. Okay. Okay.

12 KAREN COYNE: -- to proceed in the  
13 rulemaking process where the specific language will  
14 be -- to be determined in a future meeting, I guess  
15 is what I heard from you, Scott, or Mike, with  
16 respect to the maintenance requirements for the  
17 Basic Certificate.

18 RONALD PIERINI: Mr. Jensen, do you  
19 understand that?

20 MICHAEL JENSEN: I do. Just one question.  
21 You -- you certainly in your motion if you want it  
22 could include that you'd like the language to  
23 reflect the Commission's desire to have different  
24 components to that, if that's where you want to go  
25 with your motion.

1                   KAREN COYNE: I'd prefer not to and we can  
2 -- we can -- we can bring language forward in the  
3 next meeting.

4                   RONALD PIERINI: Okay. Good. Thank you.  
5 Any other questions from Commissioners? Okay. All  
6 in favor?

7                   COMMISSIONERS: Aye.

8                   RONALD PIERINI: Anybody opposed? So  
9 carried. Thank you. Number 8. Discussion, public  
10 comment and for possible action. Commission will  
11 discuss and possibly take action to start the  
12 rulemaking process for NAC 289.260 minimum  
13 requirements for a Management Certificate to  
14 removing the wording "in addition to the units  
15 required for the intermediate and advanced  
16 certificates". Mike is that yours or is that you,  
17 Scott?

18                   SCOTT JOHNSTON: I'll take that.

19                   RONALD PIERINI: Scott. Thank you.

20                   SCOTT JOHNSTON: Scott Johnston for the  
21 record. As we discussed in the workshop yesterday,  
22 I'll just reiterate. The highlights of that is  
23 currently the Management Certificate requirement has  
24 the caveat of wording of "in addition to the units  
25 required for the intermediate and the advanced

1 certificates." The intermediate and advanced  
2 certificate criteria has -- has been updated. And  
3 as most of you might recall, it deals with  
4 education, time of service, as well as training.  
5 And that may vary depending on the time -- the years  
6 of service and the amount of education a person has.

7           And the intermediate and the advanced  
8 certificates deal with a total number of hours that  
9 the officer has in their career. Instead of 200 for  
10 each one, 200 for the next certificate, that has  
11 gone away to a total lump sum. Everything is  
12 inclusive. So when you would get to one level of  
13 certificate, it includes everything that you had  
14 before, plus a little bit more to make that  
15 accomplishment.

16           The current wording in the Management  
17 Certificate, the "in addition to the units required"  
18 is -- creates a wording conflict and by eliminating  
19 that, it realigns the management certificate in  
20 succession with the intermediate, advanced and so  
21 forth so that it's consistent. This is a  
22 maintenance situation dealing with the Management.

23           RONALD PIERINI: Thank you, Scott. Any  
24 comments from the Commissioners? Questions? Go to  
25 the public. Is there anybody in the audience who

1 would like to address this issue? Seeing none, then  
2 I'm looking for a motion.

3 DAN WATTS: Dan Watts for the record. I  
4 would like to make a motion to amend NAC 289.260 to  
5 remove the words "in addition to the units required  
6 for the intermediate and advanced certificates."

7 MICHAEL JENSEN: And, Mr. Chairman, just  
8 to clarify that. That motion -- this amendment --  
9 amending process is just starting the rulemaking to  
10 do that.

11 RONALD PIERINI: The process. Yeah. So,  
12 Dan, what we need to say is we want to go forward  
13 with the rulemaking process and in reference to this  
14 issue.

15 MICHAEL JENSEN: To amend, right.

16 RONALD PIERINI: Yeah. That's really all  
17 we have to say. Is that okay?

18 DAN WATTS: That's okay.

19 RONALD PIERINI: Do I have a second?

20 KAREN COYNE: Karen Coyne, second.

21 RONALD PIERINI: Thank you, Karen. Do I  
22 have any discussion? All in favor?

23 COMMISSIONERS: Aye.

24 RONALD PIERINI: Anybody opposed? So  
25 carried. All right. We're going to Number 9. I'm

1 going to be a little bit easier. Mr. Jensen, if I'm  
2 incorrect on this, will you please tell me? This is  
3 discussion, public comment and for possible action.  
4 The P.O.S.T. Commission is to review and vote on  
5 proposed changes to the Statewide Standardized  
6 Performance Objectives, including possibly  
7 establishing an effective date, if any, for the  
8 revised Performance Objectives, for Categories I,  
9 II, and III and upgrade In-Lieu of the minimum  
10 standards of training for the following course  
11 topics. And what I was hoping to do, it would take  
12 time, is talk about the law and legal procedures,  
13 but patrol operations investigations, performance  
14 skills and functions of a peace officer and give  
15 that to Scott to go through each one of those. That  
16 would be great.

17 SCOTT JOHNSTON: Thank you, Mr. Chairman.  
18 This is a complete revamping of the performance  
19 objectives for Category I, II and the II to I  
20 upgrade and the In-Lieu training programs. And some  
21 of these, the Commission has approved changes  
22 earlier and last year and this is what staff has  
23 done, again not developing these in a bubble, but  
24 working with the academies and subject matter  
25 experts is we have done another final last-minute



1 adjustment to it and the finished product is what we  
2 have now.

3           And our goal here is to get all of the  
4 objectives approved on a given date so we have a  
5 baseline for future management of the objectives,  
6 which also will later on tie into our State  
7 certification examination questions.

8           So the first section, Law and Legal, the  
9 topic areas are Civil Liability, Constitutional Law,  
10 Crimes Against Persons, Crimes Against Property,  
11 Juvenile Law, Laws Governing Coroners, Laws of  
12 Arrest, Laws Relating to Drugs and Current Drug  
13 Trends, Miscellaneous Crimes, Probable Cause, Rights  
14 of Victims, Search and Seizure, Traffic Laws and Use  
15 of Force. So did you want to take action --

16           RONALD PIERINI: Any questions on that?

17           SCOTT JOHNSTON: -- on that now or read  
18 them all in for the record?

19           RONALD PIERINI: I think we could do it  
20 collectively, so go ahead.

21           SCOTT JOHNSTON: Okay. Patrol Operations  
22 and Investigations: Abuse of Elderly, Accident  
23 Investigations, Basic Patrol Procedures, Child Abuse  
24 and Sexual Abuse of a Child, Domestic Violence and  
25 Stalking, Investigation of Crime Scenes Collection

1 and Preservation of Evidence and Fingerprinting,  
2 Principles of Investigation, Techniques of  
3 Interviewing and Interrogation, the DWI Detection  
4 and Standardized Field Sobriety Testing Course  
5 Approved by the National Highway Traffic Safety  
6 Administration and Unknown and High Risk Vehicle  
7 Stops.

8 RONALD PIERINI: Thank you.

9 SCOTT JOHNSTON: Any questions?

10 RONALD PIERINI: Any questions from the  
11 Commissioners?

12 SCOTT JOHNSTON: Okay. Performance  
13 Skills: Health Fitness and Wellness, Interpersonal  
14 Communications, Operation of Emergency Vehicles,  
15 Provisions for Emergency First Aid and CPR,  
16 Searching of Buildings, Tactics for Arresting  
17 Control of Suspects, including without limitation,  
18 Methods of arrest and the Use of Less than Lethal  
19 Weapons, Training Concerning Active Assailant,  
20 Training in the Use of Firearms, and Writing of  
21 Reports. Any questions?

22 RONALD PIERINI: Any questions from  
23 Commissioners? Okay, Scott.

24 SCOTT JOHNSTON: Okay. The last section.  
25 Functions of a Police Officer -- Peace Officer:

1 Care and Custody, Care of Persons in Custody,  
2 Community Policing, Counter-Terrorism and Weapons of  
3 Mass Destruction, Courtroom Demeanor, including,  
4 without limitations, The Giving of Testimony, Crisis  
5 Intervention, Ethics in Law Enforcement, Handling of  
6 Persons with Mental Illness, History and Principles  
7 of Law Enforcement, Management of Stress, National  
8 Crime Information Center of Procedures, Survival of  
9 Peace Officers, Systems of Criminal Justice and  
10 Realities of Law Enforcement. That would conclude  
11 Item Number 9.

12 RONALD PIERINI: Any other comments or  
13 questions from Commissioners? I'd like to go to the  
14 public now. Is there anybody in the public audience  
15 that would like to make comment on any of those?

16 SCOTT JOHNSTON: Mr. Chairman, I have one  
17 more comment to throw to the Commission. With this  
18 big change, there may be some concern about when  
19 should there be an effective date. And in our  
20 dealings with the academies, they're on board so far  
21 with all of the performance objectives that this  
22 adjustment should not create any type of a  
23 significant hindrance.

24 Staff's recommendation would be that could  
25 be a -- one recommendation would be that would be a

1 policy decision for staff that if an academy is  
2 currently in session at the time the Commission  
3 approves these, that compliance with the new  
4 objectives doesn't go into effect until they start  
5 their next academy. An academy that's not in  
6 session right now would be required to make the  
7 updated changes before commencing their next one.  
8 Unless the Commission has another idea of an  
9 effective date, this is what the staff's  
10 recommendation would be.

11           RONALD PIERINI: If I recall right, Scott,  
12 I think what we did last time in these types of  
13 issues, we went to January 1, starting the new date,  
14 did we not?

15           SCOTT JOHNSTON: That was when we first  
16 set the topic areas in the NACs that then led to the  
17 performance objectives.

18           RONALD PIERINI: Okay.

19           SCOTT JOHNSTON: This isn't as drastic of  
20 a change over; this is merely a readjustment or  
21 realignment that the academies will have to do.

22           RONALD PIERINI: Okay.

23           RICHARD CLARK: Mr. Chair, Dick Clark for  
24 the record. How I would also help out with that is  
25 that the -- if the Commission approves these changes

1 in the performance objectives, they can be  
2 immediately implemented without any penalty or  
3 problem for academies that are in session. We're  
4 the ones that do the audit on those academies that  
5 we don't hold them responsible until if these  
6 changes occurred while that academy was going on.  
7 So it does give a more effective timeframe for -- to  
8 make appropriate changes as we go, but we don't  
9 penalize academies by trying to catch them short  
10 because we do the audits on them and we don't audit  
11 or -- or have them in compliance if that academy was  
12 already started by the time that these changes are  
13 made.

14 RONALD PIERINI: Okay. Now is there  
15 enough time to change that --

16 RICHARD CLARK: Yeah.

17 RONALD PIERINI: -- to make sure that this  
18 is in there? Let's say that you had a community  
19 college starting one in -- in a month from now. Can  
20 they divert back to this and be able to get that  
21 accomplished without any problem? Does that make  
22 sense?

23 SCOTT JOHNSTON: Scott Johnston for the  
24 record. I believe so and, again, to reiterate what  
25 Mr. Clark had just mentioned, that's where the

1 staff's discretion on how rapidly that an academy  
2 can make this adjustment. The issue of the last  
3 time or the -- when we first implemented mandatory  
4 performance objectives, because that is not an NAC  
5 revision, that is an approval process by the  
6 Commission, it wouldn't require drafting any NAC or  
7 effective date. If we were changing the titles of  
8 each of the topics in the NACs, that would require a  
9 regulation change and maybe possibly even a greater  
10 change.

11 RONALD PIERINI: Okay. Any other  
12 questions from Commissioners? Want to go back to  
13 the audience who really didn't have an opportunity.  
14 Is there anybody in the audience that'd like to talk  
15 about this issue? Okay. Seeing none, I'm looking  
16 for a motion.

17 MARSHALL EMERSON: Marshall Emerson for  
18 the record. I'll make a motion to accept these  
19 standards, as indicated here under Agenda Item  
20 Number 9, Discussion of Public Comment and for  
21 Possible Action. The P.O.S.T. Commission in review  
22 on proposed changes to the Statewide Standardized  
23 Performance Objectives, including possibly  
24 establishing an effective date, if any, for the  
25 period Performance Objectives in Categories I, II,

1 II to I upgrade and In-Lieu of reciprocity minimum  
2 standards of training for the following category  
3 topics as discussed.

4 RONALD PIERINI: Okay. We're going back  
5 to this effective date, though. We need to address  
6 that just in the motion; do we not?

7 MICHAEL JENSEN: Mike Jensen for the  
8 record. Only if you want to set an effective date  
9 per the -- the regulations. When the Commission  
10 approves the performance objective, it's technically  
11 effective upon approval, but what staff is saying,  
12 as I understand it, is that they're going to  
13 exercise discretion in how they audit academies in  
14 implementing those performance objectives.

15 RONALD PIERINI: Karen, did you want to  
16 say something? No? Okay. We have a motion. Do I  
17 have a second?

18 ANTHONY DEMEO: Tony DeMeo second.

19 RONALD PIERINI: Thank you, Tony. All in  
20 favor?

21 COMMISSIONERS: Aye.

22 RONALD PIERINI: Anybody opposed? So  
23 carried. Number 10. Discussion and public comment  
24 for the -- for -- and for possible action. Finally.  
25 We have flies around here and she's trying to use my

1 gavel. Would you mind taking care of that, Tony?

2 Thank you very much.

3 ANTHONY DEMEO: No problem (inaudible).

4 Until the fly gets over here.

5 RONALD PIERINI: Okay. Number 10 is the  
6 P.O.S.T. Commission to review and to vote on  
7 proposed changes in the Statewide Standardized  
8 Performance Objectives, including possibly  
9 establishing an effective date, if any, for the  
10 revised Performance Objectives, for Category III,  
11 minimum standards of training for the following  
12 course topics. And I'll give that back to Scott.

13 SCOTT JOHNSTON: Thank you, Mr. Chairman.  
14 Scott Johnston for the record. First topic area is  
15 Legal Subjects. And we have Civil Rights of  
16 Offenders, Searches of Offender Institutions, Laws  
17 Relating to Correctional Institutions, Laws Relating  
18 to Stalking and Aggravated Stalking, and Use of  
19 Force. Any questions?

20 RONALD PIERINI: Any comment from the  
21 Commission? All right. Go ahead.

22 SCOTT JOHNSTON: A second area Procedures  
23 in the Field. Topic areas are Gangs and Cults,  
24 Supervision of Offenders, Classification and  
25 Receiving of Offenders, Transportation of Offenders,



1 Crisis Intervention, Records of Offenders in  
2 Institutions, and Games Offenders Play.

3 RONALD PIERINI: Any comments from the  
4 Commissioners? Go ahead, Scott.

5 SCOTT JOHNSTON: The third area is -- next  
6 area is Skills of Officers dealing with Writing of  
7 Reports for Correctional Institutions, Fire Safety  
8 and Use of Emergency Equipment, Fingerprinting,  
9 Defensive Tactics, Introduction of Restraints,  
10 Physical Conditioning, and Training concerning  
11 Active Assailants.

12 RONALD PIERINI: Any comment from  
13 Commissioners?

14 SCOTT JOHNSTON: Next area is  
15 Investigations. Topics: Crime Scene and Evidence,  
16 Investigation of Narcotics and Abuse of Controlled  
17 Substances, Investigation of Allegations of Stalking  
18 and Aggravated Stalking, Personality Disorders and  
19 Preventions of Suicide.

20 RONALD PIERINI: Commissioners, any  
21 questions? Okay.

22 SCOTT JOHNSTON: Next is Community  
23 Relations. Topics: Ethics for Correctional  
24 Officers, Cultural Awareness, Interpersonal  
25 Communications, and Public and Media Relations.

1                   RONALD PIERINI: Thank you. Any questions  
2 from the Commissioners? Go ahead, Scott.

3                   SCOTT JOHNSTON: Last Topic, Miscellaneous  
4 Subjects: Modern Correctional Philosophy, First  
5 Aid, Cardiopulmonary Resuscitation, and Criminal  
6 Justice System.

7                   RONALD PIERINI: Thank you. Any other  
8 questions from the Commission? Reaching out to the  
9 public in the audience. Does anyone like to address  
10 this issue? Seeing none, looking for a motion. Mr.  
11 Cox?

12                   GREG COX: Make a motion to accept the  
13 Commission's view and vote on the proposed changes  
14 of the Statewide Standardized Performance Objectives  
15 including possibly establishing an effective date,  
16 again, in regards to -- with the motion indicating  
17 reflective to what the Commission or the -- the  
18 P.O.S.T. staff believes appropriate, if any, for the  
19 revised performance objectives for Category III,  
20 minimum standards of training for the following  
21 course topics as listed below.

22                   RONALD PIERINI: Okay. Thank you, Mr.  
23 Cox. Do I have a second?

24                   DAN WATTS: Dan Watts, second.

25                   RONALD PIERINI: Thank you, Dan. Any

1 other discussion? All in favor?

2 COMMISSIONERS: Aye.

3 RONALD PIERINI: Anybody opposed? So  
4 carried. Scott, we got one more to go here on  
5 Number 11, okay? This is discussion, public comment  
6 and for possible action. P.O.S.T. Commission to  
7 review and vote on proposed changes to the Statewide  
8 Standardized Performance Objectives, including  
9 possibly establishing an effective date, if any, for  
10 the revised Performance Objectives, for Reserve,  
11 minimum standards of training for the following  
12 courses.

13 SCOTT JOHNSTON: Thank you. Scott  
14 Johnston for the record. Law and Legal Procedures.  
15 Topics are Civil Liability, Constitutional Law,  
16 Crimes Against Persons, Crimes Against Property,  
17 Juvenile Law, Laws of Arrest, Laws Relating to Drugs  
18 and Current Drug Trends, Miscellaneous Crimes,  
19 Probable Cause, Search and Seizure, Traffic Laws and  
20 Use of Force.

21 RONALD PIERINI: Thank you, Scott. Any  
22 questions? Seeing none, go ahead.

23 SCOTT JOHNSTON: Next, Patrol Operations  
24 and Investigations. Topics: Abuse of Elderly,  
25 Basic Patrol Procedures, Child Abuse and Sexual

1 Abuse of a Child, Domestic Violence and Stalking,  
2 Investigation of Crime Scenes in Collection,  
3 Preservation of Evidence and Fingerprinting,  
4 Principles of Investigation, and Unknown and High  
5 Risk Vehicle Stops.

6 RONALD PIERINI: Thank you, Scott. Any  
7 questions from the Commission? Go ahead.

8 SCOTT JOHNSTON: Performance Skills.  
9 Topics: Health Fitness and Wellness, Provisions of  
10 Emergency First Aid and CPR, Tactics for Arresting  
11 Control of Suspects, including without limitation,  
12 Methods for Arrest and the Use of Less than Lethal  
13 Weapons, Training Concerning Active Assailant,  
14 Training in the Use of Firearms, and Writing of  
15 Reports.

16 RONALD PIERINI: Thank you. Any  
17 Commissioners have a comment? Go ahead, Scott.

18 SCOTT JOHNSTON: Last area. Functions of  
19 a Peace Officer. Topics: Community Policing,  
20 Counter-Terrorism and Weapons of Mass Destruction,  
21 Courtroom Demeanor, including, without limitation,  
22 The Giving of Testimony, Crisis Intervention, Ethics  
23 in Law Enforcement, Handling of Persons with Mental  
24 Illness, History and Principles of Law Enforcement,  
25 and Survival of Peace Officers. And that would

1 complete Item Number 11.

2 RONALD PIERINI: Thank you, Scott. Any  
3 questions or comments from the Commission? Okay.  
4 Reaching out to the public. Is there anybody who  
5 would like to address this issue? Seeing none,  
6 looking for a motion.

7 ANTHONY DEMEO: Tony DeMeo for the record.  
8 Make a motion that we or that the P.O.S.T.  
9 Commission adopts the Statewide Standardized  
10 Performance Objectives for the Reserve minimum  
11 standard of training.

12 RONALD PIERINI: Thank you, Tony. Do I  
13 have a second?

14 KAREN COYNE: Coyne. Second.

15 RONALD PIERINI: Thank you, Karen. All in  
16 favor?

17 COMMISSIONERS: Aye.

18 RONALD PIERINI: Anybody opposed? So  
19 carried. Number 12. Discussion, public comment and  
20 for possible action. P.O.S.T. Commission to  
21 consider a request from Nevada Department of Public  
22 Safety for an Executive Certificate for Captain  
23 Thomas A. Jackson. Mr. Clark?

24 RICHARD CLARK: Thank you, Mr. Chairman.  
25 Dick Clark for the record. Captain Jackson has met

1 the training, education, and positional experience  
2 -- experience or requirements for the Executive  
3 Certificate. He has a letter of request on file to  
4 the Commission from Colonel Troy Abney, Chief of the  
5 Highway Patrol, Nevada Highway Patrol, and we  
6 recommend issuance of the P.O.S.T. Executive  
7 Certificate.

8           RONALD PIERINI: Thank you, Mr. Clark. Do  
9 we have any questions from our Commissioners?  
10 Hearing none, reaching out to the public. Does  
11 anyone -- Mr. Wright, would you like to say  
12 something?

13           JIM WRIGHT: No. That's okay.

14           RONALD PIERINI: Okay. I don't see  
15 anything from the -- from the public, so I'm looking  
16 for a motion.

17           MARSHALL EMERSON: Marshall Emerson for  
18 the record. I'll make a motion to accept the  
19 consideration from the Nevada Department of Public  
20 Safety for an Executive Certificate for Captain  
21 Thomas A. Jackson.

22           RONALD PIERINI: Thank you, Marshall. Do  
23 I have a second?

24           ANTHONY DEMEO: Tony DeMeo for the record.  
25 I'll second.

1                   RONALD PIERINI: Thank you, Tony. All in  
2 favor?

3                   COMMISSIONERS: Aye.

4                   RONALD PIERINI: So carried. Public  
5 Comments. Is there anybody in the audience that  
6 would like to make a comment that we didn't -- of  
7 topics that we did not cover or maybe you have  
8 concerns or have maybe an issue that you want to  
9 have agendaized in the future? Seeing none, we'll  
10 go onto Number 14. And this is dealing with the  
11 scheduling of our upcoming Commission meetings,  
12 which will be in October. And, Mr. Clark, do you  
13 want to cover that?

14                  RICHARD CLARK: Sure. Thank you, Mr.  
15 Chairman. Dick Clark for the record. The October  
16 meeting is at the Palace Station in Las Vegas  
17 starting on October the 28th. On that day, there's  
18 -- they're going to have the general session meeting  
19 and then there's training, eight hours of training,  
20 on the 29th and 30th. If we had to have two  
21 meetings at this point, it would look like maybe a  
22 -- a P.O.S.T. workshop at maybe nine or ten in the  
23 morning on the 28th before the general session  
24 meeting for the Sheriffs and Chiefs. I know they  
25 have an Executive Board Meeting earlier, but I don't

1 believe -- well, other than Sheriff Watts, I don't  
2 think anybody else is on the Executive Board.

3 DAN WATTS: And that hasn't been decided  
4 yet.

5 RICHARD CLARK: And it hasn't been  
6 decided? Okay. And then the general, or the  
7 regular meeting, we would look at having on the --  
8 on the -- well, there's eight hours of training on  
9 the 29th, so there's also eight hours of training on  
10 the 30th, but if the Commission wanted to skip the  
11 last four hours of that training, you could have a  
12 P.O.S.T. Commission regular meeting at 13:00 or  
13 perhaps later after the training, depending on what  
14 the Commission wanted to do.

15 RONALD PIERINI: Let me make a couple of  
16 comments on this.

17 RICHARD CLARK: Yeah.

18 RONALD PIERINI: One of the things that --  
19 even though an agenda may not be very full for  
20 October, I can tell you that I feel it's very  
21 important that we meet because if we were to stop  
22 now with Commission meetings and wouldn't have one  
23 all the way to February, that's too long. And so we  
24 -- we really do need to have one in October even if  
25 it's a light kind of a schedule, which it very well



1 could be. And my opinion is, is that all of us are  
2 there and paid -- will be paying money for the  
3 excellent training that we provided. Would this  
4 Commission make it possible or feel okay about it  
5 that we have a P.O.S.T. Commission meeting at 6:00  
6 at night after the training? And I think that's a  
7 fair thing for us so all of us could go and that's  
8 not including that of the banquet that would be the  
9 day before or whatever day that isn't on.

10 RICHARD CLARK: That's on the first date,  
11 actually.

12 RONALD PIERINI: Okay. So the second day  
13 or whatever. So whatever we come up, we're going to  
14 have to figure out what the schedules are, what is  
15 available and then we'd like to post it if -- if  
16 there is not a problem with the Commissioners. And  
17 does anybody have a problem if we do it at 6:00 at  
18 night and -- and go from that type of a scenario?  
19 At least we would be able to cover the training, so.

20 GREG COX: Mr. Chairman. Greg Cox. I  
21 would agree. We can't go to February to have  
22 another meeting. I would agree. If we have to have  
23 it at 6:00, then -- I live in Vegas, so I know it's  
24 easier on me than some of you, but I would agree  
25 that we need to have the meeting.

1 RONALD PIERINI: Okay. Thank you.

2 GREG COX: And if that's the time we need  
3 to have it, then we have to have it.

4 RONALD PIERINI: Okay. Good. So, I  
5 guess, and I'll just make the motion that -- that we  
6 believe that it will be the last part of October and  
7 it will be in Las Vegas and we will contact you  
8 folks once we can get a schedule going as -- that's  
9 my motion. Karen, you want to second that?

10 KAREN COYNE: Karen Coyne. I'll second  
11 that.

12 RONALD PIERINI: Any other discussion?  
13 Okay. All in favor?

14 COMMISSIONERS: Aye.

15 RONALD PIERINI: But I should have asked  
16 the public. Does the public want to make any  
17 comments dealing with our next meeting? I guess  
18 not. Okay. Why don't we go into a discussion and  
19 public comment and for possible action for  
20 adjournment? Usually, we have five or six people  
21 saying let's adjourn. Tony?

22 ANTHONY DEMEO: If I have to stay here  
23 until 8:00 or 9:00 at night, I will get a feeling  
24 what it's going to be like in Vegas. Tony DeMeo,  
25 second.

1                   RONALD PIERINI:  Okay.  We got a first  
2 from Tony.  Do I have a second?

3                   DAN WATTS:  Dan Watts, second.

4                   RONALD PIERINI:  Thank you, Dan.  All in  
5 favor?

6                   COMMISSIONERS:  Aye.

7                   RONALD PIERINI:  Thank you very much.

8

9                   (MEETING ADJOURNED AT 2:37 p.m.)

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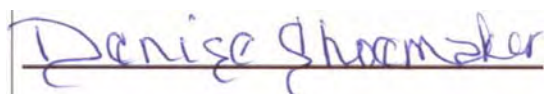
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C-E-R-T-I-F-I-C-A-T-I-O-N

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



DENISE SHOEMAKER  
COURT REPORTING SERVICES

8/7/13

DATE

**AGENDA ITEM #3**

**Executive Directors Report**



**NEVADA POST ACADEMY  
CLASS 43/44**

**CATEGORY I**  
July 29, 2013 - November 15, 2013

**CATEGORY II**  
July 29, 2013 - October 3, 2013

<b>NAME</b>		<b>AGENCY</b>
1. Albarran, Rosa I.	II	Lyon County Juvenile Probation
2. Avilez, David P.	I	West Wendover Police Department
3. Azevedo, Brandon D.	I	Storey County Sheriff's Office
4. Baty, Keegan D.	I	Carlin Police Department
5. Beltramo, Jason M.	I	Humboldt County Sheriff's Office
6. Blake, Morgan L.	I	Pyramid Lake Tribal Police Department
7. Borkowski, Andrew J.	I	NV Department of Wildlife
8. Byrum, Jason A.	I	Esmeralda County Sheriff's Office
9. Ely, Justin M.	I	Dept. of Ag, Div. of Livestock Identification
10. Fannon, Daniel T.	I	Carson City Sheriff's Office
11. Farnsworth, Anthony V.	I	NV Department of Wildlife
12. Glenn, Matthew D.	I	NV Department of Wildlife
13. Graves, Jason D.	I	Mineral County Sheriff's Office
14. Gutierrez, Jesse J.	II	Lyon County Juvenile Probation
15. Jim, Gerard E.	I	Reno-Sparks Indian Colony PD
16. Kharri, Brian K.	I	Mineral County Sheriff's Office
17. Martin, Taylor A.	I	Carlin Police Department
18. Maynez, Rudy M.	I	Churchill County Sheriff's Office
19. McOmie, Ian K.	I	Mesquite Police Department
20. Miller, Steven E.	I	Douglas County Sheriff's Office
21. Murry, Kevin R.	I	Carson City Sheriff's Office
22. Nunes, Luiz C.	I	Elko County Sheriff's Office
23. O'Farrell, Michael R.	I	Elko Police Department
24. Paddock, Rachel E.	I	7th Judicial District Court
25. Parks, Ralph L.	I	Winnemucca Police Department
26. Pasciak, Phillip A.	I	NV Gaming Control Board
27. Rhein, Joshua O.	I	NV State Parks
28. Stevens, Loren P.	I	Elko County Sheriff's Office
29. Thaler, Sean M.	I	Douglas County Sheriff's Office
30. Young, Jeffrey P.	I	Storey County Sheriff's Office

**MEMORANDUM**

To: Tim Bunting, Deputy Director

From: Boe Turner, PD Bureau Chief

Date: October 2, 2013

Subject: Quarterly Report 1st Quarter FY-14

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Crown Point data indicates

**TRAINING PROVIDED**

<b>E-learning Students</b>	<b>474</b>
<b>Training hours</b>	<b>2,984</b>

<b>Classroom Students</b>	<b>39</b>
<b>Training hours</b>	<b>1,560</b>

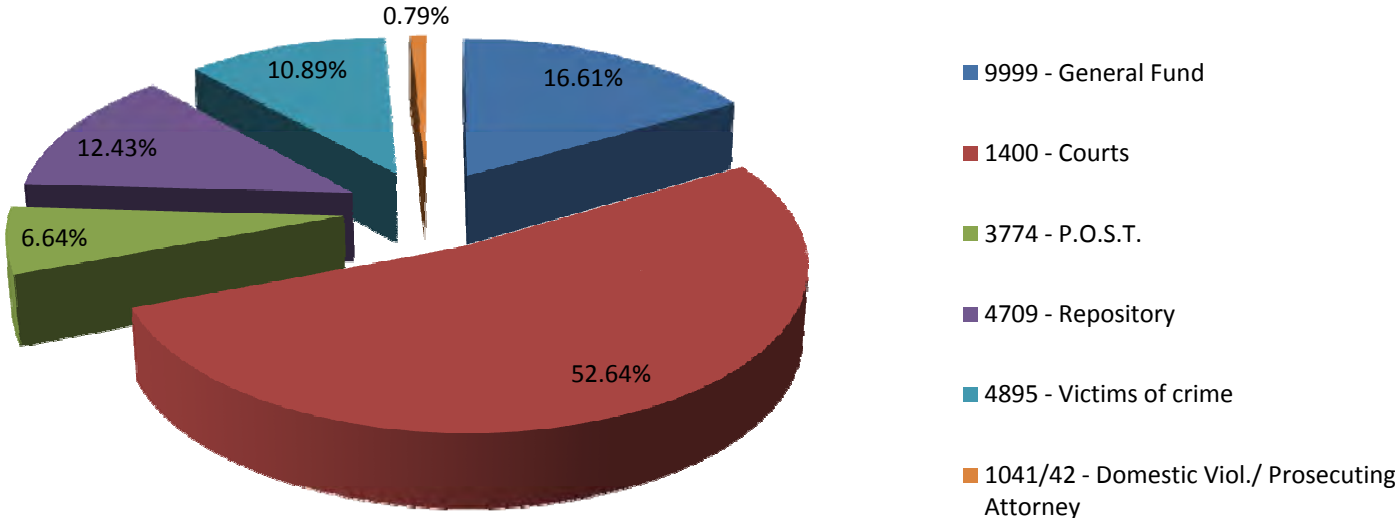
<b>Total</b>	
<b>Students</b>	<b>513</b>
<b>Training hours</b>	<b>4,544</b>

**Projects**

Management Course Curriculum revision this quarter  
43 e-learn courses available  
Updating of the Statewide Performance Objectives is completed.  
Up-date State Certification exam

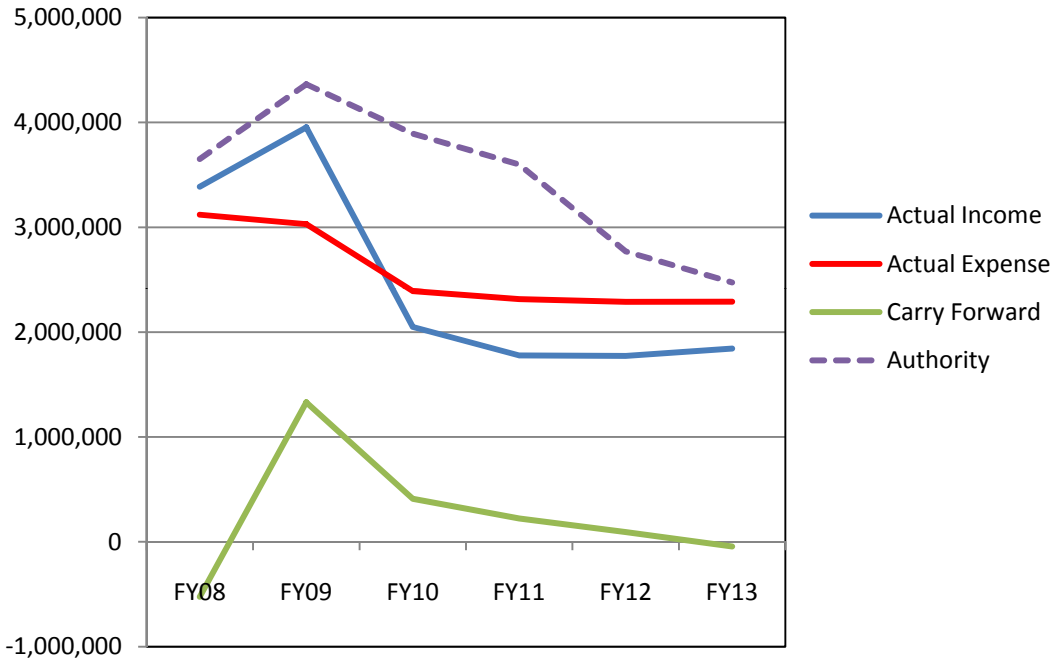
<b>Intermediate</b>	<b>133</b>
<b>Advanced</b>	<b>110</b>
<b>Supervisor</b>	<b>18</b>
<b>Management</b>	<b>03</b>
<b>Executive</b>	<b>01</b>
<b>Instructor</b>	<b>None</b>

# Court Assessment Distribution by budget Account (includes all distributions)





# Six Year Picture



2009 includes Lexipol, Crimeline and the Physical Fitness validation study

September 30, 2013

Address  
Address  
Address  
Address

Dear :

This is to inform you that due to budget constraints and a considerable increase in the number of cadets in our academy, we must make significant changes in our fee structure that will impact your agency.

Court assessments continue to come in under authority which reduces our operating funds therefore creating a revenue shortfall (see attached chart). We have met with the Budget office, and there is no relief available until July 1, 2015. Our agency has instituted many internal cost saving changes, including a reduction in travel, the use of e-forms, and a reorganization of staff, but these changes are not enough.

As this situation directly affects you and your agency, your input, ideas and suggestions will be invaluable in helping us complete our mission and honor our obligations to you in this challenging time. Changes will be made prior to the upcoming academy, scheduled to begin January 27, 2014. Options we are considering are:

- Increase cadet tuition to \$2580.00 for CAT I cadets, and \$2,430.00 for all CAT II cadets
- Reduce the length of the academy from 16 weeks to 14 weeks (see attachment)
- Eliminate the “live-in” requirement; thus eliminating the food allowance but dorm rooms would still be available
- Require some on-line training as a pre-requisite to attending the academy (CPR, First Aid, etc.)

These are difficult and critically necessary decisions. Whatever action we take will be in effect through the current biennium. I would very much like to hear from you before October 15<sup>th</sup> in order for us to implement the chosen option(s) and provide ample time for planning and implementation.

Sincerely,

Richard P. Clark  
Executive Director  
Nevada Commission on POST

/kjf  
Enclosures (2)

Subjects not required by the NAC's:

(Removing these items would remove approximately 2-3 weeks of the academy.)

1. Spanish – We have disks that cadets can watch and review and will allow them to get an understanding of basic conversational/everyday language.
2. Peace Officer Rights – Can be completed online
3. Introduction to Boxing – Can be incorporated into PT
4. OC Spray – OC is becoming outdated. The Taser has completely dominated the Law Enforcement field. Few officers carry it or deploy it.
5. Domestic Violence Case Study – This part of the academy is more informational than “required training”. They will see more than their share of this during FTO and in the field.
6. Radio Applications – This can be done as a class we will use to fill in.
7. Livestock Laws – Can be completed online. If an occurrence of livestock smuggling is encountered, the Brand Inspectors must be called.
8. Courtroom Security – Most agencies teach this class in-house
9. Gaming Law – Gaming Law issues are handled by the Gaming Control Agents. Usual calls for a Peace Officer to a casino is for fights, trespassing or removing someone that shouldn't be there.
10. Wildlife Law – Violations of this law are handled by Game Wardens.

MEMORANDUM

To: Dick Clark, Executive Director, POST

From: Tim Bunting, Deputy Director, POST

Date: October 9, 2013

Subject: Quarterly Report, Operations, and Special Projects, 1<sup>st</sup> Quarter FY-14

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**1. Projects Update.**

Annual Report. FY 13 completed and distributed

1<sup>st</sup> Quarter Budget. See attached chart.

Curriculum Review. On going

Policy and Procedures update. No revisions

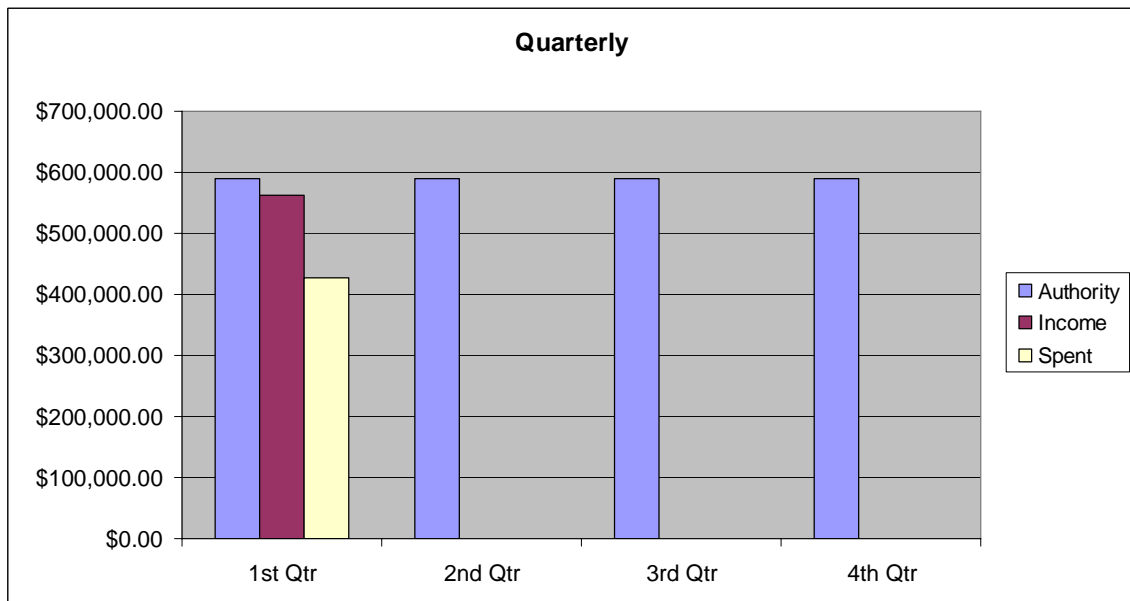
**2. Significant Events.**

**3. Miscellaneous Comments.**

Budget shortfall and an increase in the number of cadets continue to be a problem. In a September 12 meeting with the budget director we were told there is nothing that the state can do to help relieve the problem.

**4. Budget.**

1st quarter: Authorized \$590,019, received \$563,002, spent \$427,356



# **Commission on Peace Officers' Standards & Training**

## ***Basic Training Bureau***

To: Tim Bunting, Deputy Director

From: Orlando Guerra

Date: 08 September 2013

Subject: 1st Quarter Report 2014 (July, August, September)

### **Projects:**

Performance objectives review (on going)

Shoot house plans (on-going)

Clean up of all surrounding areas at POST in the works (on-going)

Revising the boxing program. Making it more effective and user friendly.

Working on simplifying the high/low risk traffic stop(s) block of instruction (more realistic, formal, structured, basic. Doing more training in-house, and eliminating some of the cost of instructors.

Work still being done to correct and simplify the building search and active assailant block of instruction (more buildings, more scenario problems). Doing more training in-house and eliminating some of the cost on instructors and role players.

Maintenance of POST patrol vehicles on-going process. Basic Training taken over the role of oversees the maintenance requests of all the Academy patrol vehicles. Doing more in-house to eliminate maintenance costs.

Sprinkler system around Bldg #12 in place. All labor provided by Chief of BTC and B&G. Cost to POST was \$138.18.

### **Bureau:**

Basic Training Bureau staff continues to review, scrub lesson plans and instructors lists to better provide the cadets with quality instruction.

Class 43/44 is on its 11<sup>th</sup> week of training. Will graduate 15 November 2013.

Working on last portion of fence (50-60 ft). All labor will be accomplished by the Academy Chief and Cadets.

Cadet from Nevada Youth Parole dismissed from Academy Class at the request of agency.

Introduction to AR 15 rifle and familiarization went well. Cadets picked up on it very well.

All cadets doing well. Nobody on light duty.

Continue to identify more instructors for this coming class.

**Training Hours:**

- Category I
  - Classroom 451.5 hours
  - Cadet 12,418 hours
- Category II
  - Classroom 451.5hours
  - Cadet 1,266.5 hours
- Instructor hours 7,774 hours

**Milo Use of Force Simulator**

None

**MEMORANDUM**

To: Tim Bunting, Deputy Director

From: Boe Turner, PD Bureau Chief

Date: October 2, 2013

Subject: Quarterly Report 1st Quarter FY-14

---

Crown Point data indicates

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<b>Total</b>	
<b>Students</b>	<b>513</b>
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**Projects**

Management Course Curriculum revision this quarter  
43 e-learn courses available  
Updating of the Statewide Performance Objectives is completed.  
Up-date State Certification exam

<b>Intermediate</b>	<b>133</b>
<b>Advanced</b>	<b>110</b>
<b>Supervisor</b>	<b>18</b>
<b>Management</b>	<b>03</b>
<b>Executive</b>	<b>01</b>
<b>Instructor</b>	<b>None</b>



**COMMISSION ON P.O.S.T.**

To: Tim Bunting, Deputy Director

From: Scott Johnston, PSB Chief, via Elaine Moore-Cerda

Cc: ALL; "S" Drive

Date Submitted: 10/02/2013

Re: Quarterly Activities Report - 1st Quarterly Report FY 2014

**PROJECTS TRACKING –**

<b>PROJECT</b>	<b>STATUS</b>
Application Extender Legal Docs Cleanup	Completed

**Audits/Compliance/ITR/Academy Audits:**

**ITR Audit Report Pursuant to NAC 289.230**

<b>ITR Audits</b>			
<b>July</b>	<b>August</b>	<b>September</b>	<b>Total</b>
0	0	0	0

**Academy Audit Report Pursuant to NAC 289.300**

<b>Academy Audits</b>			
<b>July</b>	<b>August</b>	<b>September</b>	<b>Total</b>
0	0	0	0

<b>Course Audits</b>			
<b>July</b>	<b>August</b>	<b>September</b>	<b>Total</b>
0	0	0	0

**Records and Certification Micro-Imaging Project:  
SNAPSHOT:**

No change

**State Certification Examination**

<b>Category</b>	<b># of Students</b>			
	<b>July</b>	<b>August</b>	<b>September</b>	<b>Total</b>
Category I	0	22	16	38
Category II	12	13	0	25
Category III	67	67	13	147
Reserve Limited	2	0	0	2
<b>Total</b>	81	102	29	212

**Basic Certificates Issued (Includes In-Lieu's for each category)**

Category	# Certificates Awarded			
	July	August	September	Total
Category I	30	7	8	45
Category II	4	13	6	23
Category III	0	41	5	46
Reserve Limited	0	4	2	6
<b>Total</b>	34	65	21	120

**Courses Certified**

Courses Certified			
July	August	September	Total
5	15	35	55

"C" Numbers Assigned			
July	August	September	Total
0	0	0	0

Academy "B" Numbers Assigned			
July	August	September	Total
1	0	0	1

**PAR's Processed**

PAR's processed (Paper)			
July	August	September	Total
70	11	5	86

PAR's Updates (Formatta)			
July	August	September	Total
164	83	132	379

PAR's Employment (Formatta)			
July	August	September	Total
227	171	155	553

**Significant Events**

	EVENT
1	The Commission continued with Rule making on regulation changes, approved revised performance objectives
2	Conducted SNALET and NALET meetings
3	Implemented new Formatta electronic submission of employment PAR's
4	POST Commission Meeting and Workshop. Working on changes to annual continuing education. The Commission approved all statewide standardized performance objectives.



NEVADA  
COMMISSION ON  
PEACE OFFICERS' STANDARDS AND TRAINING  
PERFORMANCE INDICATOR REPORT

Date: October 2, 2013  
Fiscal Year: 2014

Indicator		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Workload
<b>CERTIFICATES PROCESSED</b>														
Basic	Previous FY	18	82	36	17	42	0	73	65	48	28	97	133	639
	Current FY	34	65	21										120
Intermediate	Previous FY	10	31	20	16	18	18	23	47	43	77	66	78	447
	Current FY	73	35	25										133
Advanced	Previous FY	11	25	17	16	16	11	23	35	37	66	53	182	492
	Current FY	56	29	25										110
Supervisory	Previous FY	7	3	6	7	4	4	6	5	4	13	2	20	81
	Current FY	10	7	1										18
Management	Previous FY	0	3	1	0	2	2	1	1	0	1	2	1	14
	Current FY	1	1	1										3
Executive	Previous FY	2	0	0	0	4	0	0	2	0	0	0	0	8
	Current FY	1	0	0										1
Instructor	Previous FY	0	4	0	0	1	0	0	2	2	0	0	0	9
	Current FY	0	0	0										0
<b>ON LINE IN-LIEU ELIGIBILITY REQUESTS</b>														
In-Lieu Attended/Completed	# Attended	0	2	1										3
<b>STATEWIDE TRAINING Annual Mandatory Training *</b>														
Number of courses	Previous FY	79	58	72	184	151	168	119	113	100	100	98	55	1,297
	Current FY	73	99	263										435
Number of students attended	Previous FY	861	760	1051	4435	2842	12213	691	1689	820	1195	670	348	27,575
	Current FY	996	1236	2,911										5,143
Number of student hours	Previous FY	3197	3793	4875	21772	12608	314032	3466	6227	4388	4757.5	2928	1356.01	383,400
	Current FY	5,705.50	4,887.00	12,787.90										23,380
<b>STATEWIDE TRAINING Professional Development Training</b>														
Number of courses	Previous FY	93	117	45	97	94	133	89	38	72	133	121	1	1,033
	Current FY	289	187	176										652
Number of students attended	Previous FY	332	244	113	211	338	187	107	135	142	479	272	1	2,561
	Current FY	417	299	302										1,018
Number of student hours	Previous FY	3272	3311	3392	5416	2979.5	1175	1180	1079	2866	2692	1843	240	29,446
	Current FY	3466	2799	2918										9,183
<b>E-LEARNING (Self Study &amp; On Line In-Lieu)</b>														
E-Learning Students	Previous FY	333	31	14	83	26	38	86	12	49	112	41	190	1,015
	Current FY	217	97	160										474
Monthly Training Hours	Previous FY	1164	852	1192	1284	1214	1226	1712	1020	1220	4706	6904	964	23,458
	Current FY	1524	500	960										2,984
<b>REQUESTS FOR COURSE CERTIFICATION / APPROVAL</b>														
Number of courses certified / approved	Previous FY	22	49	18	37	11	0	21	9	17	0	10	15	209
	Current FY	6	15	35										56
<b>POST BASIC TRAINING - CATEGORY I</b>														
POST Academy Class #		CLASS 44	CLASS 44	CLASS 44	CLASS 44	CLASS 44	No Academy	CLASS 46	CLASS 46	CLASS 46	CLASS 46	CLASS 46	No Academy	
Start date of the Academy		July 30						Jan 28						
End date of the Academy						Nov 16						May 16		
Number of Cadets starting		32												32
Number of Cadets finishing						pending								0
Classroom Hours	Planned	20	156	188	168	120		152	192	176	134	134		1,440
	Actual	30.5	256	165										452
Student Hours	Planned	423	1,404	1,692	1,512	1,080		3,192	4,032	3,872	2,616	2,616		22,439
	Actual	854	7,109	4,455										12,418

<i>Indicator</i>		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Workload
Cadet course evaluation rating (1-5)	Planned	4	4	4	4	4		4	4	4	4	4		4.00
	Actual	5	4.3	4.76										4.69
<b>POST BASIC TRAINING - CATEGORY II</b>														
<b>POST Academy Class #</b>		CLASS 43	CLASS 43	CLASS 43	CLASS 43	CLASS 43	No Academy	CLASS 45	CLASS 45	CLASS 45	CLASS 45	CLASS 45	No Academy	
Start date of the Academy		<b>July 30</b>						<b>Jan 28</b>						
End date of the Academy					<b>Oct 11</b>						<b>Apr 11</b>			
Number of Cadets starting														0
Number of Cadets finishing					<b>pending</b>									0
Classroom Hours	Planned	20.0	152	152	192	100		152	152	192	48	2		1,162
	Actual	30.5	256	165										452
Student Hours	Planned	40.0	456	456	576	360		456	456	576	144	8		3,528
	Actual	92	768	407										1,267
Cadet course evaluation rating (1-5)	Planned	4	4	4	4	4		4	4	4	4	4.0%		3.60
	Actual	5	4.3	4.76										4.69
<b>STATE CERTIFICATION EXAMINATION</b>														
Number of Academies administered State Cert Exam	Previous FY	9	6	11	0	5	3	1	4	5	7	11	4	66
	Current FY	6	5	3										14
Number of individual exams administered	Previous FY	82	50	156	7	62	8	27	69	68	73	97	96	795
	Current FY	81	102	29										212
Number of exams passed	Previous FY	82	50	154	7	62	8	26	68	64	73	97	96	787
	Current FY	81	102	29										212
Number of exams failed	Previous FY	0	0	2	0	0	0	0	1	4	0	0	0	7
	Current FY	0	0	0										0
<b>PERSONNEL ACTION REPORT (PAR)</b>														
Number of PAR's manually processed	Previous FY	125	106	47	164	106	77	124	98	207	129	85	28	1,296
	Current FY	70	11	5										86
Number of Formatta electronic PAR submissions processed	Previous FY	135	82	133	66	116	129	157	106	96	142	110	133	1,405
	Current FY	164	83	132										379
Number of Employment electronic PAR submissions (new process)	Previous FY	N/A	N/A	N/A										N/A
	Current FY	227	171	155										553
<b>ACADEMIES AUDITED</b>														
Number of academies audited (programs)	Goal	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.16	13.92
	Completed	0	0	0										0
<b>COURSES AUDITED</b>														
Number of courses audited	Goal	1	1	1	1	1	1	1	1	1	1	1	1	12
	Completed	0	0	0										0
<b>ITR'S AUDITED</b>														
Number of agencies audited for compliance	Goal	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	33
	Completed	0	1	0										1
Number of records reviewed	Goal													
	Completed	0	12	0										12
<b>SURVEY OF LAW ENFORCEMENT AGENCIES</b>														
POST academy users - agencies surveyed	Total	0	0	17	0	0	0	0	0	0	0	0	0	17
Course evaluation rating (1-5)	Planned	0	0	0	0	0	0	0	0	0	0	0	0	0
	Actual			4.17										
<b>EXECUTIVE LEVEL TRAINING</b>														
2 per Fiscal Year	Scheduled	1				2								3
	Completed	1	0	0		2								3
<b>POST COMMISSION MEETINGS</b>														
Scheduled	Ely													
	Las Vegas													
Scheduled	Reno													
	Carson City													
Scheduled	25-Jul					29/30-Oct			28-Feb			2-May		1

July 2012 - Consolidated Conducted / Facilitated / Managed Courses  
to reflect Statewide Annual Mandatory Training and Professional Development Training  
\* Annual Training represents Mandatory and Critical Skills Training  
Added updated PAR's

**Nevada Commission on POST**  
**Employee Certification Report**  
Category I Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Amani, David A.</b>	<b>30528</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Appah, Francis C.</b>	<b>30995</b>						
Basic: Category I		7-03-2013	Active		7-03-2013		
<b>Bleznitsky, Leonid</b>	<b>30478</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		
<b>Brooks, Christopher M.</b>	<b>31184</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Brooks, Jasmine G.</b>	<b>30476</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		
<b>Campbell, Caleb B.</b>	<b>31469</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>Ciotti, Nicole C.</b>	<b>31470</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>Contreras, Adrian G.</b>	<b>27810</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Crook, Michael S.</b>	<b>31186</b>						
Basic: Category I		8-31-2013	Inactive		7-09-2013	8-31-2018	
<b>Davis, Kyle L.</b>	<b>31722</b>						
Basic: Category I	Cat I	8-09-2013	Active		8-09-2013		8-26-2013
<b>Dinino, Kenneth J.</b>	<b>31312</b>						
Basic In Lieu: Category I		7-17-2013	Active		7-17-2013		
<b>Ellis, Dustin A.</b>	<b>31471</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>Evans, Charles M.</b>	<b>31723</b>						
Basic: Category I	Cat I	8-09-2013	Active		8-09-2013		9-09-2013
<b>Goodwin, Michael T.</b>	<b>31810</b>						
Basic: Category I	Cat I	9-23-2013	Active		9-23-2013		10-07-2013
<b>Guardanapo, Shaun R.</b>	<b>31520</b>						
Basic In Lieu: Category I		7-03-2013	Active		7-03-2013		
<b>Henry, Richard L.</b>	<b>30431</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		

**Nevada Commission on POST  
Employee Certification Report**  
Category I Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Hooper, Timothy W.</b>	<b>27812</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Huebner, Kenneth C.</b>	<b>31189</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Jackson, Daymond T.</b>	<b>31190</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Jakob, Derek A.</b>	<b>31533</b>						
Basic: Category I	Cat I	8-09-2013	Active		8-09-2013		9-09-2013
<b>Kern, John L.</b>	<b>31191</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		
<b>Lourenco, Christopher J.</b>	<b>31192</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Lytle, Jeffrey K.</b>	<b>31472</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>MacLeod, Kenneth</b>	<b>19966</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Mazur, Michael D.</b>	<b>30477</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		
<b>Narvaez, Sergio R.</b>	<b>31473</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>O'Connor, Aron S.</b>	<b>31474</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>Pollard, Troy D.</b>	<b>30012</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Principe, Jose R.</b>	<b>28473</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Ragsdale, Jerry D.</b>	<b>27348</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Ramsey, Ronald L.</b>	<b>25305</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Reed, Melissa D.</b>	<b>31487</b>						
Basic: Category I	Cat I	8-09-2013	Active		8-09-2013		9-09-2013

**Nevada Commission on POST**  
**Employee Certification Report**  
Category I Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Rhein, Noah C.</b>	<b>10430</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		
<b>Robinson, James N.</b>	<b>30389</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Rye, Kimberly A.</b>	<b>29074</b>						
Basic: Category I	Cat I	9-19-2013	Active		9-19-2013		10-07-2013
<b>Starling, Jack</b>	<b>28474</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	
<b>Sutton Sr., Victor T.</b>	<b>19760</b>						
Basic: Category I		7-08-2013	Active		7-08-2013		
<b>Tate, Christopher L.</b>	<b>28342</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Taylor, Kenny C.</b>	<b>30456</b>						
Basic: Category I		7-24-2013	Active		7-24-2013		
<b>Turner, Deanna M.</b>	<b>28343</b>						
Basic: Category I		7-11-2013	Active		7-11-2013		
<b>Vega, James E.</b>	<b>30494</b>						
Basic: Category I		7-09-2013	Active		7-09-2013		
<b>Wrath, Wayne R.</b>	<b>31197</b>						
Basic: Category I		7-17-2013	Inactive		7-09-2013	7-17-2018	

Employees on report: 42

**Nevada Commission on POST**  
**Employee Certification Report**  
Category II Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Amani, David A.</b>	<b>30528</b>						
Basic: Category II		7-11-2013	Active		7-11-2013		
<b>Baca, Anthony J.</b>	<b>30244</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Bosket, Jaare C.</b>	<b>31162</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Doyle, Jennifer E.</b>	<b>28909</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Grant, Angela J.</b>	<b>31429</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Heath, Douglas C.</b>	<b>31319</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Hooker, Brittney A.</b>	<b>31161</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Johnson, Lisa M.</b>	<b>31160</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Johnson, Re'Shey D.</b>	<b>31388</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Kennedy, Jennifer M.</b>	<b>31389</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Mason, Tynan O.</b>	<b>31320</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Mitchell, Brandon Q.</b>	<b>30533</b>						
Basic: Category II		7-03-2013	Active		7-03-2013		
<b>Petrilla, Brian D.</b>	<b>31464</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Shultz, Brian T.</b>	<b>27663</b>						
Basic: Category II		7-03-2013	Active		7-03-2013		
<b>Trapani, Kasi A.</b>	<b>30737</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Wilson, Daniel L.</b>	<b>31461</b>						
Basic: Category II		7-03-2013	Active		7-03-2013		



OCT 15,2013  
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**Nevada Commission on POST**  
**Employee Certification Report**  
Category II Basic Certificates - July - Sept 2013

Page: 2

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
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**Employees on report: 16**

**Nevada Commission on POST**  
**Employee Certification Report**  
Category II Basic - July 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Amani, David A.</b>	<b>30528</b>						
Basic: Category II		7-11-2013	Active		7-11-2013		
<b>Baca, Anthony J.</b>	<b>30244</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Bosket, Jaare C.</b>	<b>31162</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Doyle, Jennifer E.</b>	<b>28909</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Grant, Angela J.</b>	<b>31429</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Heath, Douglas C.</b>	<b>31319</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Hooker, Brittney A.</b>	<b>31161</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Johnson, Lisa M.</b>	<b>31160</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Johnson, Re'Shey D.</b>	<b>31388</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Kennedy, Jennifer M.</b>	<b>31389</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Mason, Tynan O.</b>	<b>31320</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Mitchell, Brandon Q.</b>	<b>30533</b>						
Basic: Category II		7-03-2013	Active		7-03-2013		
<b>Petrilla, Brian D.</b>	<b>31464</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Shultz, Brian T.</b>	<b>27663</b>						
Basic: Category II		7-03-2013	Active		7-03-2013		
<b>Trapani, Kasi A.</b>	<b>30737</b>						
Basic: Category II		7-12-2013	Active		7-12-2013		8-26-2013
<b>Wilson, Daniel L.</b>	<b>31461</b>						
Basic: Category II		7-03-2013	Active		7-03-2013		

OCT 14,2013  
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**Nevada Commission on POST**  
**Employee Certification Report**  
Category II Basic - July 2013

Page: 2

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
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**Employees on report: 16**

**Nevada Commission on POST  
Employee Certification Report**  
Category III Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Acevedo, Joel J.</b>	<b>31575</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Alvarado, Brandon L.</b>	<b>31576</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Bonner, Cody A.</b>	<b>31577</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Bridges, Christopher A.</b>	<b>31578</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Cruz, Brandon A.</b>	<b>31580</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Dalske, Micah L.</b>	<b>31581</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Davis, Kyle L.</b>	<b>31722</b>						
Basic: Category III	Cat III	8-09-2013	Active		8-09-2013		8-26-2013
<b>Davis, Ronald</b>	<b>31582</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Del Villar-Solis, Christopher</b>	<b>31583</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Dela Rosa, Ferdinand M.</b>	<b>30564</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Evans, Charles M.</b>	<b>31723</b>						
Basic: Category III	Cat III	8-09-2013	Active		8-09-2013		9-09-2013
<b>Ferris, Lukas D.</b>	<b>31584</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Ford, Michael W.</b>	<b>31585</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>French, Sean G.</b>	<b>31586</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Gallego, Rene</b>	<b>31587</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Garrett, Steven M.</b>	<b>31588</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013

**Nevada Commission on POST  
Employee Certification Report**  
Category III Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Hoffman, Chris W.</b>	<b>31589</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Jakob, Derek A.</b>	<b>31533</b>						
Basic: Category III	Cat III	8-09-2013	Active		8-09-2013		9-09-2013
<b>Kolakowski, David C.</b>	<b>31591</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Krol, Dariusz S.</b>	<b>31592</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Leach, Betty J.</b>	<b>31593</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>McGinnis, Christopher A.</b>	<b>31594</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Mendoza, Wilson K.</b>	<b>31595</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Mitchell, Ronald D.</b>	<b>31596</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Morgenstern, Bruce L.</b>	<b>31597</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Newman, Stephen R.</b>	<b>31598</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Petrova, Desislava K.</b>	<b>31599</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Pinkston, Tia-Maria</b>	<b>31600</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Potts, Ronnie M.</b>	<b>31601</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Reed, Melissa D.</b>	<b>31487</b>						
Basic: Category III	Cat III	8-09-2013	Active		8-09-2013		9-09-2013
<b>Rodriguez, Drew C.</b>	<b>31602</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Scott, Terence</b>	<b>31603</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013

**Nevada Commission on POST  
Employee Certification Report**  
Category III Basic Certificates - July - Sept 2013

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Smith, Brittany T.</b>	<b>31604</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Steffen, Christopher P.</b>	<b>31605</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Sterba, Jeremiah J.</b>	<b>31368</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Swanegan, Osmond X.</b>	<b>31606</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Thompson, Andrew J.</b>	<b>31607</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Torres, Francisco A.</b>	<b>31237</b>						
Basic: Category III	Cat III	7-05-2013	Active		7-05-2013		8-27-2013
<b>Trainer, Quinton M.</b>	<b>31608</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Trainer, Sidney L.</b>	<b>31369</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Valdepena, Kristy A.</b>	<b>31609</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013
<b>Wharton, Krystyna C.</b>	<b>31802</b>						
Basic: Category III	Cat III	8-16-2013	Active		8-16-2013		10-08-2013
<b>Williams, Golwin A.</b>	<b>31610</b>						
Basic: Category III		7-19-2013	Active		7-19-2013		8-15-2013

Employees on report: 43

OCT 15,2013  
01:24PM

**Nevada Commission on POST**  
**Employee Certification Report**  
Reserve Basic Certificates - July - Sept 2013

Page: 1

<b>Certificate</b>	<b>Level</b>	<b>Status Date</b>	<b>Status</b>	<b>Cert #</b>	<b>Certified</b>	<b>Expires</b>	<b>Probation</b>
<b>Cook, Kevin C.</b>	<b>31663</b>						
Reserve Limited	Reserve	7-27-2013	Active		7-27-2013		9-24-2013
<b>Menezes, Derek M.</b>	<b>31535</b>						
Reserve Limited	Reserve	7-27-2013	Active		7-27-2013		

**Employees on report: 2**

**Nevada Commission on POST**  
**Courses by Course Title**

Basic Academy Courses Certified July 2013-Sept 2013

Course	Title	Hours	Status	Approved Period	Provider
B2770003	SSLEA Category I Academy	630.00	Active		Silver State Law Enforcement Academy

**Courses in this report: 1**



**Nevada Commission on POST**  
**Courses by Course Title**  
Courses Certified/Approved - 1st Quarter July - Sept 2013

Course	Title	Hours	Status	Approved Period	Provider
P0000476	2013 Nevada Legislative Update	4.00	Active		Nevada Commission on POST
P2220019	Addictions 203: An Overview of the Impact of Opioi	6.00	Active		Division of Child Family Services
P2950025	Attitudes at Work	2.00	Active		Relias Learning
P2930001	Basic Peer Support Course	24.00	Active		D-Prep, LLC
P2950026	Bioterrorism	1.00	Active		Relias Learning
P0000482	CA. Narc. Assoc. Pre-Institute Training	8.00	Active		Nevada Commission on POST
P2480003	Cell Extraction Development Instructor Course	16.00	Active		American Council on Criminal Justice Tra
P2940001	Cell Phone Investigations	16.00	Active		Police Technical
P2950003	Civil Liability & the Disciplinary Process in Corr	3.00	Active		Relias Learning
P0750026	Civilian Self Defense	4.00	Active		Las Vegas Metro Detention Center
P2950030	Comm. Essentials: Comm. Style Effectiveness	1.00	Active		Relias Learning
P2950029	Communication Essentials: Navigating Conversations	1.00	Active		Relias Learning
P2950017	Confidentiality of Health Info in Corr. Facilities	2.00	Active		Relias Learning
P2950027	Corporate Compliance and Ethics	1.00	Active		Relias Learning
P0750027	Crisis Intervention Team for CO's Recertification	8.00	Active		Las Vegas Metro Detention Center
P2950028	Cultural Diversity	1.00	Active		Relias Learning
P2950024	Customer Relations	2.00	Active		Relias Learning
P0000481	Domestic Violence Investigations for L.E.	8.00	Active		Nevada Commission on POST
P0020038	Effect. Investigate and Prosecute DV Strangulation	8.00	Active		Reno Police Department
P0220014	Elder Abuse Investigation	4.00	Active		Carson City Sheriff's Office
P2950004	Emergency Preparedness in the Corrections Setting	1.00	Active		Relias Learning
P0000477	EVOC Instructor	40.00	Active		Nevada Commission on POST
P0650003	Gang Resource Officer	10.00	Active		Henderson Police Department
P0760146	Gangs in Clark County	9.00	Active		Las Vegas Metro Police Department
P2950018	Grief and Loss in the Corrections Setting	2.00	Active		Relias Learning
P0000479	Introductory Survival Spanish	40.00	Active		Nevada Commission on POST
P0030003	Investigating Sexual Assault	8.00	Active		Sparks Police Department
P0760147	Law Enforcement Officers Flying Armed	2.00	Active		Las Vegas Metro Police Department
P2950005	Legal Issues Part 1: The U.S. Legal System	2.00	Active		Relias Learning
P2950006	Legal Issues Part 2: Offender Lawsuits	2.00	Active		Relias Learning
P2950007	Legal Issues Part 4: The Civil Justice Process	3.00	Active		Relias Learning
P2950012	Managing Adult & Juv. Offenders with Chronic Ill.	2.00	Active		Relias Learning
P2950008	Managing Inmates and Juveniles who Require Accommo	2.00	Active		Relias Learning
P2950009	Managing Offender Resistance	2.00	Active		Relias Learning
P2950019	Medication Administration in Corrections Part 2	2.00	Active		Relias Learning
P2950020	Mental & Physical Health Issues for Older Inmates	2.00	Active		Relias Learning
P2220018	Motivational Interviewing Skills Practice	6.00	Active		Division of Child Family Services
P1470042	Nevada Drug Investigation School (NDIS)	80.00	Active		Nevada Department of Public Safety
P2950021	Nursing Health Assessment in Corrections	1.00	Active		Relias Learning
P2950013	Offender Rights Part 3: Use of Force & Due Process	1.00	Active		Relias Learning
P2950014	Offender Rights Part 4: Religion, Comm. & Searches	1.00	Active		Relias Learning

**Nevada Commission on POST**  
**Courses by Course Title**

Courses Certified/Approved - 1st Quarter July - Sept 2013

Course	Title	Hours	Status	Approved Period	Provider
P2950015	Offender Rights Part 5: Access to the Legal System	1.00	Active		Relias Learning
P0760144	Optimal Motivation	4.00	Active		Las Vegas Metro Police Department
P2950022	Overview of PTSD for Corrections Officers	1.00	Active		Relias Learning
P0000480	Pedestrian/Bike Accident Reconstruction	40.00	Active		Nevada Commission on POST
P0760145	Personal development	6.00	Active		Las Vegas Metro Police Department
P0020037	Police Cyclist Refresher Course	10.00	Active		Reno Police Department
P2950002	PREA: Investigation Protocols	3.00	Active		Relias Learning
P2950001	PREA: Sexual Abuse: Dynamics, Detection, and Repor	2.00	Active		Relias Learning
P2950010	Prea: What It Means for You and Your Agency	2.00	Active		Relias Learning
P0020039	PTO Training	10.00	Active		Reno Police Department
P0000478	Rapid Deployment	32.00	Active		Nevada Commission on POST
P0760148	S/W Prep and Execution fpr DUI Blood Draws	8.00	Active		Las Vegas Metro Police Department
P2960002	Spanish for Corrections	20.00	Active		Spanishonpatrol.com
P2960001	Spanish for Law Enforcement	20.00	Active		Spanishonpatrol.com
P0760149	Strategic Community Policing & Problem Solving	16.00	Active		Las Vegas Metro Police Department
P2950016	Supervising Offenders: Nonverbal Comm. Skills	2.00	Active		Relias Learning
P2950011	Supervising Offenders: Verbal Communication Skills	2.00	Active		Relias Learning
P0250002	TASER INSTRUCTOR COURSE	16.00	Active		City of Las Vegas Detention & Enfor
P2950023	Women's Phy. Health: Med. Issues, Inft. Dis., STDs	1.00	Active		Relias Learning

**Courses in this report: 60**

## **AGENDA ITEM #4**

### **DISCUSSION, PUBLIC COMMENT, AND FOR POSSIBLE ACTION**

The Commission will discuss, receive public comment and possibly take action to adopt proposed amendments as outlined in LCB file R188-12.

**PROPOSED REGULATION OF THE PEACE OFFICERS’  
STANDARDS AND TRAINING COMMISSION**

**LCB File No. R188-12**

June 21, 2013

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

AUTHORITY: §§1-5, NRS 289.510.

A REGULATION relating to peace officers; revising provisions governing the training of peace officers; authorizing the Executive Director of the Peace Officers’ Standards and Training Commission to temporarily reinstate a basic or reserve certificate under certain circumstances; revising the requirements for obtaining intermediate and advanced certificates; revising provisions governing courses of training above the level of basic training; and providing other matters properly relating thereto.

**Section 1.** NAC 289.230 is hereby amended to read as follows:

289.230 1. To maintain a basic certificate or reserve certificate, the officer must annually complete 24 hours of additional training prescribed by the administrator of the employing agency of the officer and approved by the Executive Director. The employing agency shall ensure that its officers receive the required training. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 3 for failure to comply with this section. After an officer completes such training, the employing agency shall submit verification of completion of training to the Executive Director ~~[on a form approved by the Commission.]~~ *by any means approved by the Executive Director.* Verification must be submitted before January 31 following the year in which training was required.

2. If the Executive Director has not received verification of completion of training pursuant to subsection 1 before January 31 following the year in which training was required, the

Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 1 and that if the verification is not received on or before March 1 of that year, 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 of completion of training pursuant to subsection 1 on or before March 1 following the year in which training was required, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

3. 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 continuing education requirement. 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 obtain the required training 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 continuing education requirement. 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 reinstated certificate* of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the continuing education requirement.

4. Except as otherwise provided in subsections 6 and 7, as part of 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 firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any firearm he or she is authorized to use may not carry or use the 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 defensive tactics, demonstrate annually a minimum level of proficiency in the use of defensive 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.

5. Each employing agency shall establish and provide the courses set forth in subsection 4 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

6. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 12 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 12 consecutive months but not more than 60 consecutive months; or

(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 12 consecutive months,

↪ must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 4 and demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use before resuming his or her duties as a peace officer.

7. An officer who instructs a course pursuant to subsection 4 is not required to comply with the continuing education requirements of subsection 4 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.

8. Each agency shall maintain documentation of the courses provided pursuant to subsection 4. 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.

**Sec. 2.** NAC 289.240 is hereby amended to read as follows:

289.240 The Executive Director shall grant an intermediate certificate to an officer upon submission of proof satisfactory to the Executive Director that the officer ~~meets the following minimum requirements:~~

~~—1. Forty hours of training concerning the skills of officers, consisting of courses certified by the Executive Director relating to the physical and technical aspects of the requirements of duty, including, without limitation:~~

~~—(a) Firearms;~~

~~—(b) Self-defense; and~~

~~—(c) Use of equipment.~~

~~—2. Forty hours of training concerning investigative skills, consisting of courses certified by the Executive Director covering various aspects and types of investigation, including, without limitation:~~

~~—(a) Homicide;~~

~~—(b) Interview and interrogation;~~

~~—(c) Arson;~~

~~—(d) Scientific methods; and~~



~~—(e) Other investigative studies.~~

~~—3. Forty hours of training concerning human development, consisting of courses certified by the Executive Director relating to the human aspects of the duties of a peace officer, including, without limitation:~~

~~—(a) Stress;~~

~~—(b) Leadership; and~~

~~—(c) Community relations and other related fields.~~

~~—4. Forty hours of courses certified by the Executive Director in legal subjects such as civil liability and criminal law.~~

~~—5. Forty hours of elective training in any courses relating to peace officers. These courses may include excess courses from the categories set out in subsections 1 to 4, inclusive.~~

~~—6. Six units of credit from an accredited college or university, including three units of English composition.~~

~~—7. A] :~~

*1. Has a valid basic certificate [*

~~—8. Three] ;~~

*2. Is currently employed as a peace officer by an agency; and*

*3. Meets the minimum requirements set forth in one of the following paragraphs:*

*(a) The officer:*

*(1) Has 2 years of experience as a peace officer employed by a Nevada agency [*

~~—9. Current employment as a peace officer by an agency.] ;~~

*(2) Holds a bachelor's degree or a higher degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 20 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(b) The officer:*

*(1) Has 4 years of experience as a peace officer employed by a Nevada agency;*

*(2) Holds an associate's degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 40 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(c) The officer:*

*(1) Has 6 years of experience as a peace officer employed by a Nevada agency;*

*(2) Has earned 45 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 80 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(d) The officer:*

*(1) Has 8 years of experience as a peace officer employed by a Nevada agency;*

*(2) Has earned 30 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 120 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(e) The officer:*

*(1) Has 10 years of experience as a peace officer employed by a Nevada agency;*

*(2) Has earned 15 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 160 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(f) The officer:*

*(1) Has 12 years of experience as a peace officer employed by a Nevada agency; and*

*(2) In addition to the training required by NAC 289.230, has successfully completed 200 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

**Sec. 3.** NAC 289.250 is hereby amended to read as follows:

289.250 The Executive Director shall grant an advanced certificate to an officer upon submission of proof satisfactory to the Executive Director that the officer : ~~meets the following minimum requirements:~~

1. ~~[A]~~ *Has a* current basic certificate ; ~~[.]~~
2. ~~[A]~~ *Has a* current intermediate certificate ; ~~[.]~~

3. ~~[Six]~~ *Is currently employed as a peace officer by an agency; and*

4. *Meets the minimum requirements set forth in one of the following paragraphs:*

*(a) The officer:*

*(1) Has 4 years of experience as a peace officer ~~[-~~*

~~—4.— Six units of credit from an accredited college or university in addition to the units required for the intermediate certificate, including three units of courses related to communication, including, without limitation, public speaking and development of instructors.~~

~~—5.— Two hundred hours of training in any courses relating to peace officers in addition to the training completed for the basic and intermediate certificates.];~~

*(2) Holds a bachelor's degree or a higher degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 40 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(b) The officer:*

*(1) Has 6 years of experience as a peace officer;*

*(2) Holds an associate's degree from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 80 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(c) The officer:*

*(1) Has 8 years of experience as a peace officer;*

*(2) Has earned 45 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 160 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(d) The officer:*

*(1) Has 10 years of experience as a peace officer;*

*(2) Has earned 30 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 240 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(e) The officer:*

*(1) Has 12 years of experience as a peace officer;*

*(2) Has earned 15 units of credit from a college or university accredited by a national or regional accrediting body recognized by the United States Department of Education; and*

*(3) In addition to the training required by NAC 289.230, has successfully completed 320 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

*(f) The officer:*

*(1) Has 14 years of experience as a peace officer; and*

*(2) In addition to the training required by NAC 289.230, has successfully completed 400 hours of training in courses concerning the duties of peace officers, consisting of courses certified pursuant to NAC 289.310.*

**Sec. 4.** NAC 289.310 is hereby amended to read as follows:

289.310 1. An agency *or other provider of training* may apply for certification above the level of basic training for a course by submitting to the Executive Director ~~§~~, *by any means approved by the Executive Director, a request to certify the course on a form approved by the Executive Director and:*

(a) A concise synopsis of the course, including, without limitation, the title of the course, the intended goals of the course and specific objectives for the students in the course;

(b) A detailed lesson plan, including, without limitation, a chronological list of the major subject headings;

(c) A list of the intended instructors, including, without limitation, a brief resume of experience in the subject area and experience in instructing for each instructor;

(d) The total amount of hours of instruction;

(e) A description of the written or practical examinations on the material covered by the course which is to be graded on a pass or fail basis and which measures accomplishment of the objectives by the students, including, without limitation, an examination at the beginning and end of the course; and

(f) A bibliography of all resource materials used to prepare the course.

2. The Executive Director shall award certification of a course to an agency *or other provider of training* which did not comply with the provisions of subsection 1 for a course which has been certified by another state or other comparable agency if the submitting agency *or other*

*provider of training* presents the supporting documents concerning the subject matter and instructors.

3. A request to certify a course must be approved ~~[and signed]~~ by the administrator of the agency *or other provider of training* or the administrator's designee. If the course offers training in legal issues and subjects relating to legal liability, the legal adviser of the agency *or other provider of training* must approve the course . ~~[and sign the request for certification.]~~

4. The Executive Director shall review courses certified pursuant to this section periodically for compliance with the provisions of this section. The Executive Director shall notify an agency *or other provider of training* that provides such a course of any noncompliance.

5. The Executive Director shall revoke the certification of a course if the agency *or other provider of training* that provides the course:

- (a) Requests revocation of the certification of the course;
- (b) Has not provided the course during any period of 24 consecutive months; or
- (c) Does not comply with the provisions of this section.

6. ~~[A training course offered by a private vendor must be sponsored by a law enforcement agency or an accredited university or college.~~

~~—7.]~~ An agency *or other provider of training* whose course has been certified shall ~~[, within 15 working days after the completion of the course and on a form that has been approved by the Executive Director, submit to the Executive Director:]~~ *maintain on file, and make available for inspection upon the request of the Commission or its designee:*

- (a) A roster of the peace officers who attended the course;
- (b) Each officer's results on the examination; and
- (c) An evaluation of the course by each peace officer who attended the course.

~~[8.]~~ 7. An agency *or other provider of training* whose course is currently accredited by an organization, such as the National Accreditation Committee or the American Correctional Association, which:

- (a) Is nationally recognized; and
- (b) Gives accreditation to courses for peace officers,

↪ is not required to apply to the Executive Director for accreditation of the course. Such an agency *or other provider of training* shall ~~[, within 15 working days after the completion of a course and on a form that has been approved by the Commission, submit to the Executive Director]~~ *maintain on file, and make available for inspection upon the request of the Commission or its designee*, a roster of the peace officers who attended the course, ~~[and]~~ each officer's results on the examination ~~[,]~~ *and an evaluation of the course by each peace officer who attended the course.*

8. *An agency or other provider of training whose course has been certified shall issue a certificate of completion to all peace officers who successfully complete the course of training.*

*The certificate must contain:*

- (a) *The certification number assigned to the course by the Commission;*
- (b) *The name of the course;*
- (c) *The hours of training earned for the course; and*
- (d) *The date on which the course was presented.*

9. *The employing agency of a peace officer who attends a course certified pursuant to this section shall, upon receipt of the certificate of completion issued to the peace officer pursuant to subsection 8, report the peace officer's successful completion of the course to the Executive Director by any means approved by the Executive Director.*



**Sec. 5.** NAC 289.320 is hereby amended to read as follows:

289.320 Upon making a final decision to deny the certification of a course pursuant to NAC 289.300 or 289.310, the Executive Director shall provide the affected agency *or other provider of training* with written notification of that decision. The agency *or other provider of training* may appeal the decision by filing a written request for appeal with the Executive Director within 30 days after the date set forth on the written notification. The request for appeal must set forth specific reasons why the agency *or other provider of training* believes the denial is improper. The Commission will place the matter on the next available agenda for a meeting of the Commission.

**AGENDA ITEM #5**

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

The Commission will discuss and possibly take action to continue the rulemaking process to amend NAC 289.230, which establishes the requirements for mandatory annual continuing education, to include proposed changes to the annual 24 hour continuing education training requirement.

**NOTATION: Wording in bold italic is proposed draft changes.**

289.230 1. To maintain a basic certificate or reserve certificate, the officer must annually *demonstrate proficiency as provided in subsection 4, and* complete ~~12~~ 24-hours of additional *agency in-service* training *which may include, but not limited to, topics consisting of legal issues, agency policies and procedures, driving, first aid, cardiopulmonary resuscitation, bloodborne pathogens, sexual harassment or any other agenc in-service training as may be prescribed* by the administrator of the employing agency of the officer. ~~and approved by the Executive Director.~~ The employing agency shall ensure that its officers receive the required training. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 3 for failure to comply with this section. After an officer completes such training, the employing agency shall submit verification of completion of training to the Executive Director *by any means approved by the Executive Director.* Verification must be submitted before *December* ~~January~~ 31 following the year in which training was required.

NAC 289.230 is hereby amended to read as follows:

289.230 1. To maintain a basic certificate or reserve certificate, the officer must annually *demonstrate proficiency as provided in subsection 4, and* complete 24 hours of additional training prescribed by the administrator of the employing agency of the officer and approved by the Executive Director. The employing agency shall ensure that its officers receive the required training. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 3 for failure to comply with this section. After an officer completes such training, the employing agency shall submit verification of completion of training to the Executive Director [by any means approved by the Executive Director](#).

Verification must be submitted before January 31 following the year in which training was required.

2. If the Executive Director has not received verification of completion of training pursuant to subsection 1 ~~before January 31 following~~ *before December 31* the year in which training was required, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 1 and that if the verification is not received on or before March 1 of that year, 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 of completion of training pursuant to subsection 1 on or before March 1 following the year in which training was required, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

3. 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 continuing education requirement. 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 obtain the required training 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 continuing education requirement. 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 reinstated certificate~~ of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the continuing education requirement.

4. Except as otherwise provided in subsections 6 and 7, as ~~part of 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 firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any firearm he or she is authorized to use may not carry or use the 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 ~~defensive tactics~~ **arrest and control tactics**, demonstrate annually a minimum level of proficiency in the use of defensive 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.

5. Each employing agency shall establish and provide the courses set forth in subsection 4 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

6. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least ~~12~~ **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 ~~12~~ 4 consecutive months but not more than 60 consecutive months; or

(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 ~~12~~ 4 consecutive months,

↪ must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 4 and demonstrate a minimum level of proficiency in the use of each firearm he or she is authorized to use before resuming his or her duties as a peace officer.

7. An officer who instructs a course pursuant to subsection 4 is not required to comply with the continuing education requirements of subsection 4 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.

8. Each agency shall maintain documentation of the courses provided pursuant to subsection 4. 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.

**AGENDA ITEM #6**

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Aaron Hughes, formerly of the Elko Police Department, for a felony conviction of Incest. The Commission will decide whether to revoke Mr. Hughes's Category I Basic Certificate which was previously suspended upon the original indictment.



1  
2 **Commission on Peace Officers' Standards and Training**  
3 **5587 Wa Pai Shone Avenue**  
4 **Carson City, NV 89701**

5  
6 **In the matter of the P.O.S.T. certificates of:**

7 **AARON TAYLOR HUGHES**

8  
9 **ORDER OF SUSPENSION**

10  
11 On February 23, 2012, the Commission on Peace Officers' Standards and Training  
12 (hereafter "P.O.S.T.") held a hearing to review the evidence in the matter of the suspension of  
13 Petitioner AARON TAYLOR HUGHES' P.O.S.T. basic certificates.

14 On or about February 2, 2012, AARON TAYLOR HUGHES was personally served with  
15 notice that the P.O.S.T. Commission intended to suspend his P.O.S.T. basic certificates based on  
16 the filing of a CRIMINAL INFORMATION charging him with the following felonies: (1)  
17 COUNT I, USE OF A MINOR IN PRODUCING A PORNOGRAPHIC PERFORMANCE, OR  
18 AS THE SUBJECT OF A SEXUAL PORTRAYAL IN A PERFORMANCE, A CATEGORY A  
19 FELONY AS DEFINED BY NRS 200.700, NRS 200.710, AND NRS 200.750; and (2) COUNT  
20 II, INCEST, A CATEGORY A FELONY AS DEFINED BY NRS 201.180, AND NRS 122.020.

21 The notice informed Mr. AARON TAYLOR HUGHES he had a right to appear before  
22 the P.O.S.T. Commission to answer the charges through presentation of evidence and cross-  
23 examination of any witnesses presented against him. Additionally, Mr. AARON TAYLOR  
24 HUGHES was informed that he would have to request a hearing within fifteen (15) days of  
25 receipt of the notice. Mr. AARON TAYLOR HUGHES failed to request a hearing, and he did  
26 not appear at the P.O.S.T. Commission Meeting held on February 23, 2012 in Henderson,  
27 Nevada.

28 I hereby certify that this record is a true and  
correct copy of the original on file at the  
office of the Commission on Peace Officers'  
Standards and Training.

State of Nevada  
Commission on  
Peace Officers' Standards and Training  
By [Signature] Date 9/26/2013  
Custodian of Records Order of Suspension - 1

EXHIBIT  
1

1  
2 (g) Conviction of a felony. Upon criminal indictment or filing of a criminal  
3 complaint, suspension may be imposed. Upon conviction, the certificate  
4 will be revoked.

5 Additionally, NAC 289.290(4) and (5) read as follows:

- 6 4. The Commission will notify the officer by certified mail at the officer's last  
7 known address of any pending revocation or suspension action and of the  
8 nature of the charges and the officer's right to appear and answer the  
9 charges. The officer shall, within 15 days after the date of the certified mail  
10 receipt, respond in writing, notifying the Commission of his intended action  
11 with reference to the charges.
- 12 5. If the officer fails to notify the Commission within the specified time of his  
13 intention to appear in answer to the pending action, the Commission will:
- 14 (a) Consider the case on its own merits, using the statement from the head  
15 of the employing agency or the substantiated information derived  
16 from any independent investigation it deems necessary;
  - 17 (b) Take no action pending the outcome of possible criminal action which  
18 may be filed against the officer; and
  - 19 (c) Take no action pending the outcome of an appeal. The Commission's  
20 decision will be determined by the majority vote of the members of  
21 the Commission present.

22 The substantial evidence presented at the hearing proves on or about January 21, 2009, a  
23 CRIMINAL INFORMATION was filed in the Fourth Judicial Court of the State of Nevada, in  
24 and for the County of Elko, Case No. CR-FP-08-2848, Dept. II, charging Mr. AARON  
25 TAYLOR HUGHES with the following felonies: (1) COUNT I, USE OF A MINOR IN  
26 PRODUCING A PORNOGRAPHIC PERFORMANCE, OR AS THE SUBJECT OF A SEXUAL  
27 PORTRAYAL IN A PERFORMANCE, A CATEGORY A FELONY AS DEFINED BY NRS  
28 200.700, NRS 200.710, AND NRS 200.750; and (2) COUNT II, INCEST, A CATEGORY A  
FELONY AS DEFINED BY NRS 201.180, AND NRS 122.020. Each of the counts alleges  
various acts of sexual misconduct by Mr. AARON TAYLOR HUGHES to include sexual acts  
constituting incest. Mr. HUGHES is awaiting trial on the charges found in the CRIMINAL  
INFORMATION. The criminal conduct is alleged to have occurred on various dates during  
2008. During the relevant time period, Mr. AARON TAYLOR HUGHES was employed as a  
peace officer with the Elko Police Department. Mr. AARON TAYLOR HUGHES resigned





STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

**NOTICE OF INTENT TO REVOKE**

August 27, 2013

Aaron Taylor Hughes C/O  
Nevada Department of Corrections  
PO BOX 359  
Lovelock, NV 89419

Certified Mail Control Number:

Dear Mr. Hughes:  
POST PIN #: 18996

I hereby certify that this record is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

State of Nevada  
Commission on  
Peace Officers' Standards and Training  
By [Signature] Date 9/24/2013  
Custodian of Records

Based upon documentation received by the Nevada Peace Officers' Standards and Training Commission and in accordance with Nevada Administrative Code 289.290 and Nevada Revised Statute 241.033, you are hereby notified that the Commission has initiated action to revoke your Nevada POST Category I certification which is a requirement for employment as a peace officer in the State of Nevada.

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

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

**Count Two:** Incest, a Category A Felony as defined by NRS 201.180, and NRS 122.020.

Case No.: CR-FP-08-2848

Dep't No: I

Jurisdiction: Fourth Judicial District Court of the State of Nevada, in and for the County of Elko

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

Written requests can be made to:

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

The POST Commission will determine whether your Nevada POST Certification(s) should be revoked at the meeting listed below:

Date: October 29, 2013

Time: 5:00 pm

Location: Palace Station Hotel and Casino, 2411 W. Sahara, Salons F and G, Las Vegas, Nevada 89102.

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

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

The hearing will cover the following: Whether your POST Certification(s) should be revoked pursuant to NAC 289.290 (1) (g) for the above-referenced felony conviction(s).

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

If you need additional information concerning this matter, contact P.O.S.T. at (775) 684-7678.

Sincerely,



Richard P. Clark, Executive Director  
Peace Officers' Standards and Training

RPC/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen  
Aaron Taylor Hughes File  
Elko Police Department  
Ron Pierini - Commission Chairman

**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 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 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 NAC 289.010 to 289.380, inclusive.
- (g) Conviction of a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction, 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 intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his 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 intention to appear and answer the charges pending against him, 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 his 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 to reinstate his certificate. The Commission will schedule a hearing to consider whether to reinstate the officer's certificate. The Commission will notify the agency that requested the revocation of the date and time of the hearing. After the hearing, the Commission will determine whether to reinstate the certificate. If the certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in revocation.





STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

**DECLARATION OF SERVICE**

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


Individual's Name: AARON TAYLOR HUGHES

at NEVADA DEPARTMENT OF CORRECTIONS – LOVELOCK FACILITY on this (location)

29TH day of AUGUST, 2013.

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

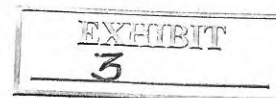
Executed on this 29<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
Signature of person serving the Notice

Donald S. JOHNSTON  
\_\_\_\_\_  
Printed name of person serving the Notice

I hereby certify that this record is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

State of Nevada  
Commission on  
Peace Officers' Standards and Training  
By Arinda Buckley Date 9/26/2013  
Custodian of Records





STATE OF NEVADA  
 COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
 Records and Certification Section  
 5587 Wa Pai Shone Avenue  
 Carson City, Nevada 89701  
 (775) 687-7678\*Fax (775) 687-4911

**RECEIVED**

OCT 01 2008

NV P.O.S.T.

**PERSONNEL ACTION REPORT**

Pursuant to NAC 289.350 and 289.360

**SECTION "A" CLASSIFICATION**

APPLICANT IS

- |  |   |
|--|---|
| <input type="checkbox"/> NEW EMPLOYEE<br>Complete Sections A, B, D, E        | <input checked="" type="checkbox"/> TERMINATED EMPLOYEE<br>Complete Sections A, B, C, E |
| <input type="checkbox"/> A NAME CHANGE EMPLOYEE<br>Complete Sections A, B, E | <input type="checkbox"/> RECORDS UPDATE<br>Complete Sections A, B, D, E                 |

The applicant is **CURRENTLY** a Nevada POST **CERTIFIED** Peace Officer.

Yes  No

The applicant is **CURRENTLY** a US citizen.

Yes  No

The applicant is **CURRENTLY** 21 years of age or older.

Yes  No

The applicant meets all requirements of NAC 289.110 (Standards of Appointment).

Yes  No

Pursuant to NAC 289.110 (1)(a) thorough Background Investigation Completed. (New Employees Only)

Yes  No

Name of Background Investigator (please print) \_\_\_\_\_

Agency Completing Background Investigation \_\_\_\_\_

Phone \_\_\_\_\_

- Reserve  Line  Supervision  Management  Executive

- CATEGORY I  CATEGORY II  CATEGORY III

**SECTION "B" EMPLOYEE INFORMATION**

Social Security Number \_\_\_\_\_ DOB \_\_\_\_\_ POST ID# \_\_\_\_\_

Current Name  
 Last Hughes  Male  Female Ethnic Origin WHITE  
 First AARON Middle BYRON

Previous Name  
 Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_

Residence Address  
 Street \_\_\_\_\_ City \_\_\_\_\_ State NV Zip \_\_\_\_\_

Current Agency Information  
 Agency Name ELKO POLICE DEPARTMENT Hire Date (As A Peace Officer) 6/1/1995  
 Street Address 1401 College Ave City ELKO State NV Zip 89401

- Agency Type  Police  Corrections / Detention  Parole / Probation  
 Tribal  Other - Please Specify: \_\_\_\_\_

**SECTION "C" TERMINATED EMPLOYEES**

Terminated Employees includes those who transfer into non-sworn positions within the agency.

Type of Action  Resigned  Discharged  Retired  Deceased  Other \_\_\_\_\_  
 Effective Date of Termination 9/18/08

If **DISCHARGED**, was criminal activity involved which would be cause for suspension or revocation of the Certification pursuant to NAC 289.290?  Yes  No

Recommendations: As a result of this termination, you as the agency administrator, make the following recommendation

- No Action  Suspension  Revocation

If "Suspension" or "Revocation" is recommended, supporting documentation MUST accompany this Personnel Action Report substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

Form AD-1 PAR  
R-09/2005

State of Nevada  
 Commission on  
 Peace Officers' Standards and Training  
 By Lynda Luchly Date 9/26/2013  
 Custodian of Records

EXHIBIT  
4



Please type or print current name  
 Last HUGHES First AARON MI 1

**SECTION "D" PEACE OFFICER WORK EXPERIENCE**

List ALL Criminal Justice work experience (including Reserve Peace Officer). **DO NOT INCLUDE CURRENT NEVADA AGENCY**

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

**SECTION "E" AUTHORIZATION**

Single Point of Contact  
 Name William Lehman Signature [Signature] Title LT Date 9/30/08

Agency Administrator or Designee  
 Name Dan Zumwalt Signature [Signature] Title Chief Date 9/30/08

Phone Number 775-777-7315 Fax Number 775 738-1415

SPOC E-Mail wlehman@ci.elleno.nv.us Agency Administrator E-Mail DZUMWALT@CI.ELLONO.NV.US

POST USE ONLY - DO NOT WRITE IN THIS SPACE

Reviewed [Signature] 10/06/08  
 (Initial and date each area that is applicable)  
 Data Entry [Signature] 10/06/08



# STATE OF NEVADA

## COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

### Basic Certificate

# AARON T. HUGHES

Hereby certify that this record is a true and correct copy of the original on file at the Office of the Commission on Peace Officers' Standards and Training, State of Nevada.

Commission on Peace Officers' Standards and Training

Peace Officer: Archie Bradley  
Custodian of Records

Date: 4/29/03

CATEGORY I

Governor

Ken Spill

Richard D. S.  
Executive Director, Commission on Peace Officers' Standards and Training

Presented this 29th day of April, 2003

EXHIBIT  
5

CASE NO. CR-FP-08-2848

DEPT. NUMBER: II

FILED

2009 JAN 21 A 10: 24

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY KG

**IN THE FOURTH JUDICIAL DISTRICT COURT**

**OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO**

\_\_\_\_\_  
STATE OF NEVADA,

Plaintiff,

vs.

AARON TAYLOR HUGHES,

Defendant(s).  
\_\_\_\_\_ /

**CRIMINAL  
INFORMATION**

**(Filed Upon A Bind-Over  
After The Conduct Of  
A Preliminary Examination)**

**COMES NOW THE STATE OF NEVADA**, the Plaintiff in the above-entitled cause, by and through its Counsel of Record the Elko County District Attorney's Office, and would inform the above-entitled Court that Defendant(s) above-named, between approximately the 15<sup>th</sup> of February 2008, and the 17<sup>th</sup> of November, 2008<sup>1</sup>, at or near the location of a Residence situated on or near Charwood Lane in that area known as Spring Creek within the County of Elko, and the State of Nevada, committed a crime or crimes described as follows:

///

///

EXHIBIT  
6

<sup>1</sup> See Cunningham vs. State, 100 Nev. 396, 683 P.2d 500 (1984)



COUNT 1

**USE OF A MINOR IN PRODUCING A PORNOGRAPHIC PERFORMANCE, OR AS THE SUBJECT OF A SEXUAL PORTRAYAL IN A PERFORMANCE, A CATEGORY A FELONY AS DEFINED BY NRS 200.700, NRS 200.710, AND NRS 200. 750**

The Defendant willfully, unlawfully, and knowingly used, and/or encouraged, and/or permitted a minor, that is a person less than the age of eighteen (18) years, more particularly identified hereafter, to simulate or engage in sexual conduct within the meaning of NRS 200.700.3 to produce a performance within the means of NRS 200.700.1. The Defendant committed said offense in the following manner:

The Defendant created or caused to be created a film, photograph, electronic representation, or other visual presentation of one AS<sup>2</sup>, who was a minor at the time of said events engaged in sexual intercourse, and/or masturbation.

In The Alternative To The First Theory  
Of Liability Pleaded In This Count 1

The Defendant willfully, unlawfully, and knowingly used, encouraged, enticed, coerced, or permitted a minor, the said AS, who was less than eighteen years of age at the time, to be the subject of a sexual portrayal within the meaning of NRS 200.700.4 in a performance within the meaning of NRS 200.700.1. The Defendant committed said offense in the following manner:

The Defendant created or caused to be created a film, photograph, electronic representation, or other visual presentation of one AS, who was a minor at the time of said events engaged in sexual intercourse, and/or masturbation.

///

///

---

<sup>2</sup> See NRS 200.377 *et. seq.*

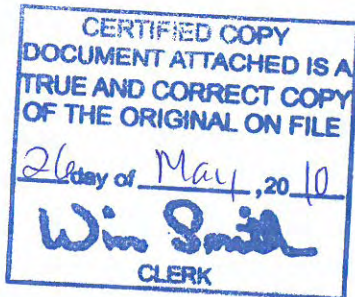
COUNT II

**INCEST, A CATEGORY A FELONY AS DEFINED BY NRS  
201.180, AND NRS 122.020**

The Defendant willfully and unlawfully engaged in fornication with a person to whom the Defendant was related within the degree of consanguinity within which marriages are declared to be illegal under the terms of NRS 122.020<sup>3</sup>. Specifically, the Defendant engaged in fornication, that is sexual intercourse, with one AS, his natural daughter.

All of which is contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Nevada.

Dated this 16<sup>th</sup> day of January, 2009.



**GARY D. WOODBURY  
ELKO COUNTY DISTRICT ATTORNEY**

  
**MARK TORVINEN**  
Deputy District Attorney  
State Bar Number: 551

Witnesses' names and addresses known to the District Attorney at the time of filing the above Criminal Information, if known, are as follows.

KEVIN MCKINNEY, 775 W SILVER ST, ELKO, NV 89801;

AS: ADDRESS WITHHELD;

TRAVIS LANDON, C/O THE ELKO COUNTY SHERIFF'S DEPT., 775

<sup>3</sup> NRS 122.020 provides in pertinent part that:

1. A male and a female person, at least 18 years of age, not nearer of kin than second cousins or cousins of the half blood, and not having a husband or wife living, may be joined in marriage.

WEST SILVER STREET, ELKO, NV 89801;

JODY SMITH: ADDRESS WITHHELD;

KIMBERLY JEANNE HARPHANT, 180 SPRING CK PKWY 3, SPRING  
CREEK, NV 89815;

CINDY LOUISE THOMPSON, 167 MAIN STREET, GOODING, ID 83330;

JULIE ANN HUGHES, 631 HAYLAND DR, SPRING CREEK, NV 89815;  
AND

SANDRA M WAKEFIELD, HC34-500-12 OSINO, ELKO, NV 89801

DA#F-08-74738

1 CASE NO. CR-FP-2008-2848

FOURTH JUDICIAL DISTRICT COURT  
FILED IN OPEN COURT

2 DEPT. NUMBER: I

3 Date: 1-7-13

4 Time: 9:27 AM

5 Clerk: [Signature]

6 THE FOURTH JUDICIAL DISTRICT COURT

7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

8  
9 THE STATE OF NEVADA

10 Plaintiff,

11 vs.

12 STATUTORY GUILTY  
13 PLEA AGREEMENT

14  
15 AARON TAYLOR HUGHES;

16 Defendant

17  
18 COMES NOW THE STATE OF NEVADA, the Plaintiff in the above-  
19 entitled cause, by and through its Counsel of Record, the Elko County District  
20 Attorney's Office, and the Defendant above-named, *in proper person*, and by and  
21 through his Counsel Of Record Ms. Tammy Riggs, Esq. who by their signatures on  
22 this Agreement, do hereby declare that the Parties have settled upon a compromise  
23 of the Criminal Prosecution pending against the Defendant in the above-entitled  
24 cause, which compromise is comprised of the following terms:  
25  
26  
27  
28

///

EXHIBIT  
7

1 **Recitation Of Intent**

2 It is the intent of the Parties in executing this Agreement to provide for the  
3 complete resolution of the prosecution pending against the Defendant in the above-  
4 entitled cause wherein the Defendant is charged with:

5  
6 Count 1: USE OF A MINOR IN PRODUCING A PORNOGRAPHIC  
7 PERFORMANCE, OR AS THE SUBJECT OF A SEXUAL  
8 PORTRAYAL IN A PERFORMANCE, A CATEGORY A FELONY  
9 AS DEFINED BY NRS 200.700, NRS 200.710, AND NRS 200.750;  
and

10 Count 2: INCEST, A CATEGORY A FELONY AS DEFINED BY NRS  
11 201.180, AND NRS 122.020

12 I Aaron Taylor Hughes first declare, by my signature on this Agreement  
13 that this Agreement represents the entire agreement between me and the State of  
14 Nevada, and no other promises, other than those set forth in this Agreement have  
15 been made to me in connection with the compromise of the charges pending against  
16 me in the above-entitled matter, as described in the Criminal Information filed herein.  
17  
18

19 With the above declaration in mind:

20 **THE DEFENDANT'S SPECIFIC OBLIGATIONS**  
21 **UNDER THIS GUILTY PLEA AGREEMENT**

22 1. The Defendant will enter a plea of guilty to Count 2 of an Amended Criminal  
23 Information filed in District Court pursuant to the terms of this Plea Agreement  
24 charging the Defendant with:

25 **Incest, A Category A Felony As Defined By NRS 201.180**  
26 **And NRS 122.020;**

27 hereinafter referred to in the remainder of this Agreement simply as "Incest".

28 Further, the Parties, by their signatures upon this Agreement do hereby waive



1 the attachment of a copy of said Criminal Information to this Agreement.

2  
3 **Reservation Of The Right To Appeal**  
4 **The Court's Denial Of The Motion To Suppress**

5 It is agreed by and between the Parties that the Defendant shall be  
6 deemed to have reserved the right, pursuant to the provisions of NRS  
7 174.035.3<sup>1</sup>, to appeal the Court's denial of that certain Motion To Suppress  
8 Evidence Obtained During Execution Of Invalid Search Warrants filed in  
9 the above-entitled cause on or about the 28<sup>th</sup> day of November, 2012.

- 10  
11 2. Further, the Defendant agrees that by his/her signature on this Agreement  
12 he/she is waving any right he/she may have otherwise had to make application  
13 for diversion under the provisions of NRS 453.3363, or Chapter 458 of the  
14 Nevada Revised Statutes, or to apply for participation in Drug Court.

15 **THE STATE'S OBLIGATIONS**  
16 **UNDER THE AGREEMENT**

- 17 1. The State agrees, conditioned upon the Defendant's:  
18 a. Acceptance of the offer of compromise which this plea Agreement  
19 represents on or before close of business on Tuesday the 8<sup>th</sup> day of  
20 January, 2013, by the return hereof (which will include the transmission of  
21 signature pages to the State by facsimile or electronic mail; and  
22 b. The Court's willingness to conduct a Change Of Plea Hearing on or before  
23 the close of business on Friday the 11<sup>th</sup> of January, 2013;

24 that:

- 25 a. The proffer by the Defendant of the plea(s) of guilty contemplated by this

26 <sup>1</sup> NRS 174.035.3 provides that:

27 3. With the consent of the court and the district attorney, a defendant may enter a  
28 conditional plea of guilty, guilty but mentally ill or nolo contendere, reserving in writing  
the right, on appeal from the judgment, to a review of the adverse determination of any  
specified pretrial motion. A defendant who prevails on appeal must be allowed to  
withdraw the plea.

1 Agreement to Incest;

2 b. The District Court's acceptance of that/those Plea(s); and

3  
4 c. The entry of Judgment convicting the Defendant of Incest;

5 shall be deemed a complete resolution of any and all criminal liability which the  
6 Defendant may have had arising out of the events which gave rise to the  
7 prosecution now pending against the Defendant in the above-entitled matter,  
8 and shall constitute a bar to prosecution with respect to any other theory of  
9 criminal liability which may have been pleaded against the Defendant in  
10 connection the events resulting in this prosecution, subject to the following  
11 limitation:

12 a. It is agreed by and between the Parties that the bar to prosecution  
13 created by this Agreement shall extend only to the events which gave rise  
14 to the instant prosecution, and it is not intended to extend to, nor does it  
15 include any other criminal liability which the Defendant may have, if any,  
16 based on events unconnected to the specific offenses at issue in this  
17 prosecution and the events and facts upon which it is premised, subject  
18 to the following limitation:

19 1. The State agrees that it will, subject to the Defendant's faithful  
20 compliance with the terms of this Plea Agreement, forbear  
21 prosecution of an unresolved submission received by the State  
22 in October of 2012 under Elko County Sheriff's Department Number  
23 12 EL 01264 concerning an alleged verbal altercation between the  
24 Defendant and another individual at the Spring Creek High School  
25 on or about the 29<sup>th</sup> day of September, 2012.

26 b. Specifically excluded from the operation of this Plea Agreement is a  
27 prosecution pending against the Defendant in the Fourth Judicial District  
28 Court in District Court Case Number CR-FO-08-1950, wherein the State is  
represented, as a special prosecutor, by Mr. Theodore Buetel, Eureka  
County District Attorney.

29 2. Finally the State agrees that the Defendant's faithful performance of the  
terms of this Agreement shall constitute a bar to its right, if any it had, to  
pursue an allegation of habitual criminality in connection with this criminal  
prosecution.

30 / / /



1 the offense of Incest:

2 ... [S]hall be punished for a category A felony by imprisonment in  
3 the state prison for a minimum term of not less than 2 years and a  
4 maximum term of life with the possibility of parole, and may be further  
5 punished by a fine of not more than \$10,000.

6 I have been further advised that Incest is a sexual offense within the  
7 meaning of NRS 179D.097, and that as a result I will to the extent that the same are  
8 applicable by their terms be subject to the statutory provisions concerning sexual  
9 offenders described in Exhibit 1 attached hereto consisting of some ten (10) pages, the  
10 contents of which is incorporated into this Plea Agreement as if the same were set  
11 forth fully herein verbatim, which I have discussed with my Lawyer and which I  
12 understand.

13 I have been further advised that the law requires the imposition of an  
14 administrative assessment fee in connection with the entry of judgment in a felony or  
15 gross misdemeanor case.

16 I understand that I will be eligible for probation upon conviction of the  
17 offense(s) I intend to plead guilty to. I understand that except as otherwise provided by  
18 Statute, the question of whether or not I am placed upon probation will be entirely up to  
19 the discretion of the above-entitled Court.

20  
21  
22  
23  
24  
25 **Potential Adverse Immigration Consequences**

26 In executing this Agreement, I Aaron Taylor Hughes acknowledge that I  
27 have been advised by my Lawyer that if I am not a citizen of the United States that the  
28

1 criminal conviction(s) which will ensue from my entry of the plea(s) of guilty called for  
2 by this Agreement may have adverse consequences upon my ability to remain in the  
3 United States – that is my conviction of the offense(s) I have agreed to plead guilty to  
4 may result in my deportation, and/or may have adverse consequences upon my ability  
5 to re-enter the United States if I am deported, or otherwise leave the United States.  
6  
7

### 8 **Restitution**

9 I understand that if applicable in the case, and deemed appropriate by the  
10 Court I may be ordered to make restitution to the victim of the offense to which I  
11 propose to plead guilty, and to the victim of any related offenses which is/are being  
12 dismissed or with respect to which prosecution has been declined pursuant to the  
13 terms of this Agreement.  
14  
15

### 16 **Additional Terms Of The Agreement**

17 I understand that I will also be ordered to reimburse the State of Nevada  
18 for any expenses incurred, if any there be, in connection with my extradition to the  
19 State of Nevada in connection with this prosecution.  
20

21 I have been advised and understand that if more than one sentence of  
22 imprisonment is imposed and I am eligible to serve the sentence concurrently with any  
23 other sentence imposed or which I am already serving, that it will be up to the  
24 Sentencing Judge to determine, in the Court's discretion, whether such sentences are  
25 to be served consecutively, that is one after the other, or concurrently, that is at the  
26 same time.  
27  
28



1 I have not been promised or guaranteed any particular sentence by  
2 anyone. I know that my sentence is to be determined by the Court within the limits  
3 prescribed by the statute(s) under which I propose to plead guilty. I understand that at  
4 the time sentence is imposed that if the State of Nevada or my Lawyer recommend  
5 any specific sentence to the Court, the Court is not obliged to accept that/those  
6 recommendation(s).  
7  
8

9 I understand that with respect to the offense(s) I intend to plead guilty to  
10 the Division of Parole And Probation of the Department Public Safety will prepare a  
11 Pre-Sentence Report for the above-entitled Court. This report will include matters  
12 relevant to the issue of sentencing, including my criminal history. I understand that this  
13 Report may contain hearsay information regarding my background and criminal  
14 history. My Lawyer and I will each have the opportunity to comment on the information  
15 contained in the Report at the time sentence is imposed.  
16  
17

18 **THE DEFENDANT'S WAIVER OF HIS/HER CONSTITUTIONAL**  
19 **RIGHTS IN CONNECTION WITH THE PLEA OF GUILTY**  
20 **CONTEMPLATED BY THIS AGREEMENT**

21 I Aaron Taylor Hughes declare that I have been advised and understand  
22 that in order for the above-entitled Court to accept the plea(s) of guilty I propose to  
23 enter in this matter that I will have to waive my constitutional rights in this matter, and I  
24 declare that I am willing to give up the following constitutional rights and privileges in  
25 order that the Court can accept my plea(s) of guilty:  
26

- 27 1. The constitutional privilege against self-incrimination, including the right to  
28

1 decline to testify at trial, in which event the State would not be allowed to comment to  
2 the jury about my decision not to testify. I understand that my plea(s) of guilty will  
3 require my waiver of this right to the following extent: the Court in connection with my  
4 plea(s) of guilty may require me, in order to accept my plea(s), to personally verbally  
5 enter my plea(s) of guilty, and may require me to;  
6

- 7
- 8 a. Provide a factual basis for my plea – that is a brief description of the  
9 events which gave rise to the prosecution against me and my participation  
10 in them which has given rise to my contemplated plea(s) of guilty; and  
11
  - 12 b. Further to advise that Court that I believe entering the plea(s) of guilty  
13 contemplated by this Agreement is in my best interests, and that standing  
14 upon my right to stand trial with respect to the greater, and/or additional  
15 offense or offenses I am, or could be charged with is not in my best  
16 interests.  
17

18 I further understand that other than the requirement that I personally  
19 verbally enter my plea(s) of guilty, and that, upon the Court's request, I provide a  
20 factual basis for my plea that my right not to incriminate myself will still remain in these  
21 matters, and that I may not otherwise be required to speak or provide any other  
22 information wherein to do so might further incriminate me.  
23

24

25 2. The constitutional right to a speedy and public trial by an impartial jury with  
26 respect to the charges originally pending against me, free of excessive pre-trial  
27 publicity prejudicial to my ability to present a defense, at which trial I would be entitled  
28

1 to the assistance of a Lawyer, hired by me, or appointed for me if I was unable to hire  
2 a Lawyer. At trial the State would bear the burden of proving beyond a reasonable  
3 doubt each and every element of all of the offenses I was originally charged with, and  
4 the elements of that/those offense(s) to which I have agreed by the terms of this  
5 Agreement to plead guilty to.  
6

7  
8 3. The constitutional right to confront and cross-examine any witnesses who have  
9 testified against me at trial.

10 4. The constitutional right to subpoena witnesses to testify on my behalf.

11  
12 5. The constitutional right to testify in my own defense, or, if it be my decision after  
13 consultation with my Lawyer, to decline to testify at trial.

14 6. The right to appeal any conviction I suffered at trial, with the assistance of a  
15 Lawyer, again either hired by me, or appointed to represent me in the event I was  
16 unable to hire my own Lawyer, unless the appeal is based upon reasonable  
17 constitutional, jurisdictional, or other grounds which challenge the legality of the  
18 proceedings, and except as otherwise provided by NRS 174.035 (see above).  
19  
20

21 I by my signature on this Agreement, and subject to the above-entitled  
22 Court's acceptance of my plea(s) of guilty called for by this Agreement, do hereby  
23 waive the above-described constitutional rights.  
24

25 **VOLUNTARINESS OF THE PLEA**

26 I further acknowledge I have discussed the elements of all of the original  
27 charges which were pending against me, and the elements of the offense(s) I intend to  
28



1 plead guilty to with my Lawyer, and I understand the nature of the charge(s) originally  
2 pleaded against me, and the charge(s) I intend to plead guilty to.  
3

4 I understand that the State, if I had exercised my right to have a trial with  
5 respect to the original charge(s) pleaded against me, would have been required to  
6 prove each element of each charge(s) pending against me beyond a reasonable  
7 doubt. Likewise, the State, but for my intended plea(s) would have been required to  
8 prove each and every element of the offense(s) I intend to plead guilty to beyond a  
9 reasonable doubt.  
10

11 I have discussed with my Lawyer the possible defenses which might have  
12 been available to me at trial in connection with this matter, and the circumstances  
13 which might reflect in my favor.  
14

15 I did before deciding to sign this Agreement, discuss to my satisfaction  
16 with my Lawyer all of the foregoing elements and the nature of the charges; the  
17 consequences of my proposed plea(s) of guilty; the constitutional rights I would have  
18 been able to exercise if I had had a trial; and the waiver of rights which would be  
19 required in order for the above-entitled Court to accept my contemplated plea(s) of  
20 guilty. Additionally, I was provided an opportunity to ask my Lawyer any questions I  
21 had concerning these matters and my questions, if any I had, were answered to my  
22 satisfaction.  
23  
24  
25

26 I believe after considering the matter, and consulting with my Lawyer with  
27 respect to this matter, that entering into, and carrying out this Agreement by entering  
28

1 the plea(s) of guilty called for by it is, and remains in my best interests, and that  
2 exercising my right to have a trial would have been, and remains contrary to my best  
3 interests.  
4

5 I am signing this Agreement voluntarily, after consultation with  
6 my Lawyer, and I am not acting under duress or coercion, or by any promise of  
7 leniency other than those which are set forth and described in this written Agreement.  
8

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

13 My Lawyer prior to my execution of this Agreement had answered  
14 all of my questions concerning my contemplated plea(s) of guilty, and has answered all  
15 of my questions, if any I had, regarding this Agreement and its consequences to my  
16 satisfaction and I am satisfied with the services of my Lawyer, and the advice he has  
17

18 / / /

19 / / /

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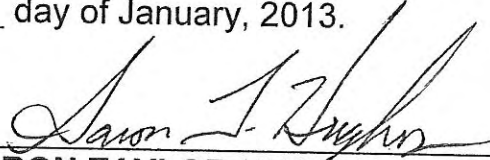
27 / / /

28 / / /

1 rendered to me in connection with this matter.

2 **THE DEFENDANT'S SIGNATURE BLOCK**

3  
4 Dated this 7 day of January, 2013.

5  
6 

7 **AARON TAYLOR HUGHES**  
8 Defendant  
9 *In Proper Person*

10 **THE STATE'S SIGNATURE BLOCK**

11 Dated this 7<sup>th</sup> day of January, 2013.

12  
13 

14 **MARK TORVINEN**  
15 Deputy District Attorney  
16 State Bar Number 551  
17 Elko County District  
18 Attorney's Office

19 **CERTIFICATE OF COUNSEL FOR THE DEFENDANT**

20 I, Tammy Riggs, Esq. the undersigned, as Counsel Of Record for the  
21 Defendant above-named, and as an Officer of the Court, by my signature hereunder,  
22 certify to the above-entitled Court as follows:

- 23 1. That before the Defendant executed this Agreement, I had fully explained to the  
24 Defendant the elements of the offense(s) with which he/she was originally charged,  
25 and the elements of the offense(s) to which he/she proposes to plead guilty.  
26  
27 2. I advised the Defendant of the potential penalties for each of the offense(s) with  
28 which he/she was originally charged, and the potential penalties for the offense(s) to

1 which he/she proposes to plead guilty, including the matters described in Exhibit 1 to  
2 this Plea Agreement. Further I advised the Defendant with respect to, and concerning  
3 the restitution, if any there be, that the Defendant may be ordered to pay in connection  
4 with the imposition of sentence in this matter.  
5

6 3. The plea(s) of guilty which the Defendant proposes to enter in this matter  
7 pursuant to the terms of this Agreement are consistent with all of the facts known to  
8 me concerning this case, and will be entered in accordance my advice to the  
9 Defendant. Further I believe that the compromise reflected in this Agreement, is in the  
10 Defendant's best interests.  
11

12  
13 4. To the best of my knowledge and belief, at the time the Defendant  
14 executed this Agreement he/she:

15 a. Was competent, and understood the elements of the offense  
16 to which he/she proposes to plead guilty, and the consequences,  
17 including the potential penalties, including the matters addressed in Exhibit 1 to  
18 this Plea Agreement which could be imposed upon the Defendant, in connection with  
19 said plea(s) of guilty;  
20  
21

22 b. That he/she executed this Agreement voluntarily; and

23 c. Was not under the influence of intoxicating liquor, a controlled  
24

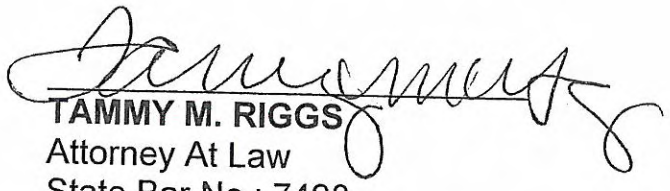
25 / / /

26 / / /

27 / / /

1 substance, or other drug at the time of his/her execution of this  
2 Agreement.  
3

4 Dated this 7<sup>th</sup> day of January, 2013.  
5

6   
7

8 **TAMMY M. RIGGS**  
9 Attorney At Law  
10 State Bar No.: 7498  
11 Counsel For The Defendant  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

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

27 8 day of August, 2013

28 

CLERK

FILED

2013 JUL -2 AM 10:50  
ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY \_\_\_\_\_

1 CASE NO. CR-FP-08-2848  
2 DEPT. NO. I

3  
4  
5  
6 IN THE FOURTH JUDICIAL DISTRICT COURT  
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
8

9 THE STATE OF NEVADA,  
10 PLAINTIFF,

11 V.

**JUDGMENT OF CONVICTION**  
(Guilty Plea - Incarceration)

12 AARON TAYLOR HUGHES,  
13 DEFENDANT.

14 \_\_\_\_\_ /  
15 On the 7<sup>th</sup> day of January, 2013, above-named Defendant, AARON TAYLOR HUGHES, [who is  
16 further described as follows: Date of birth: 01/12/1972; (age 41); Place of birth: Bellevue, Washington] was  
17 arraigned and entered a plea of guilty to the crime(s) described below and as more fully set forth in the  
18 criminal information filed herein. Legal counsel present at Defendant's arraignment were Tammy M. Riggs,  
19 Esq., representing Defendant, and Mark D. Torvinen, Elko County District Attorney, representing the State.  
20 At the time above-named Defendant entered his/her plea of guilty, this Court informed him/her of all  
21 applicable constitutional rights, the elements of the crime(s) charged, and the maximum possible penalty  
22 for said crime(s). After being so informed, above-named Defendant stated that he/she understood all of the  
23 applicable constitutional rights, the elements of the crime(s) charged and the maximum possible penalty for  
24 said crime(s). This Court then made a finding that Defendant had entered his/her plea freely and voluntarily,  
25 and with full understanding of his/her constitutional rights, the nature of the charges and the consequences  
26 of his/her plea.

EXHIBIT  
8



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**DESCRIPTION OF CONVICTIONS**

COUNT 2: INCEST, A CATEGORY A FELONY AS DEFINED BY NRS 201.180, AND NRS 122.020

On the 27<sup>th</sup> day of June, 2013, above-named Defendant appeared before this Court for the purpose of sentencing and entry of a final judgment of conviction in this matter. This Court, the State, and defense counsel had previously received a Pre-Sentence Report which had been prepared by the Division of Parole and Probation. Above-named Defendant was personally present at the sentencing. Legal counsel present at Defendant's sentencing were Tammy M. Riggs, Esq., representing Defendant, and Mark D. Torvinen, Elko County District Attorney, representing the State. Also present was Peggy Hatch, representing the Division of Parole and Probation.

After hearing from all parties and allowing Defendant an opportunity to personally address the Court, this Court finds that the appropriate judgment in this case is and shall be as follows:

**SENTENCE TERMS**

For the conviction of Count 2, Defendant is sentenced to a maximum term of LIFE in the Nevada Department of Corrections with minimum parole eligibility after 24 months. Defendant is credited with 86 days heretofore served as computed to and including the date of this sentencing (the 27<sup>th</sup> day of June, 2013).

Pursuant to NRS 176.0913 the name, social security number, date of birth and any other information identifying Defendant shall be submitted to the central repository for Nevada records of criminal history. Defendant shall submit to a blood and saliva test, to be made by qualified persons. The tests must include analyses of his blood to determine genetic markers and of his saliva to determine its secretor status. The results of the tests shall be submitted to the central repository for Nevada records of criminal history.

**FINANCIAL AND RESTITUTION REQUIREMENTS**

Defendant is ordered to pay the administrative fee in the amount of \$25.00 as required by NRS 176.062. Said amount shall be deducted from any cash bail monies posted by Defendant before any remainder is returned upon the exoneration of bail. It is further ordered that if Defendant has any monies in the possession of the Elko County Jail, that said monies shall be delivered directly to the Elko County Clerk and applied to this fee.

//

//

1 Defendant is ordered to pay the genetic testing fee of \$150.00 as required by  
2 NRS 176.0915. Said amount shall be deducted from any cash bail monies  
3 posted by Defendant before any remainder is returned upon the exoneration  
4 of bail. It is further ordered that if Defendant has any monies in the  
5 possession of the Elko County Jail, that said monies shall be delivered  
6 directly to the Elko County Clerk and applied to this fee.

7 Defendant is ordered to pay a fine in the amount of \$10,000.00.

8 Defendant is ordered to pay the Psychosexual Evaluation fee in the amount  
9 of \$902.50.

10 Any cash bail or monies in the possession of the Elko County Jail which  
11 belong to Defendant shall be confiscated and applied to this debt.

### 12 OTHER REQUIREMENTS

13 Pursuant to NRS 176.0931, a special sentence of lifetime supervision  
14 commences after any period of probation or any term of imprisonment and  
15 any period of release on parole.

### 16 BAIL

17 IT IS HEREBY ORDERED that any bail bond previously posted for said Defendant shall be  
18 exonerated. Any cash bail posted for said Defendant shall be applied first to fines and/or costs due pursuant  
19 to this judgment and, unless otherwise agreed to by the parties, any amount remaining shall be returned by  
20 the clerk to the person who posted said cash bail.

### 21 ENTRY OF JUDGMENT

22 IT IS FURTHER ORDERED that the clerk of the above-entitled Court enter this JUDGMENT OF  
23 CONVICTION as part of the record in the above-entitled matter.

24 SO ORDERED this 2 day of July, 2013.

25   
26 \_\_\_\_\_  
NANCY PORTER  
DISTRICT JUDGE - DEPARTMENT I



1 CERTIFICATE OF HAND DELIVERY

2 Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District Court,  
3 Department I, and that on this 2nd day of July, 2013, I personally hand delivered a file stamped copy of  
4 the foregoing document to:

5 Dept. of Parole and Probation  
6 3920 E. Idaho Street  
7 Elko, NV 89801  
8 {1 File Stamped Copy}  
9 [Box in Clerk's Office]

Elko County Sheriff's Office  
775 W. Silver Street  
Elko, NV 89801  
{1 Certified Copy and 1 File Stamped Copy}  
[Box in Clerk's Office]

10 Mark D. Torvinen, Esq.  
11 Elko County District Attorney  
12 540 Court Street, 2nd Floor  
13 Elko, NV 89801  
14 {1 File Stamped Copy}  
15 [Box in Clerk's Office]

16 Dated this 2nd day of July, 2013.

17   
18 KRISTY ORCO

19 CERTIFICATE OF MAILING

20 Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Fourth Judicial District Court,  
21 Department I, and that on this 2nd day of July, 2013, I deposited for mailing in the U.S. mail at Elko,  
22 Nevada, postage prepaid, a file stamped copy of the foregoing document to:

23 Tammy M. Riggs, Esq.  
24 905 Plumas Street  
25 Reno, NV 89509

26 Nevada Department of Corrections  
Offender Management Division, Sentence Management  
P.O. Box 7011  
Carson City, NV 89702

Dated this 2nd day of July, 2013.

  
KRISTY ORCO

FILED

2013 JUL -2 AM 10:52

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY \_\_\_\_\_

1 CASE NO. CR-FP-08-2848

2 DEPT. NO. 1

6 IN THE FOURTH JUDICIAL DISTRICT COURT

7 OF THE STATE OF NEVADA, FOR THE COUNTY OF ELKO

8 THE STATE OF NEVADA

9 PLAINTIFF,

10 V.

11 AARON TAYLOR HUGHES,

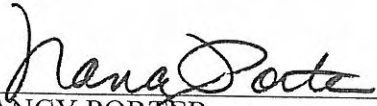
12 DEFENDANT.

14 NOTICE OF CONVICTION

15 TO THE CENTRAL REPOSITORY OF THE STATE OF NEVADA:

16 Pursuant to NRS 176.0926/176.0927, you are hereby notified that the above-named  
17 defendant, AARON TAYLOR HUGHES (Social Security No. 517-82-9057; date of birth:  
18 01/12/1972 pled guilty to COUNT II: INCEST, A CATEGORY A FELONY AS DEFINED BY  
19 NRS 201.180 AND NRS 122.020.

20 DATED this 27 day of June, 2013.

21  
22   
23 \_\_\_\_\_  
NANCY PORTER  
24 District Judge - Department 1

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

26 8 day of August, 2013

  
CLERK

**AGENDA ITEM #7**

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

Hearing pursuant to NAC 289.290(1)(g) on the suspension of Armando Flores, formerly of the Clark County Juvenile Justice Services, for felony indictment of Attempted Theft. The Commission will decide whether to suspend the Category II Basic Certification.



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

**NOTICE OF INTENT TO SUSPEND**

September 9, 2013

Armando Flores  
2110 Waterlily View St  
Henderson, NV 89044

I hereby certify that this record is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

Certified Mail Control Number:

Dear Mr. Flores:  
POST PIN #: 16410

State of Nevada  
Commission on  
Peace Officers' Standards and Training  
By Armando Pacheco Date 9/24/2013  
Custodian of Records

Based upon documentation received by the Nevada Peace Officers' Standards and Training Commission and in accordance with Nevada Administrative Code 289.290 and Nevada Revised Statute 241.033, you are hereby notified that the Commission has initiated action to suspend your Nevada POST certification which is a requirement for employment as a peace officer in the State of Nevada.

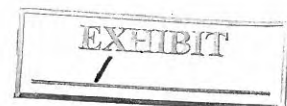
I have included a copy of Nevada Administrative Code 289.290 for your convenience.

The Commission's regulations provide that a person's POST certification may be revoked pursuant to NAC 289.290 (1)(g) following a conviction for a felony. Upon criminal indictment or filing of a criminal complaint for a felony, suspension may be imposed. The Court documents in your criminal case disclose the following facts:

On or about June 28, 2012, an Information was filed in the Eighth Judicial District Court in and for the County of Clark, State of Nevada, Case No. C-12-282167-1, charging you with Attempted Theft, a Category D Felony/Gross Misdemeanor, in violation of NRS 205.0835(3) and NRS 193.330. On or about November 8, 2012, a Guilty Plea Agreement was filed through which you agreed to plead guilty to Attempted Theft, a Category D Felony/Gross Misdemeanor. On or about November 8, 2012, you pled guilty to Attempted Theft, a Category D Felony. At sentencing, the parties agreed you would pay full restitution, the Attempted Theft charge would be treated as a felony, and that adjudication of the case would be stayed in order for you to complete all of the requirements and special conditions contained in the Pre-sentence Investigation Report. The parties also agreed that if you successfully complete those requirements, you will be permitted to withdraw your plea to the felony and plead guilty to Attempted Theft, a Gross Misdemeanor. At that same hearing, the Court accepted your plea, ordered you to pay full restitution, and gave you two (2) years to comply with the requirements and special conditions in the Pre-sentence Investigation Report.

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

Name: Armando Flores  
Date: 08/12/2013





Written requests can be made to:

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

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

Date: October 29, 2013

Time: 5:00 pm

Location: Palace Station Hotel and Casino, 2411 W. Sahara, Salons F&G, Las Vegas,  
Nevada.

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

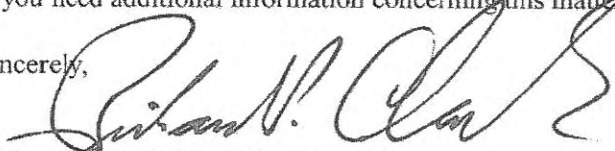
If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing, or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable.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

The hearing will cover the following: Whether your POST certification should be suspended pursuant to NAC 289.290(1)(g) based on the filing of a criminal Information charging you with Attempted Theft, a Category D Felony/Gross Misdemeanor, in violation of NRS 205.0835(3) and NRS 193.330, and your guilty plea to the felony charge with adjudication in the case stayed pending your completion of the requirements and special conditions set out in the Pre-sentence report.

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

If you need additional information concerning this matter, contact P.O.S.T. at (775) 684-7678.

Sincerely,



Richard P. Clark, Executive Director  
Peace Officers' Standards and Training

RPC/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen  
Armando Flores  
Clark County Juvenile Justice Services  
Ron Pierini - Commission Chairman

**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 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 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 NAC 289.010 to 289.380, inclusive.
- (g) Conviction of a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction, 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 intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his 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 intention to appear and answer the charges pending against him, 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 his 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 to reinstate his 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.

**My Online Services**

**Profile Print Guide**

<b>Systems</b>	<b>Reports</b>	<b>E-Services</b>	<b>Supplies</b>
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[Home](#) > [E-Services](#) > [Status History](#)

**Status History ?**

**♦ Tracking Number Information**

<b>Meter:</b>	12602121	<b>Mailing Date:</b>	09/19/13 03:00 PM
<b>Tracking Number:</b>	9171969009350011896910	<b>Sender:</b>	3774 rb
<b>Current Status:</b>	Processed (processing scan)	<b>Recipient:</b>	
<b>Class of Mail</b>	FC	<b>Zip Code:</b>	89148
<b>Service:</b>	ERR	<b>City:</b>	LAS VEGAS
<b>Value</b>	\$0.460	<b>State:</b>	NV

[Proof of delivery](#)

**♦ Status Details**

▼ Status Date	Status
Sat, 09/21/13, 05:46:00 AM	Processed (processing scan)
Sat, 09/21/13, 12:31:00 AM	Processed (processing scan)
Fri, 09/20/13, 04:34:00 PM	Processed (processing scan)
Thu, 09/19/13, 10:05:00 PM	Processed (processing scan)
Thu, 09/19/13, 08:50:00 PM	Origin Acceptance

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.






Date: September 26, 2013

Rhonda Buckley:

The following is in response to your September 26, 2013 request for delivery information on your Certified Mail™ item number 9171969009350011896903. The delivery record shows that this item was delivered on September 20, 2013 at 9:09 am in HENDERSON, NV 89052. The scanned image of the recipient information is provided below.

Signature of Recipient :

DELIVERED TO F 9 09 AM 09 20 2013 BY 000-ASA-USPS (270-1111) Delivery Station	
Signature	
Delivered to	Annast Flores

Address of Recipient :

HENDERSON, NV	
Delivery Point	240 Waterlily View St

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,  
United States Postal Service



STATE OF NEVADA  
 COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
 Records and Certification Section  
 5587 Wa Pai Shone Avenue  
 Carson City, Nevada 89701  
 (775) 687-7678\*Fax (775) 687-4911

**RECEIVED**  
**FEB 14 2011**  
**NV P.O.S.T.**

**PERSONNEL ACTION REPORT**  
*Pursuant to NAC 289.350 and 289.360*

**SECTION "A" CLASSIFICATION**

APPLICANT IS

- NEW EMPLOYEE  
 Complete Sections A, B, D, E
- A NAME CHANGE EMPLOYEE  
 Complete Sections A, B, E
- TERMINATED EMPLOYEE  
 Complete Sections A, B, C, E
- RECORDS UPDATE  
 Complete Sections A, B, D, E

The applicant is **CURRENTLY** a Nevada POST **CERTIFIED** Peace Officer.  Yes  No  
 The applicant is **CURRENTLY** a US citizen.  Yes  No  
 The applicant is **CURRENTLY** 21 years of age or older.  Yes  No  
 The applicant meets all requirements of NAC 289.110 (Standards of Appointment).  Yes  No  
*Pursuant to NAC 289.110 (1)(a) thorough Background Investigation Completed. (New Employees Only)*  Yes  No

Name of Background Investigator (please print) Janet L. Witt  
 Agency Completing Background Investigation Juvenile Justice Services Phone (702) 455-5244

- Reserve  Line  Supervision  Management  Executive

- CATEGORY I  CATEGORY II  CATEGORY III

**SECTION "B" EMPLOYEE INFORMATION**

Social Security Number \_\_\_\_\_ DOB \_\_\_\_\_ POST ID# \_\_\_\_\_

Current Name  Male  Female Ethnic Origin HISPANIC  
 Last FLORES First ARMANDO Middle \_\_\_\_\_

Previous Name  
 Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_

Residence Address  
 Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**Current Agency Information**

Agency Name CLARK COUNTY DEPT. OF JUVENILE JUSTICE SERVICES Hire Date (As A Peace Officer) 05/12/2001  
 Street Address 601 N. PECOS ROAD City LAS VEGAS State NV Zip 89101

- Agency Type  Police  Corrections / Detention  Parole / Probation  
 Tribal  Other - Please Specify: \_\_\_\_\_

**SECTION "C" TERMINATED EMPLOYEES**

*Terminated Employees includes those who transfer into non-sworn positions within the agency*

I hereby certify that this record is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

Type of Action  Resigned  Discharged  Retired  Deceased  Other  
 Effective Date of Termination 1/21/2011

If **DISCHARGED**, was criminal activity involved which would be cause for suspension or revocation of the Certification pursuant to NAC 289.290?  Yes  No  
 By Patricia Buckley Date 9/26/2013  
 State of Nevada  
 Commission on  
 Peace Officers' Standards and Training  
 Custodian of Records

Recommendations: As a result of this termination, you as the agency administrator, make the following recommendation  
 No Action  Suspension  Revocation

If "Suspension" or "Revocation" is recommended, supporting documentation **MUST** accompany this Personnel Action Report substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

EXHIBIT  
 3

P-03/01/11

Please type or print current name	Last	FLORES	First	ARMADO	MI
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**SECTION "D" PEACE OFFICER WORK EXPERIENCE**

List ALL Criminal Justice work experience (including Reserve Peace Officer). **DO NOT INCLUDE CURRENT NEVADA AGENCY**

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

**SECTION "E" AUTHORIZATION**

Single Point of Contact FRITZ REESE *Fritz Reese* Director 2-9-11  
 Name Signature Title Date  
 Agency Administrator or Designee \_\_\_\_\_  
 Name Signature Title Date

Phone Number (702) 455-5244 Fax Number (702) 382-1367

SPOC E-Mail FLR@CLARKCOUNTYNV.GOV Agency Administrator E-Mail \_\_\_\_\_

**POST USE ONLY - DO NOT WRITE IN THIS SPACE**

Reviewed *JK* 03/03/11 (Initial and date each area that is applicable)  
 Data Entry *JK* 03/03/11



# STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

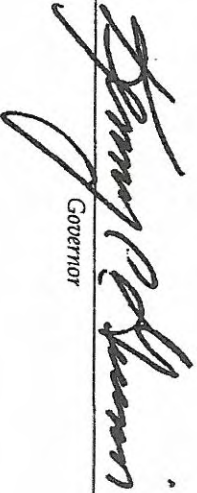
## Basic Certificate

To

### ARMANDO A. FLORES

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

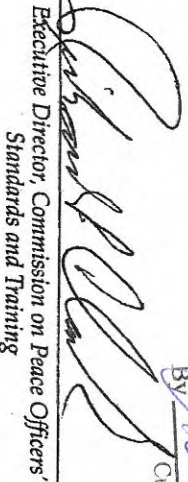
CATEGORY II

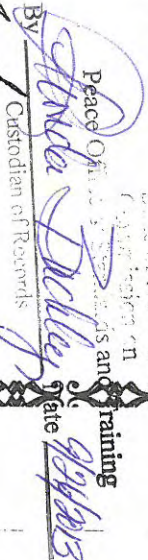
  
Governor

Presented this 15th day of

January

, 2002

  
Executive Director, Commission on Peace Officers' Standards and Training

By   
Peace Officers' Standards and Training  
Custodian of Records  
Date 02/02/03

I hereby certify that this is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

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INFM  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
BERNIE ZADROWSKI  
Chief Deputy District Attorney  
Nevada Bar #006545  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff


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

JUN 28 2012

BY: *Carole D'Alaia*  
CAROLE D'ALOIA, DEPUTY

I.A. 06/28/12  
9:00 AM  
PD

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-12-282167-1  
INFM  
Information  
1886683  


THE STATE OF NEVADA,  
  
Plaintiff,  
  
-vs-  
  
ARMANDO FLORES,  
#1735870,  
  
Defendant.

Case No: C-12-282167-1  
Dept No: XX

INFORMATION

STATE OF NEVADA }  
COUNTY OF CLARK } ss.

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

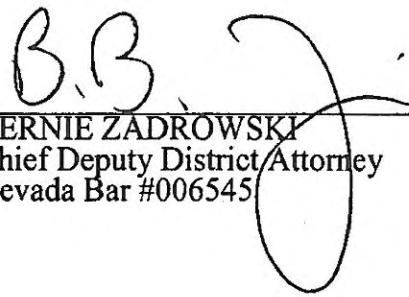
That ARMANDO FLORES, the Defendant(s) above named, having committed the crime of **ATTEMPT THEFT (Category D Felony/Gross Misdemeanor - NRS 205.0832, 205.0835.3, 193.330)**, on or between December 6, 2010 and January 13, 2011, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada, did then and there knowingly, feloniously, and without lawful authority, attempt to commit theft by attempting to obtain personal property and/or lawful money of the United States, in the amount of \$650.00 or more, belonging to CLARK COUNTY located at 4359 Stewart Avenue, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to

EXHIBIT  
5

1 deprive that person of the property and/or money, in the following manner, to-wit: by being  
2 employed by the said CLARK COUNTY as a probation officer who, among other duties,  
3 was entrusted with monies paid by or on behalf of juveniles who owed restitution or other  
4 fees, did take approximately \$2,453.64 from various juveniles or their accounts and  
5 converted those monies to his own unauthorized use and outside the scope of his  
6 employment, thereby attempting to obtain the personal property and/or money of CLARK  
7 COUNTY by a material misrepresentation with intent to deprive them of the property and/or  
8 money.

9  
10 STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

11  
12  
13 BY

  
14 BERNIE ZADROWSKI  
Chief Deputy District Attorney  
Nevada Bar #006545

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23 05-17-13  
24 CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
25 TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

  
26 CLERK OF THE COURT

27 DA#11F16008X/td  
LVMPD EV#1101282103  
28 (TK1)



ORIGINAL

1 GPA  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 BERNIE ZADROWSKI  
6 Chief Deputy District Attorney  
7 Nevada Bar #006545  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

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

NOV 08 2012

BY *Linda Skinner*  
LINDA SKINNER, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-12-282167-1  
GPA  
Guilty Plea Agreement  
1997676



12 THE STATE OF NEVADA,  
13 Plaintiff,

14 -vs-

15 ARMANDO FLORES,  
16 #1735870,

17 Defendant.

CASE NO: C-12-282167-1

DEPT NO: XX

18 GUILTY PLEA AGREEMENT

19 I hereby agree to plead guilty to: **ATTEMPT THEFT (Category D Felony/Gross**  
20 **Misdemeanor - NRS 205.0832, 205.0835.3, 193.330)**, as more fully alleged in the charging  
21 document attached hereto as Exhibit "1".

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

24 Both parties stipulate to full restitution. Both parties stipulate to felony treatment.  
25 Both parties stipulate to stay adjudication for Defendant to complete all of the requirements  
26 and special conditions listed in the Presentence Investigation Report. If I successfully  
27 complete these requirements, I may withdraw my plea to the felony and plead guilty to one  
28 (1) count of Attempt Theft, a gross misdemeanor, with credit for time served. The State will  
not oppose dismissal of all remaining counts in this case.

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

EXHIBIT  
6

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

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

#### 12 CONSEQUENCES OF THE PLEA

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

15 I understand that as a consequence of my plea of guilty the Court may elect to treat  
16 this offense as a felony or as a gross misdemeanor. If the Court elects to treat this offense as  
17 a felony I may be imprisoned in the Nevada Department of Corrections for a minimum term  
18 of not less than one (1) year and a maximum term of not more than four (4) years. In  
19 addition, I may be fined up to \$5,000.00. I further understand that the minimum term of  
20 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment.  
21 If the Court elects to treat this offense as a gross misdemeanor, I may be sentenced to jail for  
22 not more than one (1) year. In addition, I may be fined up to \$2,000.00. I understand that  
23 the law requires me to pay an Administrative Assessment Fee.

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

28 If the Court elects to treat this offense as a felony or as a gross misdemeanor, I



1 understand that I am eligible for probation for the offense(s) to which I am pleading guilty. I  
2 understand that, except as otherwise provided by statute, the question of whether I receive  
3 probation is in the discretion of the sentencing judge.

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

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

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

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

16 I have not been promised or guaranteed any particular sentence by anyone. I know  
17 that 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  
19 specific 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  
21 I was incarcerated on another charge or while I was on probation or parole that I am not  
22 eligible 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  
24 likely 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 VOLUNTARINESS OF PLEA

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

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

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

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

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

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


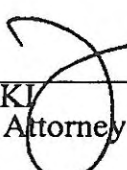
15 I am not now under the influence of any intoxicating liquor, a controlled substance or  
16 other drug which would in any manner impair my ability to comprehend or understand this  
17 agreement or the proceedings surrounding my entry of this plea.

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

21 DATED this 8<sup>th</sup> day of November, 2012.

22  
23   
24 \_\_\_\_\_  
ARMANDO FLORES  
Defendant

25 AGREED TO BY:

26   
27   
28 \_\_\_\_\_  
BERNIE ZADROWSKI  
Chief Deputy District Attorney  
Nevada Bar #006545

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CERTIFICATE OF COUNSEL:

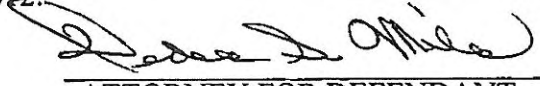
I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

- 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 14th day of November, 2012.



ATTORNEY FOR DEFENDANT

td



1 INFM  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 BERNIE ZADROWSKI  
6 Chief Deputy District Attorney  
7 Nevada Bar #006545  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

7 I.A. 06/28/12  
8 9:00 AM  
9 PD

10 THE STATE OF NEVADA,  
11 Plaintiff,

Case No: C-12-282167-1  
Dept No: XX

12 -vs-

13 ARMANDO FLORES,  
14 #1735870,  
15 Defendant.

INFORMATION

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

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

20 That ARMANDO FLORES, the Defendant(s) above named, having committed the  
21 crime of ATTEMPT THEFT (Category D Felony/Gross Misdemeanor - NRS 205.0832,  
22 205.0835.3, 193.330), on or between December 6, 2010 and January 13, 2011, within the  
23 County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such  
24 cases made and provided, and against the peace and dignity of the State of Nevada, did then  
25 and there knowingly, feloniously, and without lawful authority, attempt to commit theft by  
26 attempting to obtain personal property and/or lawful money of the United States, in the  
27 amount of \$650.00 or more, belonging to CLARK COUNTY located at 4359 Stewart  
28 Avenue, Las Vegas, Clark County, Nevada, by a material misrepresentation with intent to

1 deprive that person of the property and/or money, in the following manner, to-wit: by being  
2 employed by the said CLARK COUNTY as a probation officer who, among other duties,  
3 was entrusted with monies paid by or on behalf of juveniles who owed restitution or other  
4 fees, did take approximately \$2,453.64 from various juveniles or their accounts and  
5 converted those monies to his own unauthorized use and outside the scope of his  
6 employment, thereby attempting to obtain the personal property and/or money of CLARK  
7 COUNTY by a material misrepresentation with intent to deprive them of the property and/or  
8 money.

9  
10 STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

11  
12 BY

13 B.B.  
BERNIE ZADROWSKI  
14 Chief Deputy District Attorney  
Nevada Bar #006545  
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23 05-17-13  
24 CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
25 TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

26 Alison D. Johnson  
CLERK OF THE COURT

27 DA#11F16008X/td  
LVMPD EV#1101282103  
28 (TK1)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**June 28, 2012**

---

C-12-282167-1      State of Nevada  
   vs  
   Armando Flores

---

**June 28, 2012                    9:00 AM                    Initial Arraignment**

**HEARD BY:** De La Garza, Melisa

**COURTROOM:** RJC Lower Level  
Arraignment

**COURT CLERK:** Aaron Carbajal; Ying Pan; Vanessa Ward; Sharry Frascarelli; Carole D'Aloia

**RECORDER:** Kiara Schmidt

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Chrysanthis, Alexandra C.	Attorney
	Flores, Armando	Defendant
	Miles, Dedree S, ESQ	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Information FILED IN OPEN COURT. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. FLORES ARRAIGNED AND PLED GUILTY TO ATTEMPT THEFT (F/GM). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for SENTENCING. Court DIRECTED Deft. to report to P & P immediately.

O.R.

11/6/2012 8:30 AM SENTENCING



DISTRICT COURT  
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

November 08, 2012

C-12-282167-1

State of Nevada

vs

Armando Flores

November 08, 2012 8:30 AM Sentencing

HEARD BY: Loehrer, Sally

COURTROOM: RJC Courtroom 10D

COURT CLERK: Linda Skinner

RECORDER: Sara Richardson

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Flores, Armando	Defendant
	Miles, Dedree S, ESQ	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Zadrowski, Bernard B.	Attorney

**JOURNAL ENTRIES**

- Counsel advised instead of sentencing today, that Defendant is to be re-arraigned with adjudication stayed for him to complete conditions of probation as listed in the Pre-sentence Report (PSI). Guilty Plea Agreement FILED IN OPEN COURT. NEGOTIATIONS: Both parties stipulate to full restitution, felony treatment and stay adjudication for Defendant to complete all of the requirements and special conditions listed in the Pre-sentence Investigation Report (PSI). If Defendant successfully completes these requirements, he may withdraw his plea to the Felony and plead guilty to Attempt Theft, a Gross Misdemeanor with credit for time served. The State will not oppose the dismissal of all remaining counts in this case. Mr. Zadrowski concurred. DEFENDANT RE-ARRAIGNED AND PLED GUILTY to ATTEMPT THEFT (F/GM). Court ACCEPTED plea. Pursuant to negotiations, Defendant to pay \$2,453.64 restitution by 6/1/13 and will have 2 years to comply with the directives of the Pre-sentence Report. COURT ORDERED, matter set for status check as to compliance and sentencing.

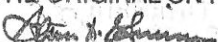
O.R.



C-12-282167-1

11/13/14 8:30 AM STATUS CHECK: COMPLIANCE / SENTENCING

05-17-13  
CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE



CLERK OF THE COURT

PRINT DATE: 05/17/2013

Page 3 of 3

Minutes Date:

June 28, 2012

**AGENDA ITEM #8**

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Edward Lattin III, formerly of the Nevada Department of Public Safety, for a felony conviction of Reckless Driving. The Commission will decide whether to revoke the Category I Basic Certification.



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

**NOTICE OF INTENT TO REVOKE**

August 28, 2013

Edward R. Lattin III  
8409 Cove Landing Ave  
Las Vegas, Nevada 89145

Certified Mail Control Number:

9171 9690 0935 0009 3095 21

Dear Mr. Lattin III:  
POST PIN #: 18857

Based upon documentation received by the Nevada Peace Officers' Standards and Training Commission and in accordance with Nevada Administrative Code 289.290 and Nevada Revised Statute 241.033, you are hereby notified that the Commission has initiated action to revoke your Nevada POST Category I certification which is a requirement for employment as a peace officer in the State of Nevada.

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

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

**Count One:** Reckless Driving, a Category B Felony as defined by NRS 484B.653.

Case No.: C247290

Dep't No: XXV

Jurisdiction: Clark County District Court of the State of Nevada.

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

I hereby certify that this record is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

State of Nevada  
Commission on  
Peace Officers' Standards and Training  
By Alonda Buckley Custodian of Records Date 8/26/2013

Name: Edward Lattin III  
Date: 08/27/2013



Written requests can be made to:

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

The POST Commission will determine whether your Nevada POST Certification(s) should be revoked at the meeting listed below:

Date: October 29, 2013

Time: 5:00 pm

Location: Palace Station Hotel and Casino, 2411 W. Sahara, Salons F and G, Las Vegas, Nevada 89102.

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

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

The hearing will cover the following: Whether your POST Certification(s) should be revoked pursuant to NAC 289.290 (1) (g) for the above-referenced felony conviction(s).

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

If you need additional information concerning this matter, contact P.O.S.T. at (775) 684-7678.

Sincerely,



Richard P. Clark, Executive Director  
Peace Officers' Standards and Training

RPC/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen  
Edward R. Lattin III File  
Nevada Department of Public Safety  
Ron Pierini – Commission Chairman

**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 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 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 NAC 289.010 to 289.380, inclusive.

(g) Conviction of a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction, 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 intended action with reference to the charges.

5. If the officer fails to notify the Commission within the specified time of his 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 intention to appear and answer the charges pending against him, 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 his 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 to reinstate his 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.



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9171969009350009309521	First-Class Mail®	Delivered	September 7, 2013, 2:31 pm	LAS VEGAS, NV 89145	Scheduled Delivery Day: September 9, 2013 Certified Mail™ Return Receipt Electronic
		Processed at USPS Origin Sort Facility	September 7, 2013, 6:33 am	LAS VEGAS, NV 89199	
		Processed at USPS Origin Sort Facility	September 6, 2013, 10:46 pm	LAS VEGAS, NV 89199	
		Depart USPS Sort Facility	September 6, 2013	LAS VEGAS, NV 89199	
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		Processed at USPS Origin Sort Facility	September 5, 2013, 9:25 pm	RENO, NV 89510	
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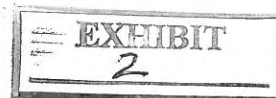
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Lattin, Edward R.



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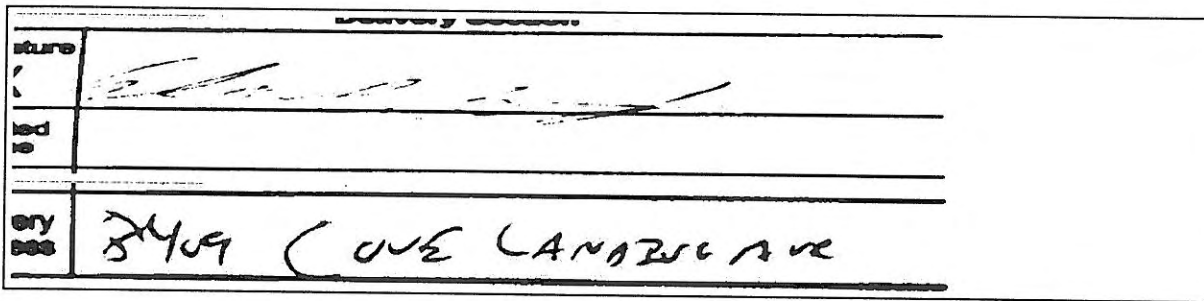
[Home](#) > [E-Services](#) > Status History

**Status History ?**

◆ **Tracking Number Information**

<b>Meter:</b>	12602121	<b>Mailing Date:</b>	09/05/13 12:51 PM
<b>Tracking Number:</b>	9171969009350009309521	<b>Sender:</b>	3774 rb
<b>Current Status:</b>	OK : Delivered	<b>Recipient:</b>	
<b>Class of Mail</b>	FC	<b>Zip Code:</b>	89145
<b>Service:</b>	ERR	<b>City:</b>	LAS VEGAS
<b>Value</b>	\$0.460	<b>State:</b>	NV

[Proof of delivery](#)



◆ **Status Details**

▼ Status Date	Status
Sat, 09/07/13, 02:31:00 PM	OK : Delivered
Sat, 09/07/13, 06:33:00 AM	Processed (processing scan)
Fri, 09/06/13, 10:46:00 PM	Processed (processing scan)
Fri, 09/06/13, 05:34:00 PM	Processed (processing scan)
Thu, 09/05/13, 11:19:00 PM	Dispatched from Sort Facility
Thu, 09/05/13, 09:25:00 PM	Processed (processing scan)
Thu, 09/05/13, 08:40:00 PM	OK: USPS acknowledges reception of info
Thu, 09/05/13, 08:10:00 PM	Origin Acceptance

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.







STATE OF NEVADA  
 COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
 Records and Certification Section  
 5587 Wa Pai Shone Avenue  
 Carson City, Nevada 89701  
 (775) 687-7678\*Fax (775) 687-4911

**RECEIVED**  
 JUL 31 2008  
 NV P.O.S.T.

**PERSONNEL ACTION REPORT**

Pursuant to NAC 289.350 and 289.360

**SECTION "A" CLASSIFICATION**

APPLICANT IS

NEW EMPLOYEE

Complete Sections A, B, D, E

TERMINATED EMPLOYEE  
 Complete Sections A, B, C, E

A NAME CHANGE EMPLOYEE

Complete Sections A, B, E

RECORDS UPDATE  
 Complete Sections A, B, D, E

The applicant is **CURRENTLY** a Nevada POST **CERTIFIED** Peace Officer.

Yes  No

The applicant is **CURRENTLY** a US citizen.

Yes  No

The applicant is **CURRENTLY** 21 years of age or older.

Yes  No

The applicant meets all requirements of NAC 289.110 (Standards of Appointment).

Yes  No

Pursuant to NAC 289.110 (1)(a) thorough Background Investigation Completed. (New Employees Only)

Yes  No

Name of Background Investigator (please print) \_\_\_\_\_

Agency Completing Background Investigation \_\_\_\_\_

Phone \_\_\_\_\_

Reserve

Line

Supervision

Management

Executive

CATEGORY I

CATEGORY II

CATEGORY III

**SECTION "B" EMPLOYEE INFORMATION**

Social Security Number \_\_\_\_\_

DOB \_\_\_\_\_

POST ID# \_\_\_\_\_

Current Name

Male

Female

Ethnic Origin W

Last LATTIN

First EDWARD

Middle R

Previous Name

Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_

Residence Address

Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Current Agency Information

Agency Name NEVADA HIGHWAY PATROL

Hire Date (As A Peace Officer) 05/02/1988

Street Address 4615 W SUNSET RD

City LAS VEGAS

State NV

ZIP 89118

Agency Type  Police

Tribal

Other - Please Specify: \_\_\_\_\_

Corrections / Detention

Parole / Probation

**SECTION "C" TERMINATED EMPLOYEES**

Terminated Employees includes those who transfer into non-sworn positions within the agency.

Type of Action  Resigned

Discharged

Retired

Deceased

Other \_\_\_\_\_

Effective Date of Termination 07/26/08

If **DISCHARGED**, was criminal activity involved which would be cause for suspension or revocation of the Certification pursuant to NAC 289.290?  
 Yes  No

Recommendations: As a result of this termination, you as the agency administrator, make the following recommendation  
 No Action  Suspension  Revocation

If "Suspension" or "Revocation" is recommended, supporting documentation MUST accompany this Personnel Action Report substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

Form AD-1 PAR R-09/2005

State of Nevada  
 Commission on  
 Peace Officers' Standards and Training  
 By Florida Buckley Date 9/06/08  
 Custodian of Records

EXHIBIT  
 3

Please type or print current name		Last	LATTIN	First	EDWARD	MI	R
-----------------------------------	--	------	--------	-------	--------	----	---

**SECTION "D" PEACE OFFICER WORK EXPERIENCE**

List ALL Criminal Justice work experience (including Reserve Peace Officer). **DO NOT INCLUDE CURRENT NEVADA AGENCY**

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid Yes  No  Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid Yes  No  Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid Yes  No  Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid Yes  No  Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No  Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No  Reserve  Yes  No

**SECTION "E" AUTHORIZATION**

Single Point of Contact: Tanya Bales (Name), *Tanya Bales* (Signature), Training Coordinator (Title), 7-29-08 (Date)  
 Agency Administrator or Designee: Julie Johnson (Name), *Julie Johnson* (Signature), Chief (Title), 7-29-08 (Date)  
 Phone Number: 775-687-1610 Fax Number: 775-687-1613  
 SPOC E-Mail: tbales@dps.state.nv.us Agency Administrator E-Mail: jajohnson@dps.state.nv.us

**POST USE ONLY - DO NOT WRITE IN THIS SPACE**

Reviewed *JF 08-05-08* (Initial and date each area that is applicable)  
 Data Entry *JF 08-05-08*



# STATE OF NEVADA

## PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

### Basic Certificate

To

### EDWARD R. LATTIN, III

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

EXHIBIT  
4

I hereby certify that this record is a true and correct copy of the original on file at the Office of the Commission on Peace Officers Standards and Training, State of Nevada

Peace Office *Patricia Bailey*  
Custodian of Records

Date *11/16/90* TRAINING CATEGORY I, NHP ACADEMY #14, 787 HOURS

*Bob Miller*  
Governor

*James*  
Director, Department of Motor Vehicles and Public Safety

Presented this 3 day of March, 19 90

ORIGINAL

FILED

AUG 27 12 53 PM '08

*Chaf...*  
CLERK OF THE COURT

1 IND  
2 DAVID ROGER  
3 Clark County District Attorney  
4 Nevada Bar #002781  
5 L.J. O'NEALE  
6 Chief Deputy District Attorney  
7 Nevada Bar #000985  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

8 DISTRICT COURT  
9 CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,  
12 Plaintiff,

13 -vs-

14 EDWARD R. LATTIN III, aka  
15 Edward Richard Lattin, #0489870  
16 Defendant(s).

Case No. C247290  
Dept. No. VII

INDICTMENT

18 STATE OF NEVADA }  
19 COUNTY OF CLARK } ss.

20 The Defendant(s) above named, EDWARD R. LATTIN III, aka Edward Richard  
21 Lattin, accused by the Clark County Grand Jury of the crime(s) of DRIVING AND/OR  
22 BEING IN ACTUAL PHYSICAL CONTROL WHILE UNDER THE INFLUENCE OF A  
23 CONTROLLED SUBSTANCE AND/OR A PROHIBITED SUBSTANCE CAUSING  
24 DEATH AND/OR SUBSTANTIAL BODILY HARM (Felony - NRS 484.3795), committed  
25 at and within the County of Clark, State of Nevada, on or about the 11th day of June, 2008,  
26 as follows:

27 did then and there wilfully, unlawfully, and feloniously drive and/or be in actual  
28 physical control of a motor vehicle, to-wit: a 2003 Ford, bearing Nevada License No.

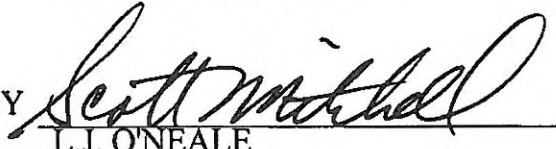
EXHIBIT  
5

RECEIVED  
AUG 27 2008  
CLERK OF THE COURT

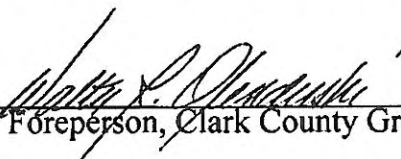
1 KLINGON, on or off the highways, to-wit: Rainbow Boulevard and Hacienda Avenue, Las  
2 Vegas, Clark County, Nevada, while Defendant was under the influence of a controlled  
3 substance, to-wit: Marijuana, to a degree which rendered him incapable of safely driving  
4 and/or exercising actual physical control of a vehicle, and/or was found to have a prohibited  
5 substance, to-wit: Marijuana, in his blood, in an amount that is equal to or greater than 2  
6 nanograms per milliliter of blood, and/or Marijuana Metabolite, in his blood, in an amount  
7 that is equal to or greater than 5 nanograms per milliliter of blood, said Defendant failing to  
8 pay full time and attention to his driving, and/or failing to exercise due care, and/or failing to  
9 drive in a careful and prudent manner, and/or failing to maintain travel lane and/or speeding,  
10 which acts, or neglect of duties, proximately caused the vehicle being driven by Defendant to  
11 strike and collide with that certain 1991 Toyota, bearing Nevada License No. 259UMF,  
12 being driven by MANUEL RAMIREZ, said collision proximately causing death to YING  
13 WARREN, a passenger in said vehicle.

14 DATED this 26<sup>th</sup> day of August, 2008.

15  
16 DAVID ROGER  
17 DISTRICT ATTORNEY  
18 Nevada Bar #002781

19 BY   
20 L.J. O'NEALE  
21 Chief Deputy District Attorney  
22 Nevada Bar #000985

23 ENDORSEMENT: A True Bill

24   
25 Foreperson, Clark County Grand Jury



ORIGINAL

1 AIND  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #1565  
5 BRUCE NELSON  
6 Chief Deputy District Attorney  
7 Nevada Bar #1936  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

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

JAN 28 2013

BY Kristen Brown  
KRISTEN BROWN, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

08C247290  
AIND  
Amended Indictment  
2188740



10 THE STATE OF NEVADA,  
11 Plaintiff,

12 -vs-

13 EDWARD R. LATTIN, III, aka,  
14 Edward Richard Lattin, #0489870  
15 Defendant.

CASE NO: 08C247290  
DEPT NO: XXV

AMENDED  
INDICTMENT

16 STATE OF NEVADA }  
17 COUNTY OF CLARK } ss:

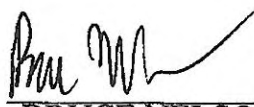
18 The Defendant above named, EDWARD R. LATTIN, III, aka, Edward Richard  
19 Lattin, is accused by the Clark County Grand Jury of the crime of RECKLESS DRIVING  
20 (Category B Felony – NRS 484B.653), committed at and within the County of Clark, State  
21 of Nevada, on or about the 11th day of June, 2008, as follows:


22 Defendant did then and there wilfully, unlawfully, and feloniously drive a motor  
23 vehicle, to-wit: a 2003 Ford, bearing Nevada License No. KLINGON, on Rainbow  
24 Boulevard and Hacienda Avenue, Las Vegas, Clark County, Nevada, with willful or wanton  
25 disregard for the safety of persons or property, by driving said vehicle without paying full  
26 time and attention to his driving, and/or failing to exercise due care, and/or failing to drive in  
27 a careful and prudent manner, and/or speeding, and/or driving onto the sidewalk, and/or  
28 failing to maintain travel lane by crossing travel lanes and driving into oncoming traffic,

EXHIBIT  
6

1 which acts, or neglect of duties, proximately caused the vehicle being driven by Defendant to  
2 strike and collide with that certain 1991 Toyota, bearing Nevada License No. 259UMF,  
3 being driven by MANUEL RAMIREZ, said collision proximately causing death to YING  
4 WARREN, a passenger in said vehicle.

5  
6 STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #1565

7  
8 BY   
9 BRUCE NELSON  
10 Chief Deputy District Attorney  
Nevada Bar #1936

11  
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OF THE ORIGINAL ON FILE  
26   
CLERK OF THE COURT

27 DA#08F14262X/jg/vcu  
28 LVMPD EV#0806111836

1 Names of witnesses testifying before the Grand Jury:  
2 CAMPOS, CARLOS, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
3 MCINTOSH, JEFFERY, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
4 TAYLOR, KATHLEEN, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
5 FREEMAN, GEORGE, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
6 BAKER, TRACY, SUNRISE HOSPITAL, 3186 S. MARYLAND PKY, LVN 89109  
7 LACAR, IAN, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
8 DEGONZALES, CALEZ, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
9 BAKER, JASON, CLARK COUNTY FIRE DEPT. 575 E. FLAMINGO RD, LVN 89119  
10 REDFAIRN, WILLIAM, LVMPD P#4135  
11 HALL, HOWARD, LVMPD P#3832  
12 KELLY, RAY DR., TOX TECH, 1804 SOMERSBY WAY, HENDERSON, NV 89015  
13 ELLIOT, LESTER, CCME, 1704 PINTO LANE, LVN  
14 RAMIREZ, MANUEL, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
15 MERRILL, KEVIN, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
16 MOORE, STEVEN, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101  
17 TUSKO, RICHARD, LVMPD P#4515  
18 Additional witnesses known to the District Attorney at the time of filing this Indictment:  
19 SUFFECOOL, THERESA, LVMPD P#13316  
20 MAGILL, DENNIS, LVMPD P#2716  
21 HOLLAND, ROBERT, LVMPD P#3410  
22 TOWERY, WILLIAM, LVMPD P#3677  
23 SCHVANEVELDT, DAVID, LVMPD P#3824  
24 LOPEZ, MARIA, LVMPD P#4032  
25 MOORE, STEVEN, LVMPD P#4307  
26 STYPA, MICHAEL, LVMPD P#8652  
27 NHP RECORDS, CUSTODIAN OF RECORDS  
28 ///



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POTTER, TINA, QUEST DIAGNOSTICS, 4230 BURNHAM AVE, LVN 89119  
RODRIGUEZ, ELVIA, C/O CCDA, VCU, 200 LEWIS AVENUE, LVN 89101

07-01-13  
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TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

*[Signature]*

CLERK OF THE COURT

08AGJ035X/08F14262X/ts  
LVMPD 0806111836  
(TK 10)



CLERK OF THE COURT

1 JOCP

2  
3  
4 DISTRICT COURT  
5 CLARK COUNTY, NEVADA

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

CASE NO. C247290

DEPT. NO. XXV

10 EDWARD R. LATTIN, III  
11 aka Edward Richard Lattin  
12 #0489870

13 Defendant.

14  
15 JUDGMENT OF CONVICTION  
16 (PLEA OF GUILTY - ALFORD)

17  
18 The Defendant previously appeared before the Court with counsel and entered  
19 a plea of guilty pursuant to Alford Decision to the crime of RECKLESS DRIVING  
20 (Category B Felony), in violation of NRS 484B.653; thereafter, on the 3<sup>RD</sup> day of June,  
21 2013, the Defendant was present in court for sentencing with his counsel, JOHN  
22 WATKINS, ESQ., and good cause appearing,  
23

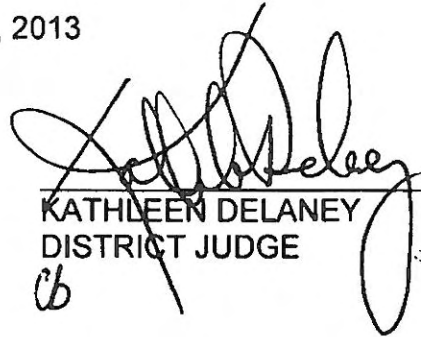
24 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in  
25 addition to the \$25.00 Administrative Assessment Fee, and \$150.00 DNA Analysis Fee  
26 including testing to determine genetic markers, the Defendant is sentenced as follows:  
27  
28 TO A MAXIMUM of FORTY-EIGHT (48) MONTHS and a MINIMUM of FOURTEEN

EXHIBIT  
7


JUN 2 1 03

1 (14) MONTHS in the Nevada Department of Corrections (NDC); with TWO (2) DAYS  
2 Credit for Time Served.  
3

4 DATED this 26<sup>th</sup> day of June, 2013  
5

6   
7  
8 KATHLEEN DELANEY  
9 DISTRICT JUDGE  
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CLERK OF THE COURT

**AGENDA ITEM #9**

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

Hearing pursuant to NAC 289.290(1)(g) on the revocation of James Segura, formerly of the Las Vegas Metropolitan Police Department, for felony conviction of Attempted Discharge of Firearm in a Structure. The Commission will decide whether to revoke the Category I Basic Certification.



STATE OF NEVADA  
 COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
 5587 Wa Pai Shone Ave  
 Carson City, Nevada 89701  
 (775) 687-7678  
 Fax (775) 687-4911

Brian Sandoval  
 Governor

Richard P. Clark  
 Executive Director

**NOTICE OF INTENT TO REVOKE**

September 19, 2013

James A. Segura

Certified Mail Control Number:

Dear Mr. Segura:  
 POST PIN #: ~

Based upon documentation received by the Nevada Peace Officers' Standards and Training Commission and in accordance with Nevada Administrative Code 289.290 and Nevada Revised Statute 241.033, you are hereby notified that the Commission has initiated action to suspend your Nevada POST certification which is a requirement for employment as a peace officer in the State of Nevada.

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

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

**Count One:** Attempt Discharge Of Firearm Into A Structure, a Category C Felony in violation of NRS 202.285; NRS 193.330

Case No.: C-11-275005-1

Dep't No: XXIII

Jurisdiction: Clark County District Court of the State of Nevada.

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

Written requests can be made to:

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

State of Nevada  
 Commission on  
 Peace Officers' Standards and Training  
 By Arda Buckley Date 9/19/2013  
 Custodian of Records



Name: James A. Segura  
 Date: 09/19/2013

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

Date: October 29, 2013

Time: 5:00 pm

Location: Palace Station Hotel and Casino, 2411 W. Sahara, Salons F&G, Las Vegas, Nevada.

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

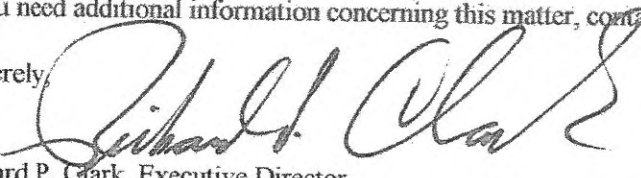
If you choose to appear and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing, or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable.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

The hearing will cover the following: Whether your POST Certification(s) should be revoked pursuant to NAC 289.290 (1)(g) for the above-referenced felony conviction(s).

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

If you need additional information concerning this matter, contact P.O.S.T. at (775) 684-7678.

Sincerely,



Richard P. Clark, Executive Director  
Peace Officers' Standards and Training

RPC/dsj

Cc: Sr. Dep. - Attorney General Michael Jensen  
James A. Segura  
Las Vegas Metropolitan Police Department  
Ron Pierini - Commission Chairman



**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 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 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 NAC 289.010 to 289.380, inclusive.
  - (g) Conviction of a felony. Upon criminal indictment or filing of a criminal complaint, suspension may be imposed. Upon conviction, 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 intended action with reference to the charges.
5. If the officer fails to notify the Commission within the specified time of his 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 intention to appear and answer the charges pending against him, 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 his 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 to reinstate his 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.



**My Online Services**

[Profile Print Guide](#)

<a href="#">Systems</a>	<a href="#">Reports</a>	<a href="#">E-Services</a>	<a href="#">Supplies</a>
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[Home](#) > [E-Services](#) > [Status History](#)

**Status History ?**

**♦ Tracking Number Information**

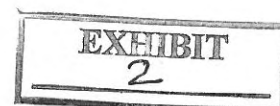
<b>Meter:</b>	12602121	<b>Mailing Date:</b>	09/19/13 03:00 PM
<b>Tracking Number:</b>	9171969009350011896910	<b>Sender:</b>	3774 rb
<b>Current Status:</b>	OK : Delivered	<b>Recipient:</b>	
<b>Class of Mail</b>	FC	<b>Zip Code:</b>	89148
<b>Service:</b>	ERR	<b>City:</b>	LAS VEGAS
<b>Value</b>	\$0.460	<b>State:</b>	NV

[Proof of delivery](#)

**♦ Status Details**

▼ Status Date	Status
Wed, 09/25/13, 04:23:00 PM	OK : Delivered
Sat, 09/21/13, 05:46:00 AM	Processed (processing scan)
Sat, 09/21/13, 12:31:00 AM	Processed (processing scan)
Fri, 09/20/13, 04:34:00 PM	Processed (processing scan)
Thu, 09/19/13, 10:05:00 PM	Processed (processing scan)
Thu, 09/19/13, 08:50:00 PM	Origin Acceptance

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.



Date: September 26, 2013

Rhonda Buckley:

The following is in response to your September 26, 2013 request for delivery information on your Certified Mail™ item number 9171969009350011896910. The delivery record shows that this item was delivered on September 25, 2013 at 4:23 pm in LAS VEGAS, NV 89113. The scanned image of the recipient information is provided below.

Signature of Recipient :

  
JAMES SEGURA

Address of Recipient :

69 TALL RUFF DR  
L.V. NV 89148

Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,  
United States Postal Service

EXHIBIT  
2

# 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:

Position:  Line     Supervisor     Management     Executive  
 Part Time     Full Time

Status:  Deceased     Retired     Separated

**Unfavorable Conduct?**

Should suspension or revocation of the Basic Certificate be considered pursuant to NAC 289.290?

Select your recommendation for suspension or revocation of the Basic Certificate that should be considered pursuant to NAC 289.290:     No Action     Suspension     Revocation

If "Suspension" or "Revocation" is recommended, supporting documentation MUST be submitted to POST substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

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."

**Comments\Additional Information:**

Arrested for Battery Domestic Violence - Strangulation/Discharging a Firearm into a structure and ultimately terminated.

I hereby certify that this is a true and correct copy of the file at the office of the Commission on Peace Officers' Standards and Training.

Effective Date:

Submitters Name:

Submitters Phone:

Submitters E-Mail:

By: *Panda Buckley*  
 State of Nevada  
 Peace Officer Standards and Training  
 Custodian of Records  
 Date: *9/16/2013*

EXHIBIT  
3



# STATE OF NEVADA

Commission On Peace Officers' Standards And Training  
Hereby Awards the  
**Basic Certificate**  
To  
**JAMES A. SEGURA**  
CATEGORY I

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

*Spencer C. Hoover*  
Governor

*Richard P. Clark*  
Richard P. Clark, Executive Director

Presented this 5<sup>th</sup> day of November, 20 04

I hereby certify that this record is a true and correct copy of the original on file at the office of the Commission on Peace Officers' Standards and Training.

By *Ronda Duchley*  
Custodian of Records  
Date 9/26/2013

# STATE OF NEVADA

Commission On Peace Officers' Standards And Training  
Hereby Awards the  
**Basic Certificate**  
To  
**JAMES A. SEGURA**  
CATEGORY I

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

*Spencer C. Hoover*  
Governor

*Richard P. Clark*  
Richard P. Clark, Executive Director

Presented this 5<sup>th</sup> day of November, 20 04

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

Name: **JAMES A. SEGURA** POSTID No.:

Your PIN number must be registered at each training session you attend to receive annual POST training credits.

It is your responsibility to receive a minimum of 24 hours of continuing education as outlined in NAC 289.230 in order to meet your mandatory annual POST training requirement. If you fail to meet the annual POST training requirement, the POST Commission may take action against your certificate which could adversely effect your ability to legally carry out your duties as a peace officer.

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

Nevada Commission on Peace Officers' Standards and Training  
3476 Executive Pointe Way, Suite 12A  
Carson City, NV 89706  
775-684-7678 (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

4

ORIGINAL

1 AINF  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ROBERT STEPHENS  
6 Deputy District Attorney  
7 Nevada Bar #0011286  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

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

MAY 08 2013

BY: *Teresa Slade*  
TERESA SLADE, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA, )

10 Plaintiff, )

11 -vs- )

12 JAMES ANTHONY SEGURA, )  
13 #0840111 )

14 Defendant. )

Case No: C-11-275005-1

Dept No: XXIII

SECOND AMENDED

INFORMATION

C-11-275005-1

INFM  
Information  
2480416



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

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

19 That JAMES ANTHONY SEGURA, the Defendant(s) above named, having  
20 committed the crime of **ATTEMPT DISCHARGE OF FIREARM INTO A**  
21 **STRUCTURE (Category C Felony - NRS 202.285; 193.330)**, on or about the 22nd day of  
22 May, 2012, within the County of Clark, State of Nevada, contrary to the form, force and  
23 effect of statutes in such cases made and provided, and against the peace and dignity of the  
24 State of Nevada, did then and there wilfully, unlawfully, maliciously and feloniously  
25 discharge a firearm into the structure or vehicle; the structure or vehicle being within an area  
26 designated by a City or County Ordinance as a populated area for the purpose of prohibiting

27 ///

28 ///


EXHIBIT


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1 the discharge of weapons; the Defendant committing the crime in the following manner, to-  
2 wit: by the said Defendant firing one or more shots into the ceiling of the master bedroom.

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BY   
ROBERT STEPHENS  
DEPUTY DISTRICT ATTORNEY  
Nevada Bar #0011286

08-07-13  
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DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE  
  
CLERK OF THE COURT

DA#11F09315X/da  
LVMPD EV#1105223774  
(TK4)



ORIGINAL

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

MAY 08 2013

BY, *Teresa Slade*  
TERESA SLADE, DEPUTY

1 GPA  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ROBERT STEPHENS  
6 Deputy District Attorney  
7 Nevada Bar #11286  
8 200 Lewis Avenue  
9 Las Vegas, NV 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-11-276005-1  
GPA  
Guilty Plea Agreement  
2480417



12 THE STATE OF NEVADA,  
13  
14 Plaintiff,

15 -vs-

16 JAMES ANTHONY SEGURA,  
17 #0840111

18 Defendant.

CASE NO: C-11-275005-1

DEPT NO: XXIII

19 GUILTY PLEA AGREEMENT

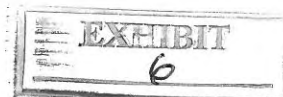
20 I hereby agree to plead guilty to: ATTEMPT DISCHARGE OF FIREARM INTO A  
21 STRUCTURE (Category C Felony - NRS 202.285; 193.330), as more fully alleged in the  
22 charging document attached hereto as Exhibit "1".

23 As part of this negotiation, I hereby also agree to plead guilty to: BATTERY  
24 CONSTITUTING DOMESTIC VIOLENCE (Misdemeanor - NRS 200.481; 200.485;  
25 33.018) in Case No. 11F09315X.

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

28 The State will not oppose a term of probation with a twelve (12) to thirty six (36)  
month term in the Nevada Department of Corrections **SUSPENDED**. If I successfully  
complete probation including being honorably discharged, I may withdraw my plea and  
plead guilty to Conspiracy to Discharging a Firearm (Gross Misdemeanor). The remaining  
counts will be dismissed.

I agree to the forfeiture of any and all weapons or any interest in any weapons seized



1 and/or impounded in connection with the instant case and/or any other case negotiated in  
2 whole or in part in conjunction with this plea agreement.

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

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

#### 14 CONSEQUENCES OF THE PLEA

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

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

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

27 I understand that I am eligible for probation for the offense(s) to which I am pleading  
28 guilty. I understand that, except as otherwise provided by statute, the question of whether I



1 receive probation is in the discretion of the sentencing judge.

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

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

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

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

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

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

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

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

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



1 VOLUNTARINESS OF PLEA

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

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

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

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

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

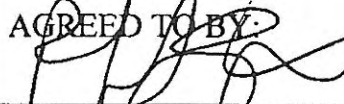
12 I am signing this agreement voluntarily, after consultation with my attorney, and I am  
13 not acting under duress or coercion or by virtue of any promises of leniency, except for those  
14 set forth in this agreement.

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

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

21 DATED this 8 day of May, 2013.

22  
23   
24 JAMES ANTHONY SEGURA  
Defendant

25  
26 AGREED TO BY:   
27 ROBERT STEPHENS  
28 Deputy District Attorney  
Nevada Bar #11286

1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the  
3 court hereby certify that:

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

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

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

Dated: This 9 day of May, 2013.

  
ATTORNEY FOR DEFENDANT

ts/dvu



1 AINF  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ROBERT STEPHENS  
6 Deputy District Attorney  
7 Nevada Bar #0011286  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA, )  
10 Plaintiff, )  
11 -vs- )  
12 JAMES ANTHONY SEGURA, )  
13 #0840111 )  
14 Defendant. )

Case No: C-11-275005-1  
Dept No: XXIII

**SECOND AMENDED  
INFORMATION**

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

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

19 That JAMES ANTHONY SEGURA, the Defendant(s) above named, having  
20 committed the crime of **ATTEMPT DISCHARGE OF FIREARM INTO A**  
21 **STRUCTURE (Category C Felony - NRS 202.285; 193.330)**, on or about the 22nd day of  
22 May, 2012, within the County of Clark, State of Nevada, contrary to the form, force and  
23 effect of statutes in such cases made and provided, and against the peace and dignity of the  
24 State of Nevada, did then and there wilfully, unlawfully, maliciously and feloniously  
25 discharge a firearm into the structure or vehicle; the structure or vehicle being within an area  
26 designated by a City or County Ordinance as a populated area for the purpose of prohibiting


27 ///  
28 ///

*Segura*  
*2011*

**EXHIBIT "4"**

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the discharge of weapons; the Defendant committing the crime in the following manner, to-wit: by the said Defendant firing one or more shots into the ceiling of the master bedroom.

BY   
\_\_\_\_\_  
ROBERT STEPHENS  
DEPUTY DISTRICT ATTORNEY  
Nevada Bar #0011286

08-07-13  
CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

  
\_\_\_\_\_  
CLERK OF THE COURT

DA#11F09315X/da  
LVMPD EV#1105223774  
(TK4)

*Alvin D. Quinn*  
CLERK OF THE COURT

1 **JOC**  
2 **STEVEN B. WOLFSON**  
3 **Clark County District Attorney**  
4 **Nevada Bar #001565**  
5 **200 Lewis Avenue**  
6 **Las Vegas, Nevada 89155-2212**  
7 **(702) 671-2500**  
8 **Attorney for Plaintiff**

6 **DISTRICT COURT**  
7 **CLARK COUNTY, NEVADA**

8 **THE STATE OF NEVADA,**  
9 **Plaintiff,**

10 **-vs-**

11 **JAMES ANTHONY SEGURA,**  
12 **#0840111,**  
13 **Defendant.**

**CASE NO: C-11-275005-1**

**DEPT NO: XXIII**

14 **JUDGMENT OF CONVICTION**  
15 **(PLEA OF GUILTY)**

16 The Defendant previously appeared before the Court with counsel and entered a plea  
17 of guilty to the crime(s) of ATTEMPT DISCHARGE OF FIREARM INTO A  
18 STRUCTURE (Category C Felony), in violation of NRS 202.285; 193.330; thereafter, on the  
19 26th day of June, 2013, the Defendant was present in court for sentencing with his counsel,  
20 JESSICA MURPHY, Deputy Public Defender, and good cause appearing,

21 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in  
22 addition to the \$25.00 Administrative Assessment Fee, \$150.00 DNA Analysis fee including  
23 submission to testing to determine genetic markers and \$250.00 Indigent Defense Civil  
24 Assessment fee, the Defendant is sentenced as follows: to a MAXIMUM of THIRTY-SIX  
25 (36) MONTHS and a MINIMUM of TWELVE (12) MONTHS in the Nevada Department of  
26 Corrections (NDC), SUSPENDED; placed on PROBATION for an indeterminate period not

27 ///

28 ///

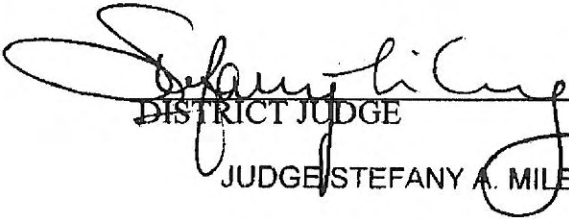
**EXHIBIT**  
**7**

1 to exceed TWO (2) YEARS. CONDITIONS:

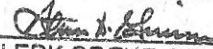
- 2 1. Complete a mental health evaluation and any and all recommended counseling.  
3 2. Defendant is to have no contact with his ex-wife.  
4 3. Abide by any curfew imposed by probation officer.

5 COURT FURTHER ORDERED, Defendant to report to the Division of Parole and  
6 Probation immediately.

7 DATED this 13 day of September, 2013.

8  
9  
10   
11 DISTRICT JUDGE  
12 JUDGE STEFANY A. MILEY

13  
14 CERTIFIED COPY  
15 DOCUMENT ATTACHED IS A  
16 TRUE AND CORRECT COPY  
17 OF THE ORIGINAL ON FILE

18   
19 CLERK OF THE COURT  
20 SEP 17 2013

www

21  
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28 td/dvu



**AGENDA ITEM #10**

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

POST Commission to consider a request from the Henderson Police Department for an Executive Certificate for Captain Bobby Long.

# State of Nevada - POST

## Professional Certificate Application

10/20/13

Officer's Name

POST ID#

Long Bobby J.

**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

(use the POST Training & Compliance Report).

Exceptions are the proof of 200 hours training required when applying for the Management Certificate per Sec. 4 of R066-12 (this option expires 9-14-15)\* and the 200 hours Advanced Management Training that is required for Executive Certificates.

**Meets the following requirements:**

Intermediate (NAC 289.240)

**Has an Intermediate Certificate and meets the following requirements:**

Advanced (NAC 289.250)

**Meets the following requirements:**

Supervisor (NAC 289.255)

**Has Advanced and Supervisor Certificates and meets the following:**

Management (NAC 289.260)

**Has a Management Certificate and meets the following:**

Executive (NAC 289.270)

6 yrs (1 Exec) exp., supervise 2 mgrs, head of agency/div./bureau, 200 hrs Adv Mgmt Trn

**Click the Attachments button to submit the documents that are REQUIRED:**

- > Intermediate & Advanced - copy of degree or proof of required credits (if no degree)
- > Management - a letter confirming job level, org. chart, proof of 6 credits (if none previous), 200 hrs. training\*
- > Executive - a letter confirming job level, org. chart, and proof of 200 hrs. Adv Mgmt training

**Additional Information or comments:**

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

**Submitters Name:**

Lynn DeSpain

**Submitters Phone:**

(702) 596-9134

**Submitters E-Mail:**

lynn.despain@cityofhenderson.com

Submission number: 51867

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

**Education**

**Credit Hours**

**Date Achieved**

//

**Approved By:**

Boe 7-15-2013

**Comments:**

**Certification Date:**

//



CITY OF HENDERSON  
**POLICE DEPARTMENT**

**PATRICK MOERS**  
Chief of Police



June 24, 2013

Commission of Peace Officer's Standards and Training  
Records and Certification Section  
State of Nevada  
5587 Wa Pai Shone Avenue  
Carson City, NV 89701

To Whom It May Concern:

This is to confirm that peace officer Bobby Long holds the position of Captain with the Henderson Police Department and holds a position above the level of first-line supervisor, and supervises two or more persons who are first line supervisors. He also is in charge of a command (division) within our agency.

If you have any questions regarding Captain Long's POST Management Certification, please contact Dr. Lynn DeSpain, Training Bureau, at 702-267-9134, or you may contact me directly at 702-267-4756.

Regards,

A handwritten signature in cursive script that reads "Patrick Moers".

Patrick E. Moers  
Chief of Police

PEM/psw

cc: Bobby Long, Captain  
Dr. Lynn DeSpain, Training Bureau





# HENDERSON POLICE DEPARTMENT

9/4/2013

## Training History List From 2012-08-12 To 2013-08-13

Page 5

LONG, BOBBY

<u>Total Training Hour</u>	<b>347.50</b>	<u>Total Instructor Hours</u>	<b>0.00</b>	<u>Total College Credit</u>	<b>0.00</b>
----------------------------	---------------	-------------------------------	-------------	-----------------------------	-------------

Course Title	Sponsor/Vendor	Course Dates	Course Costs		
<hr/>					
21 Course Code -> 680-143-0035-028	PROJECT MANAGEMENT	06/13/2013			
	NV P.O.S.T	06/13/2013			
Attendance/Grade: P	Instructor: POST				Travel Cost:
Training Hours	6.00	Instructor Hours:	0.00	College Hours	0.00
COURSE SATISFACTORILY COMPLETED					
<hr/>					
22 Course Code -> 680-143-0035-035	BUSINESS WRITING	06/13/2013			
	NV P.O.S.T	06/13/2013			
Attendance/Grade: P	Instructor: POST				Travel Cost:
Training Hours	6.00	Instructor Hours:	0.00	College Hours	0.00
COURSE SATISFACTORILY COMPLETED					
<hr/>					
23 Course Code -> 510-003-0118-001	MANAGEMENT SKILLS & LEADERSHIP DEVELOPMENT	05/01/2013			
	MASTER CLASS MANAGEMENT	07/18/2013			
Attendance/Grade: P	Instructor: MASTER CLASS				Travel Cost:
Training Hours	200.00	Instructor Hours:	0.00	College Hours	0.00
COURSE SATISFACTORILY COMPLETED					
<hr/>					
24 Course Code -> 505-450-0001-001	ANTI-TERRORISM TRAINING	03/06/2013			
	HENDERSON POLICE DEPARTMENT	03/06/2013			
Attendance/Grade: P	Instructor: POLLARD/TILLMON				Travel Cost:
Training Hours	1.00	Instructor Hours:	0.00	College Hours	0.00
COURSE SATISFACTORILY COMPLETED					
<hr/>					
25 Course Code -> 505-452-0001-003	PARC REVIEW	02/13/2013			
	HENDERSON POLICE DEPARTMENT	02/13/2013			
Attendance/Grade: P	Instructor: DENNING/SEEKATZ				Travel Cost:
Training Hours	1.00	Instructor Hours:	0.00	College Hours	0.00
COURSE SATISFACTORILY COMPLETED					



# Certificate of Completion

*This is to certify that*

Captain Bobby Long

*has successfully completed the studies and satisfied the requirements by passing the*

**Management Skills & Leadership Development Course**

*and is awarded this*

Master Certificate in Business Management

*This 18th Day of July 2013*



William L Evans - President



To whom it may concern,  
RE: Captain Bobby Long  
Business Management Program  
Certificate of Completion

We are very pleased to award our "Management Skills & Leadership Development Course - Master Certificate in Business Management" to Bobby. This letter certifies that Bobby passed the final exam with high marks.

The following components were covered in this calculated 80 hour credited course:

- Key points to strong leadership
- Leadership vision and managerial goals
- Organizational strategizing and planning to its optimum
- Essential reporting and process documentation
- Inspiring teamwork
- Creating and developing a strong team
- Motivating employees to achieve high success
- Evaluating and rewarding job performance
- Managing the different personalities
- Hiring and retaining the right employees
- Dealing with conflict, violence and difficult employees
- Dealing with attendance and poor job performance
- The importance of delegation
- Multitasking and prioritizing skills
- Time management and keeping stress under control
- Problem solving and decision making
- Verbal and written communication skills
- Meeting management
- Preparing and delivering a presentation
- Communicating change to the staff
- Understanding the fundamentals of Business including:
  - Finance & Accounting statements and budgeting
  - Economics & Ethics
  - Operations and Quality Management
  - Customer Operations - Care, Service & Support
  - Marketing & Sales
- The importance of constant open communication
- Earning respect amongst staff and peers
- Sharing the vision and achieving the goals

We wish Bobby well in his future management endeavors. With the skills he obtained in this course, Bobby is on his way to a successful managerial career.

Sincerely,

William L Evans  
President

Dated: 18<sup>th</sup> of July, 2013



**AGENDA ITEM #11**

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

POST Commission to consider a request from the Douglas County Sheriff's Office for an Executive Certificate for Captain Joseph Duffy.







# Douglas County



# SHERIFF

*"A Tradition of Service"*

**Ron Pierini**  
**SHERIFF**

June 17, 2013

Mr. Richard P. Clark, Executive Director  
NV Commission of Peace Officer Standards & Training  
5587 Wa Pai Shone Ave  
Carson City, NV 89701

Dear Director Clark,

Douglas County Sheriff Captain Joe Duffy is submitting his request to receive an Executive Peace Officer' Standards and Training certificate; without any reservation, I believe he has completed all the necessary training and educational classes to obtain this certificate.

Captain Duffy was hire by our agency on January 14, 1995 and has advance through the ranks. On March 13, 2010, he was promoted to Captain and is currently our jail commander. His performance standards are well above average and are a huge asset to our organization.

If your agency approves Captain Duffy's application, please schedule our request for the Commission to make the final approval at the October, 2013 Commission meeting in Las Vegas.

If you have any questions or concerns, please contact me at 775-782-9903 or email at [rpierini@co.douglas.nv.us](mailto:rpierini@co.douglas.nv.us)

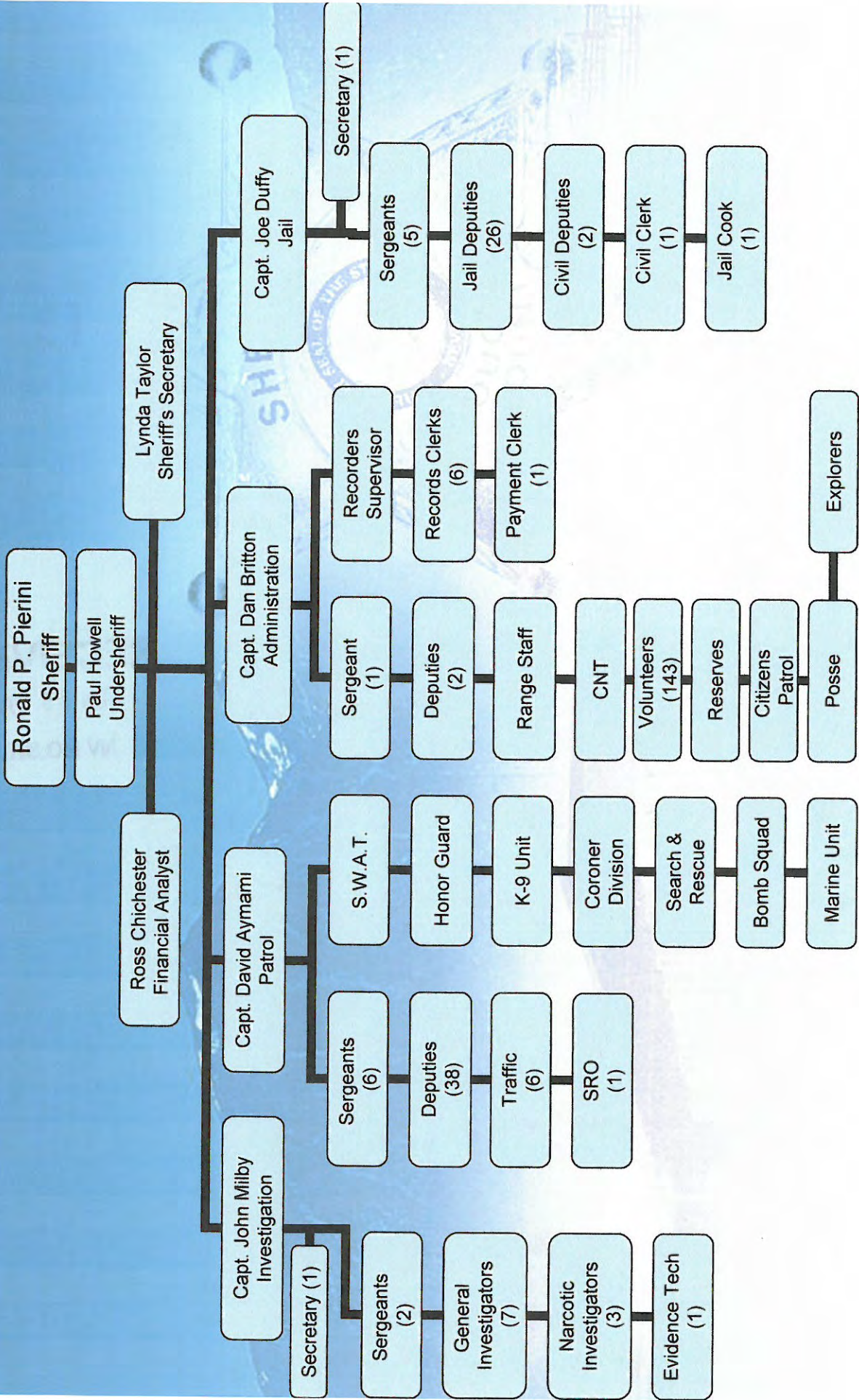
Thank you for your consideration.

Respectfully,

Ronald P. Pierini, Sheriff



# DOUGLAS COUNTY SHERIFF'S OFFICE





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

Joseph Duffy

Date Printed

COURSE NUMBER	COURSE TITLE	GRADE	CREDITS	COURSE NUMBER	COURSE TITLE	GRADE	CREDITS
				05/21/2013			

**Issued / Mailed To:**

JOE DUFFY

**Degrees Conferred**

Confer Date: 09/21/2012  
 Degree: Certificate  
 Certificate: Criminal Justice Education

**Beginning of Undergraduate Record**

**2012 Summer**

School:	Continuing & Prof Studies		
Certificate:	Criminal Justice Education		
CJ 3320	Leadership for Law Enforcement	A	3.0
CJ 3400	Fitness in Law Enforcement	A	2.0
CJ 3490	Lgl Issues Impact Law Enf Ops	A	3.0
CJ 3610	App Beh Sci for Law Enforc Ops	A+	3.0
CJ 3670	Effective Writing	A+	3.0
CJ 4800	Psychosocial Behav Gang Trends	A+	3.0
Curr Credits	17.0	Grd Pts 68.000	GPA 4.000
Cuml Credits	17.0	Grd Pts 68.000	GPA 4.000

End of Undergraduate Record

**RAISED SEAL NOT REQUIRED  
 OFFICIAL IF DELIVERED IN SEALED ENVELOPE**

This official university transcript is printed on secured paper and does not require a raised seal.



*Carol A. J. Janley*  
 UNIVERSITY REGISTRAR



CONFIDENTIAL AND SHOULD NOT BE RELEASED WITHOUT THE STUDENT'S WRITTEN CONSENT

CONFIDENTIAL AND SHOULD NOT BE RELEASED WITHOUT THE STUDENT'S WRITTEN CONSENT

**UNIVERSITY OF VIRGINIA**  
SCHOOL OF CONTINUING AND PROFESSIONAL STUDIES

awards this

**Certificate of Achievement**

to

**Joseph Peter Duffy**

in recognition of the successful completion of  
17 semester-hours of courses and other requirements in

**Criminal Justice Education**



*Art D. Hall*

Assistant Dean, U.Va. Academic Programs at the F.B.I. National Academy

*Enghelaunlay*  
Dean, School of Continuing and Professional Studies

September 21, 2012



# STATE OF NEVADA

PEACE OFFICER STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

## Basic Certificate

To

### JOSEPH P. DUFFY

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

..... CATEGORY I IN-LIEU CALIFORNIA POST - 704 HRS. ....

*Bob Miller*  
Governor

*Donald A. ...*  
Director, Department of  
Motor Vehicles and Public Safety

Presented this..... 16th day of..... JULY ..... 19..... 97.....

STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

Intermediate Certificate

To

JOSEPH P. DUFFY

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

*Ken Sawyer*  
Governor

*Robert P. ...*  
Executive Director, Commission on Peace Officers' Standards and Training

Presented this 28th day of February, 2006

# STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

## Advanced Certificate

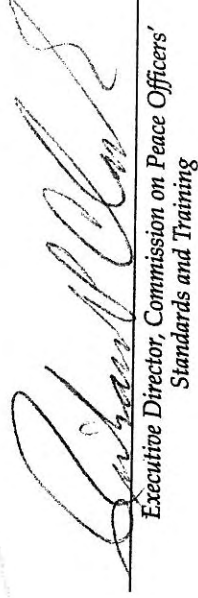
To

JOSEPH P. DUFFY

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



\_\_\_\_\_  
Governor



\_\_\_\_\_  
Executive Director, Commission on Peace Officers'  
Standards and Training

Presented this 28th day of February, 2006



STATE OF NEVADA

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

Hereby Awards the

Management Certificate

To JOSEPH P. DUFFY

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

Jim Gibbons  
Governor

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

Presented this 9th day of February, 2009

**AGENDA ITEM #12**

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

POST Commission to consider a request from the Department of Public Safety for an Executive Certificate for Captain Chad Hastings.



Brian Sandoval  
Governor



Chris Perry  
Director

Bernard W. Curtis  
Chief

## DIVISION OF PAROLE AND PROBATION

215 E. Bonanza Road  
Las Vegas, NV 89101  
(702) 486-3001 Fax: (702) 486-3076

Commission on Peace Officers' Standards and Training (POST)  
Records and Certification Section  
5587 Wa Pai Shone Avenue  
Carson City, Nevada 89701

Date: June 11, 2013

Re: RECOMMENDATION FOR NEVADA POST EXECUTIVE CERTIFICATE  
CAPTAIN HASTINGS, DEPARTMENT OF PUBLIC SAFETY, DIVISION OF PAROLE AND  
PROBATION

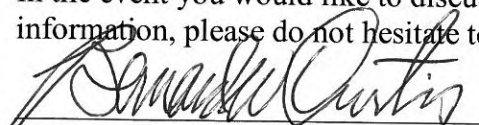
Nevada POST:

Please consider this verification and endorsement of Captain Hastings as meeting the requirements to be awarded the Nevada POST Executive Certificate. Captain Hastings is currently filling an Executive position within the Department of Public Safety; Parole and Probation Division assigned to the Southern Command where he oversees the three general probation and training units consisting of +/- 81 lieutenants, sergeants, officers and non-sworn staff.

Furthermore, Captain Hastings is an active member of the command staff in which he assists in the review of proposals, develops, approves and implements directives and policy for Parole and Probation and the Department of Public Safety. He sits on committees representing the interests of the Division and Department. Additionally, he serves as a member of P&P Top Management.

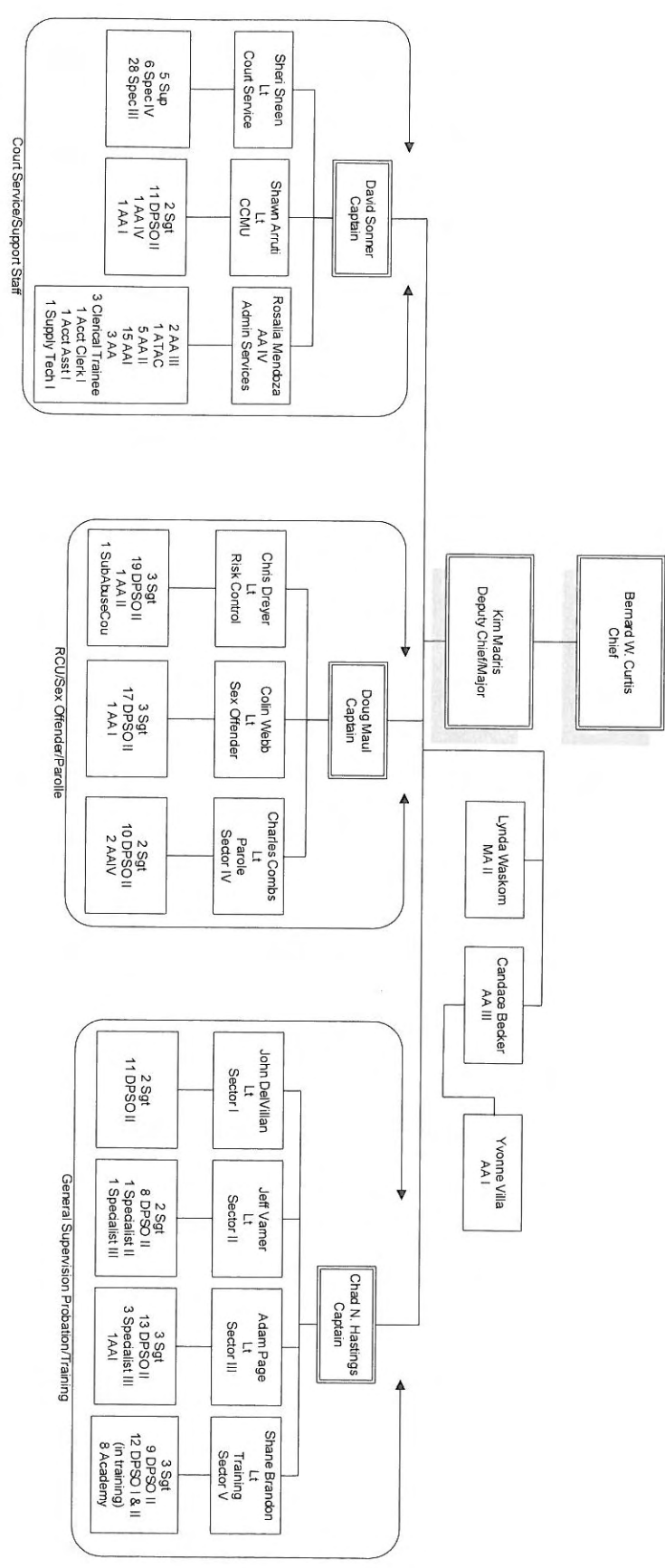
Before Captain Hastings joined P&P he was assigned to the State Fire Marshal Division of the Department of Public Safety where his last position was Deputy Chief State Fire Marshal (Assistant State Fire Marshal). One of his many duties was to complete a rewrite of the Nevada Administrative Code (NAC) 477, working with legislation to help further fire safety in the State of Nevada.

In the event you would like to discuss Captain Hastings qualifications or require additional or clarifying information, please do not hesitate to call me at (775) 684-2601.

  
Bernard W. Curtis, Chief  
Department of Public Safety  
Division of Parole and Probation

cc: Captain Chad Hastings, Southern Command





Court Services/Support Staff

RCU/Sex Offender/Parole

General Supervision Probation/Training



NORTHWESTERN  
UNIVERSITY

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

ACADEMIC TRANSCRIPT

Name (Last, First, Middle)

Hastings, Chad N.

Center for Public  
Safety

DEGREE GRANTED:

YEAR:

MAJOR FIELD:

Minor Field

Course				Course			
Dept.	No.	Title of Course	Qtr.	Dept.	No.	Title of Course	Qtr.
			Hrs. Grade				Hrs. Grade
Class Dates: 3/05/2012-7/20/2012							
ACCT	250	Managerial Accounting	4				B+
ORG_BEH	301	Organizational Behavior	4				B-
ORG_BEH	367	Strategic Planning & Management	4				B
PSYCH	222	Psychology of Training & Development	4				B
ORG_BEH	309	Human Resource Management	4				B
ORG_BEH	390-1	Current Issues in Management	4				B+
PSYCH	306	Psychology of Personnel Methods	4				B
ORG_BEH	390-A	Leadership and Decision Making	4				B-

*[Handwritten Signature]*  
REGISTRAR

NAME Chad N. Hastings  
 STUDENT NUMBER BIRTH



P.O. BOX 30808  
 SALT LAKE CITY, UTAH 84130-0808

COURSE NUMBER	COURSE TITLE	GRADE	CREDIT HOURS	QUALITY POINTS
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Official Academic Record

Secondary Schools: High School  
 Battle Mountain High School  
 Higher Education Institutions:  
 Ricks College  
 Montana Collg Min Science & Tech  
 Northern Nevada Com. Col. - Elko

Current Academic Program: HUMANITIES AND SCIENCE ASSOCIATE OF SCIENCE Major: PRE-ENGINEERING/CHEMICAL PREN

Admitted Program: HUMANITIES AND SCIENCE ASSOCIATE OF SCIENCE Major: PRE-ENGINEERING/CHEMICAL PREN

OM	MT	TH	099	ORG	INTPL	COM	CM	B	E	C+	(1.00)	5.00	9.00	12.00
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Current	AHRS	EHRS	QHRS	OPTS	GPA
9.00	8.00	9.00	21.00	2.333	
Cumulative	9.00	8.00	9.00	21.00	2.333

IOI-105	HMT-101	HMT-150	TH-101	INTRO/HUM ANAT/PHYS	BS	B-	B+	C	5.00	5.00	5.00	13.50	17.00	17.00
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Current	AHRS	EHRS	QHRS	OPTS	GPA
20.00	20.00	20.00	57.50	2.875	
Cumulative	29.00	28.00	29.00	78.50	2.707

CHEM-141	CHEM-141	1993 WINTER	ELEM ORGANIC CHEM	LABORATORY	B	NR	5.00	15.00
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EHMT-110	EHMT-130	MTH-105	1993 WINTER	WASTE STREAM GEN/RED/TRT	A	B+	5.00	20.00
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BIOL-101	BIOL-102	1993 SPRING	GENERAL BIOLOGY	GEN BIOLOGY LAB	D	NR	5.00	5.00
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EHMT-280	LAW-140	MGT-160	1993 SPRING	SAMPLING EMERGENCY MED TECH	A	F	5.00	20.00
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EHMT-240	MTH-105	1993 SUMMER	SAFETY/EMERG RESPONSE	COLLEGE ALGEBRA	B-	D	5.00	13.50
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ATC-002	CHEM-121	CHEM-121	1993 FALL	8 HR SUPVSR/REFRESHER	P	F	0.00	1.850
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EHMT-205	LA-122	1993 FALL	HAZ WASTE MGT APPL	ENVIRONMENTL LAW	B+	B	5.00	17.00
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THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

KEY  
 R - REPEATING COURSE  
 . - COURSE NOT APPLIED TO CURRENT PROGRAM

*Open Program*  
 REPEATING COURSE

Chad N. Hastings  
 1555 East 3900 South #207  
 Salt Lake City UT 84124

NAME Chad N. Hastings  
 STUDENT NUMBER BIRTH



P.O. BOX 30808  
 SALT LAKE CITY, UTAH 84130-0808

COURSE NUMBER	COURSE TITLE	GRADE	CREDIT HOURS	QUALITY POINTS	COURSE NUMBER	COURSE TITLE	GRADE	CREDIT HOURS	QUALITY POINTS
-----1994 WINTER-----									
BIOL-101	GENERAL BIOLOGY	BS	D	5.00					
BIOL-102	GEN BIOLOGY LAB	NR	0.00	5.00					
Non-graded									
HEM-122	PRINC/CHEMISTRY II LABORATORY	D	5.00	5.00					
Non-graded									
HMT-125	SPC PROJ/ENVIRN ASSESS	C-	3.00	5.10					
ING -130	TECH WRITING	C-	4.00	6.80					
PE -212	TAEKWON-DO KARATE	A	1.00	4.00					
Placed on warning									
Current	AHRS 18.00	EHRS 18.00	QHRS 18.00	OPTS 25.90	GPA 1.439				
Cumulative	105.00	99.00	105.00	245.90	2.342				
-----1994 FALL-----									
IAZ -002	8 HOUR HAZWOPER	NR	0.00						
Non-graded									
Placed on warning									
Current	AHRS 0.00	EHRS 0.00	QHRS 0.00	OPTS 0.00	GPA 0.00				
Cumulative	105.00	99.00	105.00	245.90	2.342				
-----END Of Academic Record-----									

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

KEY  
 R. REPEATING COURSE  
 .. COURSE NOT APPLIED TO  
 CURRENT PROGRAM

*Open B2*  
 Registrar Signature

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

CHAD N. HASTINGS  
 1555 East 3900 South #207  
 Salt Lake City UT 84124



**AGENDA ITEM #13**

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

POST Commission to consider a request from the Department of Public Safety for an Executive Certificate for Captain Susan K. Aller-Schilling.



STATE OF NEVADA  
**COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING**  
 Records and Certification Section  
 5587 Wa Pai Shone Avenue  
 Carson City, Nevada 89701  
 (775) 687-7678\*Fax (775) 687-4911

**EXECUTIVE CERTIFICATE APPLICATION**  
*Refer to NAC 289.270 for certificate requirements*

Last Name Schilling First Name Susan Middle K  
 POST ID# \_\_\_\_\_  
 Residence Address (not agency address),  
 Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Agency Name DPS/NHP Agency ID # 651 Hire Date 2-13-96

1. Is the applicant currently in a full time Executive position?  Yes  No Date appointed 6-13-2012  
 2. **Executive position defined per NAC:** "Executive level position" means a position held by a peace officer in which the peace officer supervises two or more persons who hold management level positions and is in charge of an entire agency or a major division or bureau within an agency.  
 2. Is this a temporary appointment?  Yes  No Date appointed \_\_\_\_\_  
 3. Organizational Chart attached  Yes  No  
 4. Letter attached describing the manner in which the applicant's  Yes  No current assignment meets the criteria for an Executive level position as set forth in regulation.

**Please itemize and include support documents of the training to include dates, college terms/quarters and hours in each area below**

**200 HOURS -EXECUTIVE TRAINING**

*(Copies of official transcripts required)*

Only courses that were passed can be used. College credits are converted at a ratio of 15 hours for each college credit.

Course Tonic	Date / College Term	Provider / College (include credits)	Hours
✓ Pre-discipline Hearing	9-7-2006	DPS	8
✓ Critical Incident Stress	4/30-5/1/2007	Int'l Critical Incident	14
✓ Leadership Challenge	10/27-29/2008	Michael Palazzo	24
✓ Internal Controls	1/7/2009	Dept. of Admin.	3
✓ Effective Public Presentations	1/29-30/2009	DPS	16
✓ Managing Property + Evidence	2/3-4/2009	Int'l Ass for Prop+Evidence	16
✓ 1st Responder Program	2/16-19/2009	Nat'l Sheriffs Assoc.	34
✓ Patrol Interdiction	6/1-3/2010	St. Petersburg College	24
NOTE: If the space provided for documenting the training is not sufficient, please attach a supplemental listing of training to this application.			Total <b>139</b>

Single Point of Contact	Name	Signature	Title	Date
	Agency Administrator or Designee			
	Name	Signature	Title	Date

**POST USE ONLY - DO NOT WRITE IN THIS SPACE**

Reviewed By \_\_\_\_\_ Date Reviewed \_\_\_\_\_

Records & Certification [Signature] 8-12-2013  Approved  Denied  
 Executive Director [Signature] 9-25-13  Approved  Denied  
 POST Commission Meeting \_\_\_\_\_  Approved  Denied  
 \_\_\_\_\_  Data Entry \_\_\_\_\_



**Brian Sandoval**  
*Governor*



**James M. Wright**  
*Interim Director*

**Colonel Troy L. Abney**  
*Chief*

## Nevada Highway Patrol

555 Wright Ways  
Carson City, Nevada 89711  
Telephone (775 687-5300) • Fax (775 684-4879)

July 23, 2013

State of Nevada  
Commission on Peace Officers' Standards and Training  
Records and Certification Center  
Attention: Boe Turner  
5587 Wa Pai Shone Avenue  
Carson City, Nevada 898701

Re: Executive Certificate for Susan Aller-Schilling

Mr. Turner:

Susan Aller-Schilling was promoted to the rank of DPS Captain on June 13, 2013, and assigned to the Administrative Section of the Nevada Highway Patrol, Northern Command West. Her duties and responsibilities included executive management oversight of the Rural Traffic Operations for Fernley, Fallon, Yerington, Hawthorne, and Tonopah, and the supervision of Lt. Andy McAfee. In addition, she had executive management oversight over the Communications Center, supervised by the Center Manager (PSD V) Denise Stewart and the Administrative Offices, supervised by Lt. Carl Johnson.

On July 1, 2013, Captain Aller-Schilling was transferred to Reno and Carson-Tahoe-Minden Traffic Operations. Her current executive management oversight is over all traffic operations for Northern Command West and the supervision of Lt. Kevin Larsen and Lt. Jim Peterson.

Please accept this letter as my recommendation for Captain Aller-Schilling to be granted an Executive Certificate. Attached also please find her application.

Thank you,

A handwritten signature in blue ink, appearing to read "Brian Sanchez", written over a faint circular watermark of the Nevada State Seal.

Major Brian Sanchez  
DPS/NHP Northern Command



CAPTAIN SUSAN ALLEN-SCHILLING  
NORTHERN COMMAND WEST RENO OPS / CTM / T.C.E.

DIRECTOR  
JIM WRIGHT  
CHIEF  
T. ABNEY  
DEP. DIRECTOR  
JACQUE MUTH  
LT. COLONEL  
T. ELLISON

NORTHERN COMMAND WEST  
& NORTHERN COMMAND EAST  
DEPUTY CHIEF  
B. SANCHEZ

LT VINDO  
DAYS / MOTORS  
SGT SHENWEN RENO DAY  
TRP C. BROWN  
TRP EBBEL  
TRP SHULTS  
MOTORS  
TRP CLAPBARE  
TRP LEE  
TRP S. MOORE  
TRP K. MOORE  
TRP STAMERSON  
VACANT SHIFT ONLY

LT PETERSON  
SWING / GRAVES / T.C.E.  
SGT ZAVARA RENO SWING  
TRP ABELAND  
TRP BIRDA  
TRP GILST  
TRP LUTAN  
TRP S. MOORE  
TRP VALLOR  
TRP SCONE  
VACANT SHIFT ONLY

LT LARSEN  
CARSON / THOE / MINNEN  
SGT SIMPSON CTM DAY MOTORS  
TRP F. BARS  
TRP ALULAIN  
TRP JESSE  
TRP JOHNSON  
TRP LEONARD  
TRP NAVARRO  
TRP STEALO

LT JOHNSON  
COMMERCIAL / ADMIN  
SGT SCHILLING COMM DAY  
TRP R. BAILEY  
TRP BROOKS  
TRP CAMPBELL  
TRP FARLEY  
TRP ALLAMBER  
TRP LASAGE  
TRP MURWIN  
TRP ROBERSON  
TRP STONE  
VACANT SHIFT ONLY

LT MCAFEE  
FAL / FERN / YERL / HAWTH / TONOP / M.A.I.T.  
SGT COX FALLON/FERNLEY  
TRP ZYANALUSH  
TRP FOX  
TRP DA KASSERUM  
TRP WHITEHEAD  
TRP ZELINAK  
VACANT  
VACANT  
SGT RUDOWAN FERNLEY/FALON  
TRP T. BRANKS  
TRP BEWHE  
TRP GIBSON  
TRP HILDEBRAND  
TRP MORSON  
RANGE TRIP COORD  
TRP STEE TEAM

SGT BOWERS RENO SWING  
TRP ROEHLMAN  
TRP HOWARD  
TRP J. LEWIS  
TRP VERNERSCHWABER  
TRP STONE  
SGT BERRY RENO SWING  
TRP ALBER  
TRP ORSO  
TRP WRIGHT  
DANNE HIBBARD JAIL CTM ADMIN  
LT LARSEN  
COURT SERVICES  
TRP SHAWN WALANT

SGT WISNOMTS CTM SWING  
TRP L. BARKES  
TRP COOPER  
TRP BAUMORE  
TRP ROBERSON  
TRP LEONARD  
SGT JACKSON THOE  
TRP BRIGGS  
TDY TILL 2014  
TRP ALLEN  
TRP KILIAN  
TRP O'CONNEL  
MELTNEY LEAVE  
SGT HERNANDEZ COMM DAY  
TRP WES BROWN  
TRP LUND  
TRP MCRAITH  
TRP JOHN-SHEREN  
TRP SAUTEN  
TRP WIERBE  
TRP YOUNG  
SGT SCHILLING COMM DAY  
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TRP ROBERSON  
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VACANT SHIFT ONLY

SGT HERRERA RENO SWING EXTENDED LEAVE  
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TRP ALBERTSON EXTENDED LEAVE

PROBES - FTO STATUS

SOFT PROBES IN WORK/TAI/PROBES ASSIGNMENTS

TRP H. BROWN  
TRP MOORE  
TRP RENO

TRP STEWART  
TRP ADAM  
TRP CTM

DEPUTY CHIEF  
B. SANCHEZ

P.I.O.  
TRP CHUCK ALLEN

CAPTAIN GALLAGHER

ASSISTANT  
GENERAL SERVICES



**CERTIFICATE OF TRAINING**

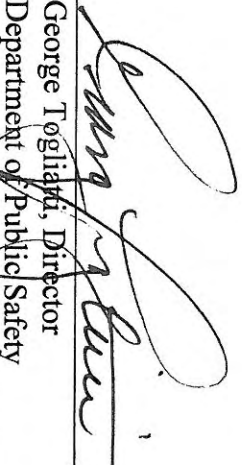
This Is To Certify That:


**SUSAN JACKSON**  
**LIEUTENANT**

Successfully Completed The 16 Hour Course

**PRE-DISCIPLINE HEARING OFFICERS TRAINING**

this 7<sup>th</sup> day of September, 2006

  
George Togliatti, Director  
Department of Public Safety

  
Lt. Dennis Osborn  
DPS - Highway Patrol Division

This certificate attests that

*Susan K. Jackson*

has attended a curriculum approved course entitled

# Critical Incident Stress Management: Group Crisis Intervention

**14 Contact Hours**

UMBC has awarded 1.4 Continuing Education Units for this course, based on a formula of 1 Continuing Education Unit for every 10 contact/classroom hours.

**UMBC**  
AN HONORS  
UNIVERSITY  
IN MARYLAND



*April 30<sup>th</sup> & May 1<sup>st</sup>, 2007*

Course Date

*2702086501484*

Course Number

*Brenda Donoho*

Course Instructor

Douglas J. Kendzieski  
Associate Vice Provost, UMBC  
Baltimore, Maryland



The Leadership Challenge Workshop

# *Certificate of Achievement*

**Susan Aller**

This certificate is awarded to \_\_\_\_\_

For successfully completing The Leadership Challenge Workshop October 27-29, 2008

Some people see across the boundary of experience and into the future. They believe that dreams can become realities. They open our eyes and lift our spirits. They build our trust and strengthen our relationships. The stand firm against the winds of resistance and give us courage to continue the quest. We call them leaders. They take us to places we have never been before. We are fortunate that they do

We celebrate your completion of the Leadership Challenge Workshop



**Michael Palazzo**  
speaking • teaching • coaching

A handwritten signature in black ink, appearing to read "M. Palazzo".





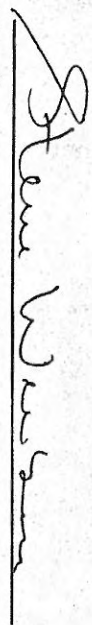
STATE OF NEVADA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF INTERNAL AUDITS  
FINANCIAL MANAGEMENT

CERTIFICATE OF TRAINING

**Susan Aller**

Has successfully completed 3.0 hours training on  
Internal Controls Systems

Granted: January 7, 2009

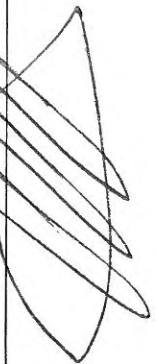
  
Steve Weinberger, Financial Manager

# Certificate of Completion

*This certifies that*

*Susan Aller*

Successfully completed the **Effective Public Presentations**  
class taught by Major Brian Sanchez and Lieutenant Andy  
McAfee, on January 29-30, 2009



Major, Department of Public Safety  
Brian Sanchez



Lieutenant, Nevada Highway Patrol  
Andy McAfee

# Certificate of Attendance

This is to certify that

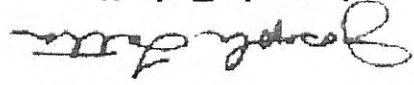
Lieutenant Susan Aller

D P S Nevada Highway Patrol

has attended

**Managing Property and Evidence  
in Law Enforcement Agencies**  
16 hours of training presented by the

**International Association for  
Property and Evidence, Inc.**



Joseph T. Latta  
Executive Director

Burbank California  
February 3-4, 2009



# NATIONAL SHERIFFS' ASSOCIATION

This is to certify that

*Lieutenant Susan Miller*

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

THIS 19TH DAY OF FEBRUARY, 2010



*Aaron D. Kennard*

Aaron D. Kennard  
Executive Director  
National Sheriffs' Association  
19





# Multijurisdictional Counterdrug Task Force Training



Has satisfactorily completed the following 24 hour MCTFT training course held at

This is to certify that  
**Susan Aller**

**CARSON CITY, NV**

**Patrol Interdiction**

Training held 6/1/2010 through 6/3/2010

*Carol W. Kuster*  
President  
St. Petersburg College

*Eileen LaHaie*  
Eileen LaHaie  
MCTFT Director

A partnership between The Florida National Guard and St. Petersburg College

# Certificate of Completion

The International Association of Chiefs of Police

Recognizes

*Susan Aller-Schiffing*

for completing the Leading by Legacy leadership and management training where you committed to build a positive legacy and enhance the law enforcement profession. Your career, your organization, and your community will all benefit because you are

## LEADING BY LEGACY



*Christina Horst*

Christina Horst, Project Manager  
International Association of Chiefs of Police  
March 8, 2013

Twenty (20) Training Hours Completed  
July 24-26, 2010 ~ Salt Lake City, UT



# CERTIFICATE OF ATTENDANCE

---

Susan Aller

---

Attended the  
Nevada Statewide Continuity of Operations (COOP) Workshop

on  
July 6-7, 2011  
Reno, NV



Aaron Kennefick  
Washoe County Emergency Manager

7/7/2011  
Date

# Certificate of Training

THIS IS TO CERTIFY THAT

**Susan Schilling**

Has successfully completed the following Course  
Exhibiting Professional and Academic Performance  
at the Regional Public Safety Training Center Reno, NV

**PEER SUPPORT - BASIC**

24 Hours

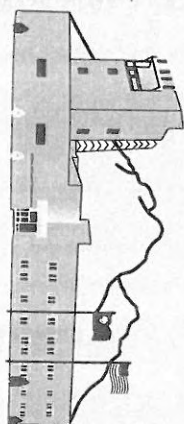
Awarded this 16th Day of May 2012



James Hyde, Division Chief  
D-PREP, LLC.



**Regional Public Safety Training Center**



**CERTIFICATE OF TRAINING**

*This certifies that*

***Susan Aller-Schilling***

*Has successfully completed an 9 hour course of training in*

***Officer Involved Shooting  
&***

***In-Custody Death Investigations***

*Hosted by the Reno Police Department*

***Completed May 24, 2012***

***Sergeant Ron Chalmers, RPD  
Detective Dave Jenkins, RPD Ret.***



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# National Highway Institute

## Certificate of Training



# Susan Aller-Schilling

*has participated in*

NHI Course No. FHWA-NHI-380110

**Highway Safety Improvement Program Overview - WEB BASED**

*hosted by*

**National Highway Institute**

*Location: Web-Based Course*

*Hours of Instruction: 4 hours*

*Date: 12/26/2012*

Richard J. Barnaby, Director  
National Highway Institute

**AGENDA ITEM #14**

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

Request from the Mineral County Sheriff's Office requesting a six-month extension of time pursuant to NRS 289.550 to complete the certification process for a peace officer that has not completed the process within the one year time period for their employee Deputy Jason Graves.



# Mineral County Sheriff's Office

Michael S. Dillard, Sheriff

---

July 23, 2013

JUL 25 2013

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

REFERENCE: Deputy Sheriff Jason Graves

Due to staffing issues and his wife's pregnancy, I was unable to send Deputy Graves to P.O.S.T. prior to his first anniversary date of June 25. He is registered to attend the academy July 29, 2013. Please consider this letter a request for an additional six months extension on Deputy Graves' behalf in compliance with NRS 289.550.

Thank you in advance and should you grant approval for this extension, please advise this office.

Regards,

Michael S. Dillard  
Sheriff



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

September 16, 2013

Michael S. Dillard, Sheriff  
Mineral County Sheriff's Office  
PO Box 2290  
Hawthorne, NV 89415

Subject: 6 month Extension for Deputy Graves

Dear Sheriff Dillard,

Your request for a 6 month extension pursuant to NRS 289.550 for Deputy Jason Graves has been placed on the Commission agenda. The Commission will hear your request at the regularly scheduled meeting at 5:00 pm on October 29, 2013 at the Palace Station Hotel and Casino, 2411 W. Sahara, Salons F&G, Las Vegas, Nevada.

The Commission requests that you or your designated representative be present in order to present your request for consideration and to answer any questions the Commission may have.

If you have any questions, please feel free to contact me at 775-687-3335.

Sincerely,

D. Johnston, Chief  
POST Professional Standards Bureau

Cc: Graves file





STATE OF NEVADA  
 COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
 Records and Certification Section  
 5587 Wa Pai Shone Avenue  
 Carson City, Nevada 89701  
 (775) 687-7678\*Fax (775) 687-4911

RECEIVED

JUL 09 2013

**PERSONNEL ACTION REPORT**

Pursuant to NAC 289.350 and 289.360

**SECTION "A" CLASSIFICATION**

APPLICANT IS

- NEW EMPLOYEE  
 Complete Sections A, B, D, E
- A NAME CHANGE EMPLOYEE  
 Complete Sections A, B, E
- TERMINATED EMPLOYEE  
 Complete Sections A, B, C, E
- RECORDS UPDATE  
 Complete Sections A, B, D, E

The applicant is **CURRENTLY** a Nevada POST **CERTIFIED** Peace Officer.

The applicant is **CURRENTLY** a US citizen.

The applicant is **CURRENTLY** 21 years of age or older.

The applicant meets all requirements of NAC 289.110 (Standards of Appointment).

Pursuant to NAC 289.110 (1)(a) thorough Background Investigation Completed. (New Employees Only)

Name of Background Investigator (please print) Sgt. Paul Perry

Agency Completing Background Investigation Mineral County SO

- |                                     |     |                                     |    |
|-------------------------------------|-----|-------------------------------------|----|
| <input type="checkbox"/>            | Yes | <input checked="" type="checkbox"/> | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| <input type="checkbox"/>            | Yes | <input type="checkbox"/>            | No |

Phone (775) 945-2434

- Reserve     Line     Supervision     Management     Executive

- CATEGORY I     CATEGORY II     CATEGORY III     RESERVE LIMITED

**SECTION "B" EMPLOYEE INFORMATION**

Social Security Number \_\_\_\_\_ DOB \_\_\_\_\_ POST ID# \_\_\_\_\_

Current Name  
 Last Graves     Male     Female    Ethnic Origin \_\_\_\_\_  
 First Jason    Middle Dennis

Previous Name  
 Last \_\_\_\_\_    First \_\_\_\_\_    Middle \_\_\_\_\_

Residence Address  
 Street \_\_\_\_\_    City \_\_\_\_\_    State \_\_\_\_\_    Zip \_\_\_\_\_

**Current Agency Information**

Agency Name Mineral County Sheriff's Office    Hire Date (As A Peace Officer) 6-25-12  
 Street Address 1055. A Street    City Hawthorne    State NV    Zip 89415

- Agency Type     Police     Corrections / Detention     Parole / Probation  
 Tribal     Other - Please Specify: \_\_\_\_\_

**SECTION "C" TERMINATED EMPLOYEES**

Terminated Employees includes those who transfer into non-sworn positions within the agency.

Type of Action     Resigned     Discharged     Retired     Deceased     Other \_\_\_\_\_  
 Effective Date of Termination \_\_\_\_\_

If **DISCHARGED**, was criminal activity involved which would be cause for suspension or revocation of the Certification pursuant to NAC 289.290?     Yes     No

**Recommendations:** As a result of this termination, you as the agency administrator, make the following recommendation  
 No Action     Suspension     Revocation

If "Suspension" or "Revocation" is recommended, supporting documentation **MUST** accompany this Personnel Action Report substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

7/15/13  
 MPO OK  
 EC

Please type or print current name		Last	Graves	First	Jason	MI	D
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**SECTION "D" PEACE OFFICER WORK EXPERIENCE**

List ALL Criminal Justice work experience (including Reserve Peace Officer). **DO NOT INCLUDE CURRENT NEVADA AGENCY**

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

**SECTION "E" AUTHORIZATION**

*I hereby affirm as the employee that I have reviewed the contents of this document and the information that is being submitted to the Commission on Peace Officers' Standards and Training is true and accurate and I understand that any misrepresented information is grounds to revoke my Basic Certificate pursuant to NAC 289.290.*

NOTE: Employee signature only required for newly hired employees.

Employee Graves, Jason [Signature] Deputy 6/30/13  
 Name (Required) Signature (Required) Title Date

Single Point of Contact SGT- EARL PERCY [Signature] SERGEANT 07-06-13  
 Name Signature Title Date

Agency Administrator or Designee \_\_\_\_\_  
 Name Signature Title Date

Phone Number 775-945-2434 Fax Number 775-945-8484

SPOC E-Mail \_\_\_\_\_ Agency Administrator E-Mail \_\_\_\_\_

POST USE ONLY – DO NOT WRITE IN THIS SPACE

Reviewed 7/15/13 EC (Initial and date each area that is applicable)  
 Data Entry 7/15/13 EC

**AGENDA ITEM #15**

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

Request from the Pyramid Lake Police Department requesting a six-month extension of time pursuant to NRS 289.550 to complete the certification process for a peace officer that has not completed the process within the one year time period for their employee Morgan Blake.



Proudly Serving  
The  
Pyramid Lake  
Paiute Tribe

Nixon  
Wadsworth  
Sutcliffe



## PYRAMID LAKE POLICE DEPARTMENT

200 S. Hollywood • P.O. Box 324 • Nixon, NV 89424 • Office: (775) 574-1014 • Fax: (775) 574-1006

July 16, 2013

Nevada Post Academy  
5587 Wa Pai Shone Avenue  
Carson City, NV 89701  
ATTN: Richard Clark

RECEIVED  
JUL 17 2013  
NV P.O.S.T.

Dear Sir,

I would like to request a six month extension for the POST certification of our officer Morgan Blake. Ms. Blake is scheduled to attend the academy starting at the end of July and due to the length and graduation date she will be slightly beyond her one year period of certification. Granting this six month extension will give her the time to complete the academy program and obtain proper certification.

Your assistance in this matter is greatly appreciated, please contact me at your convenience for any questions or concerns you may have in regards to this extension.

Sincerely,

A handwritten signature in blue ink, appearing to read "Layne Erdman".

Layne Erdman  
Chief of Police



STATE OF NEVADA  
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
5587 Wa Pai Shone Ave  
Carson City, Nevada 89701  
(775) 687-7678  
Fax (775) 687-4911

Brian Sandoval  
Governor

Richard P. Clark  
Executive Director

September 16, 2013

Layne Erdman, Chief  
Pyramid Lake Police Department  
PO Box 324  
Nixon, NV 89424

Subject: 6 month Extension for Officer Morgan Blake

Dear Chief Erdman,

Your request for a 6 month extension pursuant to NRS 289.550 for Officer Morgan Blake has been placed on the Commission agenda. The Commission will hear your request at the regularly scheduled meeting at 5:00 pm on October 29, 2013 at the Palace Station Hotel and Casino, 2411 W. Sahara, Salons F&G, Las Vegas, Nevada.

The Commission requests that you or your designated representative be present in order to present your request for consideration and to answer any questions the Commission may have.

If you have any questions, please feel free to contact me at 775-687-3335.

Sincerely,

D. Johnston, Chief  
POST Professional Standards Bureau

Cc: Blake file



STATE OF NEVADA  
 COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING  
 Records and Certification Section  
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RECEIVED  
 JAN 22 2013  
 NV P.O.S.T.

**PERSONNEL ACTION REPORT**

Pursuant to NAC 289.350 and 289.360

**SECTION "A" CLASSIFICATION**

APPLICANT IS

- NEW EMPLOYEE  
 Complete Sections A, B, D, E
- A NAME CHANGE EMPLOYEE  
 Complete Sections A, B, E

TERMINATED EMPLOYEE  
 Complete Sections A, B, C, E

RECORDS UPDATE  
 Complete Sections A, B, D, E

The applicant is **CURRENTLY** a Nevada POST **CERTIFIED** Peace Officer.

The applicant is **CURRENTLY** a US citizen.

The applicant is **CURRENTLY** 21 years of age or older.

The applicant meets all requirements of NAC 289.110 (Standards of Appointment).

Pursuant to NAC 289.110 (1)(a) thorough Background Investigation Completed. (New Employees Only)

Name of Background Investigator (please print) ANGELIQUE WELTON

Agency Completing Background Investigation Pyramid Lake H.P.

- |                                     |     |                                     |    |
|-------------------------------------|-----|-------------------------------------|----|
| <input checked="" type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/>            | No |

Phone 574-1000

- Reserve       Line       Supervision       Management       Executive

- CATEGORY I       CATEGORY II       CATEGORY III       RESERVE LIMITED

**SECTION "B" EMPLOYEE INFORMATION**

Social Security Number \_\_\_\_\_ DOB \_\_\_\_\_ POST ID# \_\_\_\_\_

Current Name  
 Last Blake       Male       Female      Ethnic Origin \_\_\_\_\_  
 First Morgan      Middle Lee

Previous Name  
 Last Munoz      First Morgan      Middle Lee

Residence Address  
 Street 4610 Alder Dr      City Reno      State NV      Zip 89502

Current Agency Information  
 Agency Name Pyramid Lake Rangers      Hire Date (As A Peace Officer) 10/22/12  
 Street Address 200 S. Hollywood Dr.      City Nixon      State NV      Zip 89424

- Agency Type       Police       Corrections / Detention       Parole / Probation  
 Tribal       Other - Please Specify: \_\_\_\_\_

**SECTION "C" TERMINATED EMPLOYEES**

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- Type of Action       Resigned       Discharged       Retired       Deceased       Other \_\_\_\_\_  
 Effective Date of Termination \_\_\_\_\_

If **DISCHARGED**, was criminal activity involved which would be cause for suspension or revocation of the Certification pursuant to NAC 289.290?       Yes       No

**Recommendations:** As a result of this termination, you as the agency administrator, make the following recommendation  
 No Action       Suspension       Revocation  
 If "Suspension" or "Revocation" is recommended, supporting documentation **MUST** accompany this Personnel Action Report substantiating any criminal charges, to include the jurisdiction in which criminal charges were initiated.

P-01-22-13@

Please type or print current name	Last	Blake	First	Morgan	MI	L
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**SECTION "D" PEACE OFFICER WORK EXPERIENCE**

List ALL Criminal Justice work experience (including Reserve Peace Officer). **DO NOT INCLUDE CURRENT NEVADA AGENCY**

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

Type of Agency  Police  Corrections / Detention  Parole / Probation  Tribal  Other: \_\_\_\_\_  
 Agency Name \_\_\_\_\_  
 Agency Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Dates of Employment \_\_\_\_\_ To \_\_\_\_\_ Full Time Paid  Yes  No Reserve  Yes  No

**SECTION "E" AUTHORIZATION**

*I hereby affirm as the employee that I have reviewed the contents of this document and the information that is being submitted to the Commission on Peace Officers' Standards and Training is true and accurate and I understand that any misrepresented information is grounds to revoke my Basic Certificate pursuant to NAC 289.290.*

**NOTE:** Employee signature only required for newly hired employees.

Employee Morgan Blake Morgan Blake Ranger 12-21-12  
Name (Required) Signature (Required) Title Date

Single Point of Contact SSGT David Depoali [Signature] Sgt 1-18-13  
Name Signature Title Date

Agency Administrator or Designee L. Erdmann [Signature] Chief 1-18-13  
Name Signature Title Date

Phone Number 574-1014 Fax Number 574-1006

SPOC E-Mail ddepou@PLAT.NSN.NV Agency Administrator E-Mail LERDMAN@PLAT.NSN.NV

**POST USE ONLY - DO NOT WRITE IN THIS SPACE**

(Initial and date each area that is applicable)

Reviewed 01-22-13 @ Data Entry 01-22-13 @

**AGENDA ITEM #16-18**

**16. PUBLIC COMMENTS**

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

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

Schedule upcoming Commission meeting

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

Adjournment