

NEVADA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

POST COMMISSION MEETING
10:00 A.M., THURSDAY
MAY 1, 2025

POST ADMINISTRATION BUILDING,
CLASSROOM #2
5587 WA PAI SHONE AVE.
CARSON CITY, NV 89701

AGENDA

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF PUBLIC MEETING (NRS 241)

NOTICE IS HEREBY GIVEN THAT STARTING AT **10:00 A.M., THURSDAY MAY 1, 2025,** THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING WILL HOLD A REGULARLY SCHEDULED MEETING AT **THE POST ADMINISTRATION BUILDING, CLASSROOM #2, 5587 WA PAI SHONE AVE., CARSON CITY, NV 89701.**

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

I. REGULARLY SCHEDULED MEETING

1. Call to Order

2. Roll call of Commission Members

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

4. **DISCUSSION AND FOR POSSIBLE ACTION.**
   a. Approval of minutes from the October 17, 2024, public hearing and regularly scheduled meeting
   b. Approval of minutes from the February 5, 2025, regularly scheduled meeting.

5. **INFORMATION ONLY** Executive Director's report.
   a. Training Division
   b. Standards Division
   c. Administration

6. **INFORMATION ONLY**
   Chairman statement

7. **DISCUSSION AND FOR POSSIBLE ACTION.**
Request from the Douglas County Sheriff's Office for an Executive Certificate for their employee Captain Richard Koontz, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

8. **DISCUSSION AND FOR POSSIBLE ACTION.**
Request from the City of Las Vegas Department of Public Safety for an Executive Certificate for their employee Assistant Chief Robert Straube, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

9. **DISCUSSION AND FOR POSSIBLE ACTION.**
Request from the City of Las Vegas Department of Public Safety for an Executive Certificate for their employee Deputy Chief Kyle Ward, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

10. **DISCUSSION AND FOR POSSIBLE ACTION.**
Request from the Washoe County Sheriff's Office for an Executive Certificate for their employee Chief Deputy Sandra Barboza, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

11. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) and NAC 289.290(1)(i) on the revocation of Robert G. Cummins's (formerly employed with Nevada Lakes Crossing Center) Category III basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony and conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C § 921(a)(33). The convictions which have led to this action are:
Count I: Coercion with Physical Force or Immediate Threat of Physical Force, a violation of NRS 207.190 92(a), a category B Felony
Count II: Domestic Battery, First Offense, a violation of NRS 200.485(1)(a) and NRS 33.018, a Misdemeanor.
Action will be revocation of the Category III basic certificate.

12. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(h) and NAC 189.290(1)(i) on the revocation of Darriel K. Gaynor's (formerly employed with the Clark County Department of Juvenile Justice Services) Category II and III basic certificates based on a conviction of a misdemeanor and a conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). The convictions which have led to this action are:
Count I: ASSAULT, VIOLATION OF NOC 50200, A MISDEMEANOR
Count II: DOMESTIC BATTERY, 1ST, VIOLATION OF NOC 50235, A MISDEMEANOR
Possible action may be revocation of the Category II and III basic certificates.

13. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Jeremy P. Harvey's (formerly employed with the Washoe County Sheriff's Office) Category I, II and III basic certificates based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction which has led to this action is:
Count I: Coercion with Physical Force or Immediate Threat of Physical Force Constituting Domestic Violence, in violation of NRS 207.190.2(a), NRS 33.018 and NRS 176.094, a category B Felony.
Action will be revocation of the Category I, II and III basic certificates

14. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(e) on the revocation of Mark A. Lawson's (formerly employed with the University Police Department-Northern Command) Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. The conviction(s) that have led to this action are:
COUNT I: CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE in violation of NRS 454.351(1) and NRS 199.480(3)(g), a gross misdemeanor.
Possible action may be revocation of the Category I basic certificate.

15. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(e) on the revocation of Sean W. Lucero's (formerly employed with Las Vegas Metropolitan Police Department) Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. The conviction(s) that have led to this action are:
Count I: Attempt Theft (Category E Felony/Gross Misdemeanor) in violation of NRS 205.0832, NRS 205.0835, NRS 193.153 – NOC 61956/61957.
Count II: Oppression under color of office (Gross Misdemeanor) in violation of NRS 197.200(2)(b) – NOC 52314.
Possible action may be revocation of the Category I basic certificate.

16. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Christopher Pena's (formerly employed with the Nevada Department of Corrections) Category III basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction(s) that have led to this action are:
COUNT I: TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS (Category B Felony) in violation of NRS 453.3385(1)(a).
Action will be revocation of the Category III basic certificate.

17. **DISCUSSION AND FOR POSSIBLE ACTION.**
Hearing pursuant to NAC 289.290(1)(g) on the revocation of Bryce K. Tokunaga's (formerly employed with the 8th Judicial District Court Marshals Division) Category II basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction(s) that have led to this action are:
Count I: ATTEMPT PANDERING (Category D Felony/Gross Misdemeanor), in violation of NRS 201.300; NRS 193.153 – NOC 62184/62185).
Action will be revocation of the Category II basic certificate.

18. **DISCUSSION AND FOR POSSIBLE ACTION.**
Commission to consider the development of language related to the ability of staff to suspend the certificate of a certified peace officer or suspend the privilege on one who has been arrested and/or charged under certain limited circumstances. Commission may decide to initiate the rule making to develop language for such action.

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

20. **DISCUSSION AND FOR POSSIBLE ACTION.**
Schedule upcoming Commission Meeting – July

21. **DISCUSSION AND FOR POSSIBLE ACTION.**
Adjournment.

POSTED AT THE FOLLOWING LOCATIONS:

Commission on POST Administrative Office
Carson City, NV 89701
State Library, Archives and Public Records
100 Stewart Street, Carson City
http://post.nv.gov
http://notice.nv.gov

Pursuant to NRS 241.020(3)(c), a copy of supporting materials for the meeting may be obtained by contacting the Commission on Peace Officer Standards and Training, ATTN: Chief Kathy Floyd, 5587 Wa Pai Shone Ave., Carson City, NV 89701 or by going to the Nevada POST Website at https://post.nv.gov/Meetings/Commission_Meetings/.

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

I. REGULARLY SCHEDULED MEETING

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

3. **PUBLIC COMMENT**

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

4. **DISCUSSION AND FOR POSSIBLE ACTION.**
    a. Approval of minutes from the October 17, 2024, public hearing and regularly scheduled meeting
    b. Approval of minutes from the February 5, 2025, regularly scheduled meeting.

a. Approval of minutes from the October 17, 2024, public hearing and regularly scheduled meeting

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

A Public Hearing and Regularly Scheduled Meeting of the Commission on Peace Officer Standards and Training was held on Thursday, October 17, 2024 commencing at 8:02 a.m. at The Southpoint Hotel/Casino, 9777 Las Vegas Blvd., S. Napa Room A, Las Vegas, NV 89183.

COMMISSIONERS:

Tyler Trouten, Chairman

Dan Coverley

Kevin McKinney

Oliver Miller

Russ Niel

Jamie Prosser

Tim Shea

Rob Straube

George Togliatti

STAFF:

Kathy Floyd, POST F

Jesselyn V. De Luna, Attorney General's Office

Mike Sherlock, POST F

TRANSCRIBED BY: Marsha Steverman-Meech

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PROCEEDINGS

TROUTEN: Good morning. We'll call to order the POST Commission meeting and public comment hearings for October 17, 2024. For the record, the time is 8:02 AM. Go to Kathy Floyd for the legal posting information.

FLOYD: The public hearing and meeting agenda have been posted in compliance with NRS 241.020. These notices and agendas were physically posted at the POST Administration Building and the Nevada State Library in Carson City, and electronically posted at post.nv.gov, State of Nevada website at notice.nv.gov, the legislative website at leg.state.nv.gov, and emailed to all SPOCS and admins on the POST listserv.

TROUTEN: All right, thank you. We'll now commence with roll call. I'm Ty Trouten, Elko PD, Chair of POST Commission.

STRAUBE: Rob Straube, City of Las Vegas, Department of Public Safety.

PROSSER: Jamie Prosser, Las Vegas Metro.

MCKINNEY: Kevin McKinney, City of Carlin.

SHEA: Tim Shea, City of Boulder City.

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

TOGLIATTI: George Togliatti, Nevada Department of Public Safety.

MILLER: Oliver Miller, Reno Police Department.

NIEL: Russ Niel, State Gaming.

FLOYD: Kathy Floyd, Nevada POST.

SHERLOCK: Mike Sherlock from POST.

DE LUNA: Jesselyn De Luna from the Attorney General's office.

TROUTEN: All right, thank you. We'll now start with public comment and the public hearing section of this on several proposed regulations. The public comment hearings will address proposed regulations. The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment, and repeal of regulations pertaining to Chapter 289 of the Nevada Administrative Code, NAC. This public comment hearing has been previously noticed as required by NRS Chapter 233(b). Item A, proposed regulation file number R091-24. Go to Director Sherlock for some background information, please.

SHERLOCK: Thank you, Mike Sherlock for the record. As the Commission may recall, this change was to address the situation where an agency may want to bring back a former officer who has been out of policing for five years, but less than 10. This regulation simply creates a process to reactivate their basic certificate. Internally, in anticipation, we are working on the training and testing necessary to do that in this situation. This is simply the time for any public comment on this proposed regulation. During the regularly scheduled

meeting, the Commission will have a chance to discuss final adoption or changes or any other action they want to take but at this time, it's just public comment.

TROUTEN: Thank you, director. So if we have public comment, if you could please come up to the table here and clearly state your name for the record. Do we have public comment on this item?

WATTS: Good morning, ladies and gentlemen. My name's Jesse Watts, J-E-S-S-E, W-A-T-T-S, and I serve as the sheriff of Eureka County, Nevada. My public comment is that I believe that 10 years is too long. The current regulation of five years is sufficient, and I don't believe that this is going to address any kind of recruiting crisis or any kind of hiring that we could take and articulate to justify changing complete regulations of NAC and department practices. This is going to impact a lot of things, not only administratively for this Board, but department wise, along with the fact that you're going to create some -- you have the potential of creating some animosity between somebody that is coming back after, let's say, eight years, four legislative changes, that's not getting current on legislation because four sessions is a lot to relearn practices technology, et cetera, and you have the real chance of having some generational problems on training and such. Furthermore, something that I was thinking about over this week with others was if you get hired, have a POST Commission, don't

pass probation, and then eight years later you decide to come back in law enforcement, why should you be entitled to the same venture that you would've been if it was five years? That is a long time for coming back after being gone for five to 10 years. Five years is the current regulation, in my opinion, is more than sufficient. I don't think that we have enough applicants statewide to completely change the NAC regulations and practices because of -- to help a recruiting crisis or a hiring crisis. Thank you.

TROUTEN: Thank you, sheriff. Are there other public comments on this item? Hearing none, we'll move on to Item B, proposed regulation file number R098-24. Director, Sherlock, could you provide some background on this item, please?

SHERLOCK: Sure. Mike Sherlock for the record. So this public comment hearing is to address changes to the revocation process as it relates to domestic violence. This proposed regulation would bring our regulations in line with the federal definition related to domestic violence conduct. This would also -- this change would also allow for personal service related to revocation hearings, which is our most common practice, and it just would reflect what we do in the regulation. Again, this is the time for the Commission to accept any public comment. This issue will be on the regular scheduled meeting and the Commission can discuss this regulation

and determine whether they want to move forward the final adoption matter, that sort of thing.

TROUTEN: Thank you, Director. Do we have any public comments on this item? All right, hearing none, we will then close out the public hearing meeting and move on to the regular Commission meeting. So just let the record reflect that all the members are still present and we'll move on. All right, so at the beginning of this, and as advisement to the public, we'll have a public comment section at the beginning of this regular POST Commission meeting and then again at the end, but there would not be public comment on each item within the agendas. So Item Number 1, is there any public comment? This is an item the Commission may not take any action on this matter until considered under an item specifically included on an agenda as an action item. It will also be another opportunity at the end for public comment. Are there any public comments? Hearing none, we'll move on to Item 2, discussion, and for possible action approval of minutes from the May 2, 2024 regularly scheduled POST Commission meeting. Has everyone had an opportunity to review the minutes and is there a motion or any changes, amendments to those minutes?

MCKINNEY: Kevin McKinney for the record. I'll make a motion that we approve the minutes.

TROUTEN: Have a motion to approve. Is there a second?

SHEA: Tim Shea, I'll second.

TROUTEN: Have a motion and second. All those in favor of approving the minutes, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Minutes are approved. Item Number 3, the Executive Director's Report. Director?

SHERLOCK: Thanks. Mike Sherlock for the record. Just a few items. We're trying to figure out the best way to get the word out on SB 225 issues. This was not a bill that we proposed or wrote but it is the law and there's things in there related to the National Decertification Index. Many of you are already aware of the affidavit required by that bill on new hires and activating their basic certificate. There's provisions related to IAs and the result of the IA. I think there's some confusion out there. It requires reporting to POST, and it gets a little confusing for us because it doesn't discriminate between what is a revocable or suspension issue. It still has to be reported to us, you know, so there's some concerns on our part to make sure we get the word out to agencies. We don't want agencies to get into some sort of issue over that. I would suggest that agencies take a look at that bill because it would seem to require that agencies complete an IA even in cases where you have someone resign in lieu, but I would leave that up to the agency's legal to determine that and

we don't get involved, but it is reported to us and that's the only reason I bring it up. So that's a pretty extensive bill. I know most of you know SB 225, but we're seeing where some agencies are reporting things to us and others aren't, and we just don't want to get in the middle of that. So we're looking at maybe putting things out on SB 225 just as an educational posting so agencies understand how extensive that bill was out there. We are ramping up for the next legislative session, budget, and that sort of thing. We already have BDRs coming our way and looking to us for some advice and that kind of thing. I can say from staff's perspective that we encourage legislators to not use the BDR process for standards or training. We have a Commission, the Commission's mission is to do that, and they're the experts in policing. We're not always very successful in requesting that of our legislators, but that's what we try, and that's our take. I have spoken to a couple people on some BDRs that I think they've agreed to leave that to the Commission, and so it benefits us in the long run, not putting things in statute. I recently attended a federally facilitated meeting with all POST directors. I should say 36 states attended plus US Virgin Islands and Guam. It was quite interesting to see what's going on across the country. I was asked to speak in reference to disciplined academy environments and how that works, and many states that had moved away from a disciplined academy or stress academy are going back to it so they're

looking at our structure at POST and going that way. So that was an interesting time with what's going on across the country. And with that, I'll yield back.

TROUTEN: Any questions for the director on those items?

PROSSER: No. Jamie Prosser for the record. I'm not sure if this falls into that area, but in our book reference, the quarterly audit report, can I ask a couple questions about that?

SHERLOCK: Sure.

PROSSER: Is this the time? Can you just -- just for my knowledge, can you explain how the audits work and what do we do when we have a agency who is deficient in either backgrounds or training, and what's the follow up from POST ensuring that they do become compliant?

SHERLOCK: Sure. Mike Sherlock for the record. So it is kind of a difficult area for us sometimes. We seek to educate agencies, not punish 'em and teach them, you know, what is required under the regulations. The other issue, if you think of it just from a logical standpoint, let's say that, you know, an agency didn't complete a psych or a truth verification poly or CVSA and we discover that in an audit, which is not unusual, we do find those on occasion. The issue becomes the regulations are clear that that must be completed prior to employment and it wasn't. There's no way for us to go back in

time, right? We can't say, go ahead and give 'em a poly now, or do the psych now. Still not in compliance with the regulation because they're already employed. And so generally we do an audit report, that is a public document, that documents those deficiencies and work with the agencies on how they can accomplish the psych or the poly prior to that conditional job offer and that sort of thing. So really, for us, our only recourse is that public document, the audit, and then working with those agencies. Generally we'll give a timeframe to either correct their policy in their hiring process and we will come back 30 days later, you know, 45 days later and ensure that that policy was updated and changed and not a lot of recourse other than that in that public document, which by the way, I think is pretty powerful. Don't get me wrong. You don't want out there a public document that indicates that you're in violation of the regulation in the hiring process, right? In terms of audits themselves, we are mandated to physically audit every academy every year, and so that's a lot of our time. And most academies have been running for a long time now in the state and there's not a lot that we see with the academies in terms of their operation, but we are mandated to do that so we do visit the academies once a year. As far as agencies, 33 percent, right, still we attempt to do a third of the agencies a year. And hopefully that answered your question.

PROSSER: So two particular questions. In regards to the Yerington Paiute tribal that was not compliant for their training for 2023, and it said that they were to get it done in 2024, which would not count towards 2024's training, and it states that the audit is now closed. Is there a plan in place to go back and ensure that they not only finished what they needed to for 2023, but that they do 2024 as well?

FLOYD: We emailed the information.

PROSSER: Okay.

SHERLOCK: Yeah. So we did get an update from them. We do check on them. When there's a deficiency, we do return or at least do it electronically and that's what we've done with them. There is another issue, sort of the same issue, with annual compliance training in that you have to do the training during the calendar year and same thing. There's no way to go back. And so one of the things we look at is is there really a benefit to say you didn't do 2023 and so 2024, we're going to make you do it twice, right, and there's no real benefit to that. So, you know, for us it's more, again, the documentation route and then, you know, constant contact with that agency till they come up to speed in that area. And as far as annual compliance training, that is an individual issue too, not just the agency and so we look at it from both perspectives.

PROSSER: And finally, can you advise whether or not Esmeralda County Sheriff's Office has finished their backgrounds on the four officers that did not have --

SHERLOCK: No. And I believe they're gone, right, some of 'em?

FLOYD: I don’t know.

SHERLOCK: We're still working with them on this. I think two of 'em are no longer employed there, and so we're still -- well, without getting too far into it, there's some other issues related to that.

PROSSER: Thank you.

TROUTEN: Other questions from the Board? All right, hearing none. We'll move on to Item Number 4, discussion for possible action. The Commission to discuss and take possible action related to NAC 289.290(e), revocation process. Director Sherlock, some background information, please.

SHERLOCK: Sure. Mike Sherlock for the record. So, again, as I just mentioned, SB 225 made changes in regards to revocations and reporting and that sort of thing but even without those changes, historically, we've had a very specific procedure in terms of regulation and that procedure, again, is, is based on those regulations. First, I think the Commission needs to know that our regulations leave revocation decisions solely to the Commission, not to staff. We don't revoke anybody, we have no authority to do so obviously although in

many states that's not the way it works, which was interesting to hear. That said, the only way for us to allow the Commission to consider revocation is to put those listed issues that are listed in the NAC on the agenda. As a Commission, you can then weigh that evidence and decide whether or not to revoke, suspend suspension is always an option except in felonies, and so just so the Commission understands that from a regulatory standpoint. Once a felony conviction has been shown, the regs don't leave discretion and everybody knows that. Where it's a gross misdemeanor conviction, the staff brings those to the Commission for consideration and again, you can revoke, suspend, not revoke, that sort of thing. The hearing is about the revocation and the outcome of that revocation hearing is completely up to the Commission. Where the conviction of the person is for a misdemeanor where it's domestic violence, that is brought to the Commission. Where it's a conviction for specifically domestic violence, currently under the regs, that is brought to the Commission by staff. Where it is any other misdemeanor conviction, staff can only bring that to you if the agency, the employing agency, requests. Staff doesn't have and the Commission doesn't have independent authority to revoke for misdemeanor convictions, right, and so if the agency that employed that person once is requesting revocation, then that's how we do that, we bring that to you. So understand that these are based on the current regulations, right? So due to some

discussion staff has had, we'd like to be sure that the Commission is satisfied with that procedure. If there's a desire for change, we would ask for some direction as it would likely require a rule change in the regulation. After speaking to our DAG, you know, there was some discussion, something like some sort of gatekeeping in terms of what's brought forward in a revocation hearing. I think if that was done outside of full Commission that would require a reg change. That said, we've heard some may like to have the opportunity to vet some of these possible revocations before an actual revocation hearing, things like an agenda item, that sort of allows staff to provide a blind sort of presentation on the reason the hearing would occur and whether or not the Commission wants to go forward with the hearing, and I think that might be able to be accomplished under current structure. I'd have to talk to, you know, the AG's Office a little bit about it, but we're just looking for some direction. Let me just add that the perception out there, that POST somehow wants to influence personnel decisions, and we hear this often, is wrong. It's actually the opposite for us if you think about it logically. We often hear agencies who would like to use the POST Commission's decisions for their personnel decisions rather than the other way around and as you can imagine, we really don't want to be involved in personnel decisions or anything like that, and that's why, if you'll notice that nearly every revocation hearing we bring forward,

personnel decisions have already been made and almost every case, they've been terminated. Not all, but almost every case that person has been terminated, and I think that's the right way to go. So we're not involved in that, but we're just looking for some direction on how we deal with -- and part of it with SB 225, we're getting more and more notices of possible disciplinary action and much more than we have historically. So we're just looking for if you're satisfied with the way we're doing it and the way you're receiving those, we're fine with that, it's just we're looking for some direction on where what best fits the Commission and their plan.

PROSSER: Jamie Prosser for the record. Just for clarification, as it stands right now, revocations are brought before us if they're convicted of a felony or convicted of domestic violence?

SHERLOCK: Or a gross misdemeanor.

PROSSER: Or a gross misdemeanor.

SHERLOCK: Yeah.

PROSSER: And otherwise, it's up to the agency to request the revocation hearing if they're convicted of a misdemeanor?

SHERLOCK: Correct. Yes.

PROSSER: And to your point, I see that, you know, some agencies, they would like POST to hold their people accountable before they hold them accountable.

SHERLOCK: Correct.

PROSSER: And in my opinion, I think, my opinion is that continue with the felonies that are convictions as well as the domestic batteries and then any misdemeanor or gross misdemeanor that's turned over to you, it's up to the agency to request a revocation hearing. That would be my request, my suggestion.

SHERLOCK: And we're good with that. Understand that would require rule change, which, you know, that's what we do. We can certainly bring that to the Commission in terms of a rule change if that's what, you know, the Commission wants. No problem.

COVERLEY: Chairman, Dan Coverley for the record. I agree with Ms. Prosser. I don't like the arrest, I think we need to stick with the conviction because there's a lot that goes into the judicial process from the time of arrest until they're convicted and things change, and I don't know why we would hold peace officers to a different standard than a regular citizen as far as that.

SHERLOCK: Yeah. Mike Sherlock for the record. It's only convictions. For most --

COVERLEY: And proposed changed, does it have some language, was arrested and then regardless of what the conviction is, is that not (inaudible)?

SHERLOCK: Oh, okay. So you're talking about the proposed regulation and we will get to that I think shortly, but just to clarify, that still requires a conviction. Under the current regs and if you adopt that one, it still requires a conviction.

COVERLEY: Okay.

SHERLOCK: It may not be domestic violence, I understand that, but it's still a conviction. And that's the way our regs are set up, that we have to have a -- barring very specific things, it has to be a conviction for us to move forward with revocation.

COVERLEY: Thank you.

SHERLOCK: So that's not a change in the regs.

DE LUNA: And then Jesselyn De Luna from the Attorney General's Office for the record. Just to confirm, there are different tiers for it. So for felonies upon the criminal indictment or the filing of the criminal complaint, the suspension may be imposed, and then upon conviction, then the certificate will be revoked. So there's no discretion there. If someone's convicted of a felony, then the certificate will be revoked. When it comes to gross misdemeanors, upon criminal indictment or filing of a criminal complaint, the suspension may be imposed. And then when it comes to regular misdemeanors, the employee agency actually has to recommend the suspension or revocation following the conviction.

TROUTEN: So Ty Trouten for the record. I'm curious of the Board, is there -- as we have in every Commission meeting, we have an update from POST on training and different things have come up. This is a requirement of the agencies to report arrests. Without, it has nothing to compel the Board to take action. Is there any appetite, as we were just discussing with, like, the audits of having, you know, an update on the quarterly meetings that we've received these many notifications pursuant to arrests, or to have the staff give an update of we're monitoring or following to see what happens with them and so forth, or just to let that be handled by the POST staff?

MCKINNEY: Kevin McKinney for record? I'll start. I would not be opposed to getting an update on the numbers or the, you know, types of referrals. I'm just not sure anything needs to be changed in this. It sounds like we're almost just specifically looking at gross misdemeanors, which I don't see why we can't review those if they occur, but I'm not opposed of being notified of those.

SHERLOCK: Mike Sherlock for the record. So that's part of the issue. Under SB 225, it's required that we get notified, so we're getting notified of things that we don't have the authority to revoke on and that's part of the confusion for us right now and for agencies, frankly but, yeah, certainly I think, as was suggested, that we make gross misdemeanors the same as misdemeanors in terms of bringing them forward. That

would be a reg change and we're looking for -- we would need the Commission to authorize that or recommend that via a motion.

DE LUNA: Jesselyn De Luna for the record. To Director Sherlock's point, the way that the regulation is currently written, it's NAC 289.290(3), it says that the employing agency shall notify the Commission of 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, so misdemeanors, gross misdemeanors, or anything that falls under the 289.290(1) violation, I guess. And then upon receipt of that information then the Commission as a whole, the way that I understand it to be written, will determine whether to pursue revocation or suspension.

PROSSER: Jamie Prosser for the record. To Mr. Sherlock's point, POST doesn't get to do the revocations, Commission that does, and I truly believe that it's good to keep the felonies obviously, and the domestic violence, but I also believe that there are so many intricate gross misdemeanors out there that it should rely on the agency to decide whether or not they would like to move forward with revocation of a certificate, and so I would move to make that motion that if we were to move forward with a revocation for a gross misdemeanor, conviction, or a misdemeanor conviction, it's based on the agency's request. To Chief Trouten's point, I do think that as a Commission, we do hold a responsibility to monitor agencies

that are having arrests and I think it wouldn't -- I don't know from POST perspective, Mr. Sherlock, if it would be too much of a lift for an audit report similar to what we get from you guys that simply says Las Vegas Metro reported they had six arrests, three for domestic violence, and three for DUI, and not give any specifics to the people, and then as a Commission, we could move forward with what we need to do.

SHERLOCK: Yeah, Mike Sherlock for the record. We could certainly do that.

PROSSER: I don't know what kind of numbers you're getting, so I don't want --

SHERLOCK: Yeah, frankly, we don't know. You know, we're not sure what the compliance level is of SB 225 right now, but we are getting notified right now. We do have statistics that we keep as best we can on those notifications. I mean, we can -- let me just say we could do that. I don't know that everybody wants their agency, you know --

PROSSER: So --

SHERLOCK: -- publicly noticed like that, but we could certainly do it.

PROSSER: Does anyone from the Commission have any other suggestions? I mean, do you just want to see so many gross misdemeanors were reported and so many misdemeanors across the state?

SHERLOCK: Yeah, and we could certainly do that. It is a little bit surprising, to be honest with you, the number of reports that we're getting right now.

MCKINNEY: My question is, I'm sorry, Kevin McKinney for the record, does NAC 289.290, does it conflict with SB 255 in any real way?

SHERLOCK: No. Mike Sherlock for the record. So really, it just requires more reporting than we currently require, doesn't change the revocation authority at all. It does change some hiring issues, but it doesn't change revocation at all and it's really not on POST, it's demands that agencies report those things to us, even though, you know, they're not revocable or they're not actionable on our part based on our regulations, but we still have to accept those reports from the agency. But, no, it does not change what you can revoke for or suspend or anything. So, just to clarify too, we would need a motion to continue the rulemaking or start the rulemaking in relation to the gross misdemeanor if that's the appetite of the Commission.

PROSSER: All right. Jamie Prosser. I would like to make a motion to continue the rulemaking process.

SHEA: Tim Shea. I'll second.

TROUTEN: We have a motion and a second. Is there any further discussion?

SHEA: I just have a hard time. I was looking at the wrong page, which I was one event ahead of where we are. So when you do this, would it be possible to kind of clearly state what the issue is you're seeing cause I'm having a little hard time grasping what the problem we're facing and why we need a real change, and that would help for me at least. I have a hard time figuring out where we're having a deficiency.

SHERLOCK: So --

PROSSER: Jamie Prosser for the record. I think I can clarify this. So currently, as it stands, if your officer is convicted of a gross misdemeanor, they will automatically come before this Board for a revocation hearing whether or not you choose for them to or not as the chief of the police department. So the rulemaking process that I'm proposing is that it will go to the same way the misdemeanors are currently, whereas if your officer's convicted of a misdemeanor, it's up to the agency to request POST for the revocation hearing. So my recommendation is to allow for gross misdemeanors and misdemeanors to be at the request of the agency to go before revocation, not an automatic revocation for a gross misdemeanor.

SHEA: And these are those that are outside of the mandatory requirements for DV and things like that?

PROSSER: Correct.

SHEA: Thank you.

PROSSER: It would still mandate that felony arrests, convictions, and DV arrests would come before us.

TROUTEN: Okay, nothing further, all those in favor say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Motion carries to continue rulemaking process. Now we will move on to Item Number 5, discussion and for possible action. This is for the Commission to discuss and take possible action to adopt the following regulations, and there are two of these, and we also need to consider so before we get going, any written and or other comments that have come forward on these? Kathy?

UNIDENTIFIED: (Inaudible.)

TROUTEN: All right. So with that we'll start specifically with item a. This is LCB R091-24, which amends NAC 289.200, and creates a recertification program for officers whose basic certificate expired, but has not been out of law enforcement for more than 10 years. Director Sherlock.

SHERLOCK: Mike Sherlock for the record. So I'll just remind the Commission where this is at and what this means. So when we're at this point, the proposed reg was initiated due to the Commission's motion to start the rulemaking. There was a workshop. Result of that workshop was proposed language, which has previously been approved or has now been approved by the Commission. That language goes to LCB, who looks at it from a

legal standpoint and brings it back to us. We've had the public hearing, comment hearing on the regulation as it is currently written, and now we're back to the Commission for final adoption should you choose. This regulation change would allow previously certified Nevada officer who has expired under the current rules of 60 months, but has been out of employment as a peace officer for up to but less than 10 years, and their certificate was in good standing, this creates a pathway to reactivate their basic certificate and as written, staff would recommend that the final adoption is approved.

TROUTEN: So, clarification, if I remember a discussion, Director, if an officer comes back at this point, within 60 months of being out of law enforcement, they have to immediately recertify in their use of force tools and the required yearly trainings for all those things. It seems in our discussion, we've talked about having a more in depth recertification program when they come out. Now, that would include such things as basically an update on what has changed in the legal world, which would include both case law and codified law. Is that correct?

SHERLOCK: Yeah, Mike Sherlock for the record. So that's how staff has looked at this, that up to five years there is no retraining required. They have to demonstrate proficiency and critical skills before resuming, but there's no training up to 60 months out. After 60 months, this change would

essentially put them, from our perspective, similar to reciprocity, be an online training, basic training type program, and we're still discussing any hands-on, but there would be some recertification but not a full academy to meet with this requirement.

TROUTEN: Thank you. Comments from the Board? Hearing none, I would entertain a motion.

PROSSER: Jamie Prosser. I move to approve the changes as written.

TROUTEN: I have a motion. Is there a second?

STRAUBE: Rob Straube. I'll second.

TROUTEN: So we have motion and a second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Those opposed? I also vote aye. Motion carries. Over to item b. This is the one concerning domestic violence. Director Sherlock, some more background on this one, please.

SHERLOCK: So Mike Sherlock for the record. Again so similarly, this regulation is in the same position where it's now back to the Commission to decide whether they want to final move forward with adoption. This regulation attempts to clean up the language that we have currently related to domestic violence and frankly the definition and tries to mirror the current state of law in federal definition. You know, it's not

an easy thing I know with domestic violence, but essentially what this regulation does is match the federal definition of the act of domestic violence, so it's about an act of violence and the requisite victim meeting the definition under federal law. So, you know, it's not unusual for someone to commit an act of domestic violence and through plea bargaining and that sort of thing, you know, final outcome of that criminal case is something other than domestic violence. Under federal law, it doesn't matter what the conviction is for as long as the act itself meets the definition, and that's what this language attempts to do. It's even harder in Nevada because of our domestic violence law, and so we spend a lot of time looking at the facts of a case. Under federal law, it requires an act of violence with the requisite victim meeting that, or the suspect meeting that definition. Unfortunately in Nevada, we have things like burglary, stalking, vandalism as domestic violence. Under federal law, those are not domestic violence so it's a struggle sometimes for us in Nevada I think, you know, to determine whether they fall under our revocation authority, and this language seeks to clear that up, and staff will recommend that the Commission adopt that language.

TROUTEN: Comments from the Board?

PROSSER: Jamie Prosser for the record, I don't agree with the language in J. I believe that it makes it more convoluted than necessary. It's already covered in I, where it

talks about the conviction of a misdemeanor crime of domestic violence automatically comes before us. We already discussed that with the rulemaking process moving forward on the previous discussion topic, so I believe it should be up to an agency dependent on if their employee is convicted of a misdemeanor or a gross misdemeanor up to the agency to bring before the Board for revocation.

SHEA: Yeah. Tim Shea. I agree with Chief Prosser, Assistant Sheriff Prosser, sorry. Good morning.

PROSSER: It's okay.

SHEA: I mean, I looked at different scenarios that could fall under this, and one of my civilian guy gets stopped and picked up for DUI and he's got a spouse with him who claims in the process they had a fight in the car and she's claiming she was assaulted so he is also charged with assault and DV, but that's all dropped, that all goes away because it didn't happen, never occurred, but he pleads guilty to a DUI. According to this, he was arrested for a misdemeanor crime of DV, but he pled guilty to DUI. It still fall under this. And, I mean, I can find also ludicrous scenarios that would fall under this and I agree with Assistant Sheriff Prosser that I think this is already covered, and if we wanted to cover what the federal government's saying is a DV, then why not just say something along those lines that if it meets the federal requirement for domestic violence, therefore it would come

before us without. Then it wouldn't matter what our state law is if that's what you're trying to cover.

MCKINNEY: Kevin McKinney. I echo Chief Shea's comments that, you know, my concern is that some of these circumstances, we might be relying on the opinion of a police officer who's been a cop for five minutes making a decision and making an arrest on a domestic violence when there's really no cause for it, but we're relying on that decision. I have an issue with that. I think the language about an arrest for DV, regardless of the conviction, violates some due process rights for the accused.

SHEA: And Tim Shea again for the record. The other thing I find myself at odds with is in cases like this, I believe the agency should be making the request that the totality of the circumstances they're faced with. In this case, the agency has done the things they need to do to do the proper disciplinary or corrective action and what we're saying is well, whether you want to or not, we're going to look at -- basically decertify this person, meaning we're going to fire this person for you and I think that that's a slippery slope to start going to, and we're going to start firing people for agencies that had no intent of firing somebody and righteously so, they didn't need to in this case, and I would hate to start down that path.

TROUTEN: Other comments from the Board?

COVERLEY: Dan Coverley for the record. I kind of jumped the gun on this but -- and I agree with what's been said today, and I just have an issue with the judicial process is complicated and rightfully so I guess. There should be time and thought and careful consideration to any conviction of any person and police officers are no different. So I think we should rely on the conviction, not what the arrest was cause as we all know, people are arrested for a lot of different things and ultimately even not convicted of anything or convicted of something different than what they were initially arrested for for a variety of reasons. So I think we need to stick with that and, and deal with the conviction only and not what the original arrest was for.,

TOGLIATTI: George Togliatti for the record. I concur with Sheriff Coverley and all the other comments. I think my concern is again, that the whole process has to be taken into consideration (inaudible) before we make a decision, and also I think it's important to always keep the agencies involved as well.

MILLER: Ollie Miller, for the record. Go back to it. I concur with all of my counterparts and go back to the initial comment made by Assistant Sheriff Prosser, it does seem to convolute Item -- Subsection J does seem to convolute the issue and is contained within subsection I. I think that giving

latitude to the agency and relying on the conviction is the proper path.

NIEL: Russ Niel for the record. I agree with my colleagues. I got no further comment.

TROUTEN: So we're hearing all these comments from the Board. I guess now I would ask, is there somebody want to make a stab at a motion on this to either continue with rule making language, removing Subsection I, or some other action?

PROSSER: Jamie Prosser for the record, I make a motion to remove all verbiage that's contained in this proposed LCB, except for Number 4, the Commission will notify the officer by personal service or by certified mail.

SHEA: Tim Shea. I'll second.

TROUTEN: Any further discussion? All those in favor please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Move on to Item 6, discussion and for possible action. This is a request from the Henderson Police Department for an executive certificate for their employee, Chief Hollie Chadwick, pursuant to NAC 289.270(1)(a). This will be for action to include approval or denial of the requested executive certificate. Director Sherlock, background please.

SHERLOCK: Mike Sherlock for the record. So staff has reviewed Chief Chadwick's application for an executive

certificate and we do find she meets or exceeds the requirements, and would recommend the Commission approve. I don't know if she's here, but I don't think so. We recommend approval.

TROUTEN: Any discussion from the Board and if not, motion please?

PROSSER: Jamie Prosser moves to approve the executive certificate for Chief Chadwick.

SHEA: Tim Shea, I'll second.

TROUTEN: Have a motion and a second. All in favor?

MEMBERS: Aye.

TROUTEN: And opposed? And I also vote aye. Item Number 7, request from Henderson Police Department for executive certificate for their employee, Deputy Chief Jonathan Boucher, pursuant to NAC 289.270(1)(a), again for action, approval or denial. Director Sherlock.

SHERLOCK: Again, Mike Sherlock for the record. Staff again did review Deputy Chief Boucher's application for the executive certificate and find that they meet or exceed the requirements and would recommend that the Commission approve the certificate.

TROUTEN: Is the deputy chief present? All right, discussion by the Board? Would entertain a motion.

MCKINNEY: Kevin McKinney, I'll move to approve Jonathan Boucher's executive certificate.

COVERLEY: Dan Coverley, second.

TROUTEN: Have a motion, second. All in favor please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. That motion carries. Item Number 8, request for Henderson Police Department for executive certificate for their employee, Deputy Chief Itzhak Henn, pursuant to NAC 289.270(1)(a), possible action, approval or denial of the executive certificate. Director Sherlock.

SHERLOCK: Mike Sherlock for the record. I should have this memorized by the time we get through these, but staff did review Deputy Chief Henn's application for an executive certificate and find he does meet or exceed the requirements and recommend the Commission approve, and I think he Deputy Chief's here. No, not here. We recommend approval.

TROUTEN: Discussion and/or motion?

SHEA: Tim Shea, I'll make a motion to approve.

TROUTEN: Have a motion. Is there a second?

NIEL: Russ Niel, I'll second.

TROUTEN: All right, we have motion and second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Item Number 9, request from the Las Vegas Metropolitan Police Department for executive certificate for their employee, Undersheriff Andrew Walsh, pursuant to NAC 289.270(1)(b), possible action, approval or denial. Director Sherlock.

SHERLOCK: Again, Mike Sherlock for the record. Staff reviewed Assistant Sheriff Walsh application for an executive certificate and find they meet or exceed the requirements and would recommend the Commission approve that certificate.

TROUTEN: All right. Discussion and/or motion?

SHEA: Tim Shea. I'll make a motion to approve.

TROUTEN: Second?

MCKINNEY: Kevin McKinney. I'll second.

TROUTEN: Motion and second. All in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Motion carries. Item 10, discussion, for possible action. Request from the 4th District, Elko County Juvenile Probation Department, for an executive certificate for their employee, Chief Heather Plager, pursuant to NAC 289.270(1)(b), action to approve or deny. Director Sherlock.

SHERLOCK: Mike Sherlock for the record. Staff did review Chief Plager's application for an executive certificate and find she meets or exceeds the requirements, and staff recommends issuance of that certificate.

TROUTEN: Thank you. Discussion by the Board or a motion?

MCKINNEY: Kevin McKinney I'll move to approve Chief Plager's executive certificate.

TROUTEN: Is there a second?

STRAUBE: Rob Straube, I'll second.

TROUTEN: We have a motion, second. All in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Item 11, discussion, possible action request from Washoe County Sheriff's Office for an executive certificate for their employee, Chief Deputy Timothy Mosley, pursuant to NAC 289.270(1)(a), approval or denial. Is there a discussion? Oh, I'm sorry, getting ahead of myself. Director Sherlock.

SHERLOCK: Again, Mike Sherlock for the record. Staff once again reviewed Chief Deputy Mosley's application for an executive certificate and find he meets or exceeds the requirements and would recommend that the Commission approve that certificate.

TROUTEN: Thank you. Now discussion and/or motion.

MILLER: Ollie Miller for the record. I'll move to approve Chief Deputy Tim Mosley's executive certificate.

TROUTEN: Have a motion? Do I have a second?

SHEA: Tim Shea. I'll second.

TROUTEN: Motion and second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Moving on to Item 12, request from Lyon County Sheriff's Office for six month extension past the one year requirement pursuant to NRS 289.550 in order to meet the requirements for certification for the following employees: Deputy Benjamin Beck. Date of hire, November 13, 2023, extension to May 23 of 2025; Deputy Jonathan VanDiver, Jr., date of his Cat I position, November 16, 2023, extension May 16, 2025. So this is for possible action to include approval or denial. Director Sherlock, some background information if you have some.

SHERLOCK: Mike Sherlock for the record. I see Sheriff Pope is here if the Commission has any questions, but based on the information found in your book, staff recommends the requested extension be approved.

TROUTEN: Thank you. Discussion of the Board? Hearing none, do we have a motion?

COVERLEY: Dan Coverley for the record. I will move that we grant the six-month extension for employees, Benjamin Beck and deputy John VanDiver Jr. to May 23rd, 2025 for Mr. Beck and May 16th, 2025 for Mr. VanDiver.

TROUTEN: Thank you. Do I have a second?

SHEA: Tim Shea. I'll second.

TROUTEN: We have a motion, second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Item 13, request from Mineral County Sheriff's Office for a six-month extension past the one-year requirement pursuant to NRS 289.550 in order to meet the requirements of the certification for their employee, Jorden Ferrell, date of hire, October 30, 2023, which would extend it to April 30, 2025 for action, approval, or denial. Director Sherlock (inaudible).

SHERLOCK: Again, Mike Sherlock for the record. And based on information provided by Sheriff Ferguson (phonetic) and also the letter found in your books, staff would recommend that the requested extension be approved.

TROUTEN: Thank you. Any discussion by the Board? Do we have a motion?

MCKINNEY: Kevin McKinney. I'll make a motion to extend Jorden Ferrell's time for six months.

TROUTEN: All right, have a motion. Is there a second?

SHEA: Tim Shea. I'll second.

TROUTEN: Motion and second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Motion carries. Moving on to Item 14, discussion, for possible action. This way a hearing pursuant to NAC 289.290(1)(g), and/or NAC 289.290(1)(h) on the revocation of George J. Head's, formerly employed with White Pine County Sheriff's Office, Category I, II, and III basic certificates. NAC 289.290(1) allows the Commission to revoke, refuse, or suspend the certificate of a peace officer for, under Item G, conviction of or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony and/or section H except as otherwise provided in Paragraph Section I, conviction of a misdemeanor. If the employing agency recommends suspension or revocation following the conviction of the employee for a misdemeanor, suspension or revocation may be imposed. The convictions which have led to this action are case number 091500069: charge 1, burglary, second degree felony; charge 2, theft, third degree felony; charge 3, criminal mischief, third degree felony; case number 091500075, charge 1, burglary, third degree felony. And this is for possible action to be the revocation of the Category I, II,

and III basic certificates. And I'll move to our Attorney General's representative.

DE LUNA: Thank you, Commissioner. Jesselyn De Luna for the record. So we're on Item 14, but just for all of the revocation items, so Item 14 through Item 18, I'd just like to take a minute to lay a basis, a foundation for the admissibility and validity of the materials that you're going to refer to and rely on in making any decisions here. So I'm going to ask Chief Floyd some questions about these documents to establish a record for what they are, their validity and viability for purposes of Agenda Items 14 through 18. Chief Floyd, for the records or documents that are contained in these meeting materials for the offenses addressed in Agenda Items 14 to 18, did you obtain these items or records directly from the courts or the employing agencies?

FLOYD: Yes, I did.

DE LUNA: And have you maintained these documents in the ordinary course of your record keeping since you obtained them from the courts?

FLOYD: Yes, I have.

DE LUNA: And are the versions of those documents that are contained in the meeting materials true and accurate copies of those materials?

FLOYD: Yes, they are.

DE LUNA: Thank you. Based on Chief Floyd's testimony, I advise you that the materials provided for Agenda Items 14 through 18 constitute valid public records of charges and convictions that uphold the regulatory standard for revocation in these matters and that these materials may be admitted for your consideration as to these five agenda items. So having advised us to that, does anyone have any questions for me about the admissibility or legal validity of the items that were provided to you? Hearing none, we'll go ahead to the Item 14. I guess just by way of explanation, there were three subcategories that were listed here and I'd like to turn your attention to the notice of intent to revoke. So it reiterates what was just said about the four different counts and so originally, if you turn to Exhibit G, this is for the case ending in 0069, Page 13 of that, that shows that the original convictions were for felonies. And if you turn to Page 15 of Exhibit G, it shows that after successful completion of his probation, the charges were reduced to Class A misdemeanors. This was a Utah case. And similarly, for case 0075, if you turn to Exhibit G, Page 10, that's the original conviction. It's a felony and Page 15 also shows that after successful completion of probation, the charges were reduced to Class A misdemeanors. So Class A misdemeanors in Utah, Utah has different -- they have different classes for misdemeanors, where here we have gross and just regular misdemeanors. Class A misdemeanors, my

understanding is that they're more similar to gross misdemeanors in Nevada because of the time, potential time spent incarcerated for them, which is the six months to the 364 days. So that is why you have the different versions of felony, gross misdemeanor, or misdemeanor. I will advise that even if the Commission wants to look at it as just a regular misdemeanor, for regular misdemeanor, the employing agency needs to recommend suspension or revocation, and here we also have that. So if you look at Exhibit E, that's the recommending letter from White Pine to revoke, and it's my understanding that Mr. Head was served and then Exhibit F, he filed an appeal and sent us various letters recommending him.

TROUTEN: Thank you. Questions, discussion of the Board?

PROSSER: Jamie Prosser for the record. So just for clarification purposes, Mr. Head was arrested for felonies in 2009, served his probation, which were dropped down to misdemeanors. He then went to the police academy 10 years later and got his POST certification in 2019, which is five years ago, so it's technically expired anyway. The only reason that this came before the Board is because he attempted to get employment with another agency in Utah doing a lateral, at which time they ran his background and asked why the hell we even arrested him -- or why we even hired him in the first place because he had previously been arrested for felonies. I struggle a little bit

because five years expired right now anyway, and the last sentence of the Chief Sheriff Henriod (phonetic), his letter says at the request of Chief Floyd and the newly discovered information, I'm requesting the revocation of his POST certification. He's not even employed by White Pine any longer, and his POST certification is technically expired. So they hired him with that background. We approved his certification. He hasn't been arrested since or convicted of anything since. I just feel allow the man some dignity that he successfully overcame whatever trials and tribulations he had at the age of 18.

SHERLOCK: Chairman, if I might, just to clarify, Mike Sherlock for the record. So the five years is not expired. He left in 2023, so he still has three years left and so I just want to clarify that and would agree with you, although it wasn't the arrest was the conviction of a felony and the reason we bring these to you is had we been aware of that felony, we would've never certified him, and we only became aware of it because Utah called us just to clarify. Otherwise that's the truth.

PROSSER: Based on the audit report, as provided earlier in the number of agencies that don't have the appropriate documents in their background files, there's probably a contingency of other officers that we've given POST certifications to that shouldn't have them.

SHEA: Tim Shea. Assistant Sheriff brought up -- Prosser brought up something that made me wonder that too. The person resigned and moved on to wherever months prior to this information becoming aware. So basically the past employee agency says oh, I think you ought to remove this person's certification. If you just take the circumstance, remove it, does the past agency have standing to request removing someone's certification when they're not an employee and haven't been an employee for a while, and when they left their separation paper that (inaudible) says it's not an NAC incident? So he left without it being a disqualifying component of his dismissal or termination, whatever occurred. So we're really looking at something that the POST Commission found out about through another agency doing a background and saying why did you certify this person, why was he certified with a felony conviction, and whether or not we go back and decertify people that are no longer employed with their certification is still intact is what I'm saying. And then again, we have a conviction, but then a conviction that is basically reduced by the same court of jurisdiction for someone that did something when they were a teenager.

TROUTEN: Other comments from the Board?

MCKINNEY: Kevin McKinney. I'll comment. Well, I to some degree agree with Chief Shea. I see this as really an opportunity to right an error that we made or that the White

Pine County Sheriff's Office made in allowing him to be certified when he probably shouldn't have qualified for certification. So I think it needs to be reviewed and make a determination. You know, right, wrong or indifferent, it slipped through the cracks and, you know, now we have an opportunity to correct that. The issue I have is later on, like, he is applying to a department in Utah, I believe, or had been at that time, you know, the de-certification index is a national thing that, you know, people rely on us to do our due diligence and I think we need to do our due diligence in this situation and determine whether he's qualified to be a peace officer in Nevada or not.

TROUTEN: Other comments from the Board?

STRAUBE: Rob Straube for the record. Just for clarity, Director Sherlock, you had said that had this been discovered, they had done their due diligence and he would not have received a certificate, correct?

SHERLOCK: Correct. Mike Sherlock for the record. So he would be ineligible to serve. I realize it was reduced to a misdemeanor, but the fact remains he was convicted of a felony and from our perspective, then they're ineligible to serve as a peace officer.

TROUTEN: Are there questions or discussion by the Board or is there a motion?

PROSSER: Jamie Prosser for the record. What occurs if we just vote to suspend his Commission status for the next two, three years? Then he'd have to come before the Board if he applies for another agency inside the state of Nevada.

SHERLOCK: So Mike Sherlock for the record. So you certainly have that authority and that that is an option and, you know, we look at it from a, you know, national perspective of preventing or at least notifying, as was mentioned, other states. So we would enter him into NDI as a suspension rather than a revocation, but it would at least give notice to agencies outside of Nevada to look into the background before they, you know, hire them and that kind of thing. So it is a good option.

PROSSER: Jamie Prosser moves to suspend Mr. Head's Commission status.

TROUTEN: So we have a motion to suspend the Category I, II, and III certificates for George Head. Is there a second?

MILLER: Ollie Miller second.

TROUTEN: I have a motion and a second. All in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Are there any opposed? I also vote aye. Motion carries. Now we're onto Item 15. This is the hearing pursuant to NAC 289.290(1)(g) on revocation of Stewart E. Handte's, formerly employed with the Reno Sparks Indian Colony

Police, Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony. The conviction which has led to this action is Count II, burglary, a violation of NRS 205.060 a Category B felony. So we already have our items for notification and such substantiated. Anything further on this one?

DE LUNA: I would just like for to point out for the record just the different exhibits. So Exhibit G is the amended indictment, and then Exhibit H is his plea of nolo contendere, and then Exhibit J is the judgment of conviction.

TROUTEN: Thank you. Discussion, questions of the Board?

MILLER: Oliver Miller for the record. I want to add to the record that the Reno Police Department conducted the criminal investigation on Mr. Handte. I participated in the investigation and provided court testimony. As such, I'll be abstaining from making any comments, motions, and/or votes regarding this item.

TROUTEN: So noted. Thank you. Is there discussion, comments from the Board? Hearing none, is there a motion?

COVERLEY: Dan Coverley for the record. I move that we revoke Stewart Handte's Category I basic certificate based on the conviction of a felony burglary.

TROUTEN: We have a motion to revoke. Is there a second?

NIEL: Russ Niel. I second it.

TROUTEN: A motion and a second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Item 16, discussion, for possible action, hearing pursuant to NAC 289.290(1)(g) on the revocation of Daniel Kelly's, formerly employed with Las Vegas Metropolitan Police Department, Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony. The convictions which have led to this count are Count I, attempt lewdness with a child under the age of 14, a Category B felony in violation of NRS 201.230(2)-NOC 60471, and possible action may be revocation of the Category I certificate. Back to our Attorney General's rep.

DE LUNA: Yep, same thing. Jesselyn De Luna for the record. Same thing for this one. Just like to point out Exhibit A is the notice, Exhibit B it looks like he was served but didn't respond. Is that correct, Chief Floyd?

FLOYD: Yes, he was served. We don't require any sort of a response.

DE LUNA: Okay. And then let's see. And so then there's Exhibit F, the amended indictment. Exhibit H is his

guilty plea of the felony, and Exhibit I is the judgment of conviction.

TROUTEN: All right, thank you. Discussion or comments from the Board? Hearing none, is there a motion by the Board?

COVERLEY: Dan Coverley for the record, I move that we revoke Daniel Kelly's Category I basic certificate based on the conviction of attempted lewdness with a child under the age of 14.

TROUTEN: We have a motion to revoke. Is there a second?

MILLER: Oliver Miller. Second.

TROUTEN: Motion and a second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Motion carries to revoke. Item 17, hearing pursuant to NAC 289.290(1)(g) on the revocation of Christopher T. Peto's, formerly of the Las Vegas Metropolitan Police Department, Category I basic certificate based on a conviction of or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony. The convictions which have led to this action are: Count 1, Attempt Lewdness with a Child Under the Age of 16, Category C felony in violation of NRS 201.230, 193.153; and Count 2, Second Degree Kidnapping, a Category B felony in

violation of NRS 200.310 and 200.330. Possible action may be revocation of Category I basic certificate. Back to our Attorney General.

DE LUNA: Jesselyn De Luna for the record. Exhibit A is the notice, Exhibit B will show that he wasn't found, Exhibit F is the amended indictment, Exhibit G is the guilty plea agreement, and Exhibit H is a judgment of conviction for the two felonies.

TROUTEN: All right, thank you. Discussion, comments by the board. Hearing none, is there a motion?

MCKINNEY: Kevin McKinney. I'll move to revoke Christopher Peto's basic certificate.

TROUTEN: I have a motion to revoke. Is there a second?

SHEA: Tim Shea. I'll second.

TROUTEN: Motion and a second to revoke. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Motion carries. Item 18, discussion and for possible action, hearing pursuant to NAC 289.290(1)(d) on the revocation of Chris D, and I'm probably going to slaughter this name, Trzaska's -- does anybody know how to say that?

UNIDENTIFIED: Trzaska?

TROUTEN: Trzaska? All right, formerly with the Henderson Police Department, Category I basic certificate based on a request and documentation submitted by the Henderson Police Department, which details the finding of an IA investigation, which concluded November 25, 2019, with a determination to terminate the employment due to six policy violations, which include: using any illicit or illegal drugs, violation of NAC 289.290(1)(d). Possible action may be revocation or suspension of Category I basic certificate. Back to our Attorney General's representative.

DE LUNA: So for this one -- Jesselyn De Luna for the record. For this one we have some documents that weren't included in the meeting materials just for confidentiality purposes. I will point you to Exhibit B, which is a letter from the Chief of Police, Chief Chadwick from the Henderson Police Department, confirming that office confirming that Chris Trzaska was terminated due to being under the influence. Some of the confidential materials that weren't in the booklet, I can confirm that I reviewed them, there's a lab test showing that he tested positive for controlled substances, and various other materials that shows that there was an internal affairs investigation in which he was found in violation of the conduct unbecoming and code of conduct regarding drugs, and affirmation of that decision by the Chief Operating Officer Deputy City Manager.

TROUTEN: All right, thank you. Comments or discussion by the Board? hearing no comments or discussion, is there a motion?

SHEA: Tim Shea, I'll make a motion to revoke.

PROSSER: Jamie Prosser. Second.

TROUTEN: We have motion and second to revoke. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye and the motion carries. Item 19, discussion for possible action. Request from Chief Jason Potts, City of Las Vegas Department of Public Safety, to appeal the decision to deny Robert Falche Category I reciprocity pursuant to NAC 289.200(2). Robert Falche's employment and certification makes him eligible for Category II reciprocity. The Commission is to determine whether POST staff decision was valid. And do we have Chief Potts here?

WARD: He's not here. I'm Deputy Chief Ward on behalf.

TROUTEN: Okay, please, sir.

WARD: Good morning, Executive Board. Make it brief. So he's the current special agent right now, and I'm the Deputy Chief on the record, Kyle Ward, for City of Las Vegas Department of Public Safety. I oversee our professional support services, which includes hiring, recruitment, and retention. And we had this lateral candidate come to us from California.

Originally, he had five years as far as his training and experience. He went through the LA County Sheriff's Department back in '97, and he went between three different agencies, so one county agency and two city departments in California. And he had the training but per California POST, you have to complete probation in order to get your certificate. But here in Nevada, you have to -- of course, we know with the status here, once you complete your academy, then you get your certificate. So he has, since then, for those five years of 2002, he started with Homeland Security Investigations. He completed FLETC (phonetic), which is a federal law enforcement training center certification as a special agent. So for the last 22 years, he's been a special agent. He's worked in the office of OIG as well. Also, he's done some other undercover investigations. He's taught at FLETC for the last 15 years, and he has a lot of experience, but based on Nevada's current status right now, as far as his training, it only ranks him at a Category II. So we are requesting on behalf of Chief Potts and City of Las Vegas DPS, based on his training and experience as well, and I'll kind of recap some of those things. So five years with total training from that. So each one of those different agencies that he worked with, the three agencies, he didn't meet that probationary status with those agencies. So by the time he left, he didn't get off probation at that time. So he didn't approve that probation clearance status so he would

get his POST certificate. He completed Federal Law Enforcement Training Center. He also has a lot of experience there doing undercover investigations. He's still teaching at the academy there between Glenco and in other areas as well with the Army. He also has a lot of certifications there in training. So he came to us as a recruit trying to do his lateral and California POST did with him being outside of that timeframe with the five years where he would have expired, said that he can complete and get recertified within three weeks through California standards right now as far as to have that reinstated. But so I'll leave it up to that portion of it right now and just conclude with our field training programs, and I know with our hiring standards right now with Nevada and other places around the country, we're just trying to get quality candidates. We've had a lot of candidates that came through in the past year or so that did not really meet that, and we think with his experience there based on what he's done and has some patrol investigations as well with his criminal background as investigators, that we're seeking for you to review that. And possibly it may not be a waiver, but it may be a regulatory change and requesting your insight for that. I'll yield to any questions and thank you for your time.

TROUTEN: Any direct questions at this time?

SHERLOCK: Chairman, do you want me to go through what's required of that?

TROUTEN: Yes, please.

SHERLOCK: So Mike Sherlock for the record. There's a lot of confusion, reciprocity. Hopefully this will help you out that under the regulation, POST may award a basic certificate to someone who has been awarded a basic certificate in another state. The requirements of that to apply under the regulations currently are that POST must evaluate the basic training requirements in that state, that their basic certificate in that state was in good standing and that they have worked in the capacity as a Category I officer within the last 60 months. So in this incident case, the applicant -- and I did talk to the chief for quite some time, had a good conversation. The applicant first and foremost does not have a basic certificate that we can recognize to grant reciprocity for that basic certificate. In other words, there's no reciprocity where there isn't a basic certificate under our regulations. He was never certified in that other state, which is the basis of reciprocity. So in this case, the basic academy for this applicant from the state he was coming from does meet our equivalency. The applicant attended that basic academy 28 years ago and was never able to receive certification. In addition, that applicant had not worked in the capacity of a Cat I officer for more than 24 years which again, under our regulation requires 60 months and the applicant's beyond that 60 months. So of the two of the three requirements for us to recognize that

other state's basic were not here. So just so we all understand that should the Commission waive those requirements for reciprocity, both the fact that they have to have a basic certificate and they had to work within the last 60 months would be the basis of that waiver. Just historically, POST, going back long before my time, has never waived a regulation standard. I'm sure as the Commission, and as the chief, we talked, you know, once you waive a standard, there is no standard, staff would have a difficult time evaluating for reciprocity going forward, so we would recommend that the Commission does not issue a waiver in this case for those requirements. We would also note that the applicant is eligible for Category II reciprocity and could be certified as a Category II officer and clearly the applicant is not barred from getting his Cat I, just not via reciprocity under our current structure without a waiver. It does shine a light at a deficiency in our regulations in terms of certification. The fact that California requires a person to complete probation before being certified. And again, don't misunderstand me, this is not any reflection on this applicant at all, but it does serve as a gatekeeper for us, and we don't provide that same service to other states based on how we get our basic certificates, simply that we don't require that they finish a probationary period as other states do. And so from that perspective, it is interesting to have that light shine on that sort of a weakness in our regulatory process on

reciprocity. Anyway, so that's the basis of denial of that, two of the three requirements were not met. Staff would recommend that no waiver be issued but also would seek some direction from the Commission on perhaps regulatory change to have us meet what other states are doing in terms of when a person gets certified.

TROUTEN: Thank you, Director. Comments, discussion from the Board?

STRAUBE: Rob Straube for the record. Director Sherlock, on what you had just mentioned was my question. On the other states, do you find that we are a outlier as far as issuing that certificate right after the academy versus a training or probationary or whatever they may call it?

SHERLOCK: Yeah, Mike Sherlock for the record, we are definitely the minority in that area. States either require -- some states you have to finish field training, but I would say a majority require you complete probation to receive a certificate, and so we're in the minority there.

SHEA: Tim Shea. I have a question also. So talking over about maybe something we have to look at in the future, but so the LA Sheriff's Academy would meet our POST I requirement as for an academy if it stood alone, that meets it. Does FLETC meet it for Category I or only Category II?

SHERLOCK: So there have been -- Mike Sherlock for the record. So this particular course that this applicant went through at FLETC, let me back up a little bit, I believe it was

2004, 2009, 2002. Yeah. So the particular FLETC training that this applicant went through in 2002 at the time did not meet any of our reciprocity. Since that time, it has been reevaluated and does meet our Category II requirement, and that's why he's eligible as a Category II reciprocity and he could do that.

SHEA: So if the Category I Academy requirement is met by the LA Sheriff's Office standalone, does the job experience with the federal government that is current, does that meet Category I requirements that employment? So in other words, he had a Category I academy, he went to state law enforcement agencies, but he moved into federal employment. If he went straight from the LA Sheriff's Academy into federal employment and stayed for federal employment until today, would that federal employment meet Category I standards?

SHERLOCK: Mike Sherlock for the record. No, his work history is a Category II work history.

SHEA: Okay. So that's a category work level standard. So we have a Category I academy, a 20-year break, and a Category II academy and Category II employment.

SHERLOCK: Yeah, as I recall, Mike Sherlock for the record, so he actually went through, but you're right in terms of employment, yeah, I'll lean with that. Yeah.

SHEA: Okay. So his employment only qualifies for Category II.

SHERLOCK: Yeah, that -- yeah, Mike Sherlock for the record. So for us, when you're looking at the regulation, it's more about that basic certificate. The federal side throws a wrench into sort of area. We've just out of consideration have been recognizing the federal side. But when you look at the definition of our Category I, the employment with the federal side, and his particular position was Category II related, not Category I. And I should say, Mike Sherlock for the record, there are federal jobs and federal training that do now meet our Category I, and that's some of their uniform services and their academies that are related to that.

SHEA: But these positions that he was in and the jobs he did, would not correspond to a Category I?

SHERLOCK: Correct. That's correct.

SHEA: So I take it things such as the FBI would, DEA would, and some of the other ones?

SHERLOCK: Again, it's related to basic training and what program they went through, and I would say FBI and DEA do not attend that particular training and are not uniformed, and so don't fit into our Category I reciprocity, but do fit into Category II.

PROSSER: Jamie Prosser for the record. Can you explain the statement that California POST will allow him to reactivate his certification following a three week POST

requalification program? Have they since changed their POST requirements that you don't have to get off probation?

SHERLOCK: No, Mike Sherlock for the record. So just because I happen to know, and we deal with California a lot, obviously that's where I came from, what they're talking about is it will revalidate his basic training, it will not allow him to be certified. So he could do a three-week program and get updated, but then he would have to get hired and complete a probationary period before he receives certification. So he can't get re-certified because he's never been certified in California, but California would allow him to use his basic training to get employed again and if he was able to complete a probationary period, my understanding is they would issue him a basic certificate, but the issue is not having completed that probationary period and that remains the same.

SHEA: Tim Shea. I have another question. Then would our POST in lieu course be equivalent to the three week recertification process in California that would allow him to reactivate basically his basic training, then complete his probationary period, which would then give him a POST certificate? Would it be very similar in this state then that this would reactivate his basic training by going to our POST in lieu class and then he'd be on a probationary period just like he would be in California?

SHERLOCK: I don't know that I can answer that, and by the way, I think California just moved their retraining to five weeks I believe now, but I can't speak to their content. For us, from a regulatory standpoint, is he still wouldn't have a basic certificate for us to recognize for reciprocity.

MCKINNEY: Kevin McKinney, I have a question for Deputy Chief. I'm sorry.

WARD: Kyle Ward, WARD.

MCKINNEY: Deputy Chief Ward, just for clarification, are you requesting reconsideration for a Category I reciprocity or are you now asking for a Category II reciprocity?

WARD: Chief, so I'm looking for, we're actually requesting for actually review of his federal training cause the hours that he's accrued over that time too, which should be substantiated with those years of service. Every year from what we review from his training, he's an instructor at FLETC, he's been instructor for a number of years. He accrues a lot of hours there from those patrol investigation investigations as well cause he teaches DEA, CID, all of the federal counterparts as well in their hours. So he has to be trained and certified in those as well. So what actually constitutes is my question, what constitutes if you do qualify for Cat I based on the hours? He accrues hours through the LA County Sheriff's Department initially, which will meet our

requirements in Nevada, but his 22 years on the federal side, he's been doing recertifications as a trainer and teaching there, so that should -- undercover investigation, patrol operations, that should constitute -- so what actually constitutes him not getting Cat I from the federal side?

PROSSER: Jamie Prosser for the record. He met the standards that we require here in Nevada, whether he didn't finish his probation or not, but he's got such a long, extensive federal career, even working with Las Vegas Metro and supervising gang task force, so I don't think we can disqualify that he hasn't been doing the job that we need him to do.

TROUTEN: So if I understand this correctly, Ty Trouten for the record, we've had in the past where people would challenge the standard. I think it occurred with FLETC. Here's what I was trained in at this time, and does that meet the criteria per the topics of our Cat I Academy? Is that correct?

SHERLOCK: Yes.

TROUTEN: And so if I'm understanding correctly, that challenge was made, was found deficient by what training topics he had had I guess through the FLETC side as the federal side, and then that's what you're asking to be reviewed. Is that correct?

SHERLOCK: So Mike Sherlock. Correct. So what we -- on the federal side, yes because there is no basic certificate, we're talking about reciprocity that because of the

uniqueness of the federal law enforcement, we looked at their training in terms of reciprocity, knowing that we can't require a federal officer to have a basic certificate cause they don't do that on the federal side. And again, I have to go back to the reciprocity is about that certificate. We're recognizing the certificate. And so when we evaluate the federal side, that's what it's based on.

TROUTEN: So we're really not talking about a reciprocity consideration here, we're talking about a challenge from the federal side that still falls deficient. Is that correct? If this was regardless of whatever alphabet entity or academy they went to, somebody comes into Nevada, wants to work as Cat I officer and says, here's the training I've had, here's the topics I've been training in, does this meet the standard under the federal challenge I guess that we've had in the past.

SHERLOCK: So the federal academy he went to does not meet our Cat I requirement. That's true.

TROUTEN: Yeah. Okay. That's what I'm getting at. It's interesting because it also begs the discussion and of continuing education training for this state, you know, POST number of classes and stuff that would allow you to elevate certificates, I guess, you know, through additional trainings, but I don't know that we have that process in order and legally do we have that latitude as it stands now under NACs?

SHERLOCK: Well, the Commission can waive any provision under the NAC. It's your regulations. Just from our perspective, from staff perspective, I think we have to be careful because if you waive the requirement to have that basic certificate going forward, we don't know how to deal with other applicants.

PROSSER: Jamie Prosser for the record.

SHERLOCK: And what the standard is.

PROSSER: We review them individually like we are right now. So the two points of contention are that he didn't receive the certification because he didn't finish probation, but he went through the class, which mimics what we would require here in the state of Nevada; and the other thing is that he wasn't a police officer for more than 60 months, 60 months has lapsed since he was a police officer, but he's been a federal agent for 20 plus years, conducting law enforcement operations and investigations. So as a Board, we can waive those two options. He still has to finish the minimum 80 hours of training that we require, and the state certification, and the physical fitness, correct?

SHERLOCK: Yeah. Not physical fitness. Yeah, that's correct except for the -- yeah, except for the physical. Yeah. As a reciprocity.

COVERLEY: Dan Coverley for the record. Are you ready for a motion?

TROUTEN: If you've got one, absolutely.

COVERLEY: Yeah. So I move that we waive the requirements and grant him as Category I peace officer based on his experience with the HSI.

SHEA: Tim Shea. I'll second.

TROUTEN: We have a motion and a second. All those in favor, please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. And motion carries. We are now on Item 20, public comment. The Commission cannot take any action on any matters considered under this item until it's specifically included on a future agenda as an action item. Are there any public comments? Hearing none. We'll move on to Item 21, discussion and possible action, upcoming meetings for February and location. Director Sherlock.

SHERLOCK: Mike Sherlock for the record. So I think everybody knows we're going into legislative session, Sheriffs and Chiefs. Well, legislature starts February 3rd. Sheriffs and Chiefs have a afternoon meeting and legislative mixer, I think is the same day on February 6th. So staff would recommend our next meeting, February 6th, maybe 9:00 AM to allow everyone to get to the other functions in Carson City where Sheriffs and Chiefs is already going to be.

TROUTEN: Any concerns from the Board at that date and time?

PROSSER: The weather is of concern.

TROUTEN: I have no control on that at all.

UNIDENTIFIED: February what?

PROSSER: February 6th.

TROUTEN: Sixth.

SHEA: I lived in Seattle for 32 years. What weather? We don't have weather here.

TROUTEN: All right. So it sounds like that will be about as good as can be predictably. So that time and date, the 6th at 9:00. All right. Do we have a motion to approve that?

PROSSER: I'll move to approve February 6th at 9:00 AM.

TROUTEN: Pending weather? Second?

SHEA: Tim Shea. I'll second.

TROUTEN: Shea seconds. All those in favor say aye.

MEMBERS: Aye.

TROUTEN: I also vote aye. And lastly, adjournment.

SHEA: I have pre-discussion though before we do that. I just wanted to make a comment that I think today was the most executive certificates that we've ever had come through

our system. So I, for one, believe that the changes we made are showing the positive results now, I'm happy to see 'em, and I think these are all fine people that came before us. So I'm glad to see they've gotten this opportunity that before we had made this change, would not have been open to them, which again, puts our people on an equal playing field with people, our peers in other states when it comes to executive positions. So I, for one, am happy to see this.

TROUTEN: I concur with that. Thank you. Other comments?

SHEA: I'll make a motion that we adjourn.

PROSSER: I'll second that.

TROUTEN: A motion and second. All in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Motion carries. We stand adjourned at 9:50 AM.

b. Approval of minutes from the February 5, 2025, regularly scheduled meeting.

Commission Meeting – February 5, 2025

Commission meeting started at 1:00 p.m., Commission Chairman Chief Trouten called the meeting to order.

Immediately after the call to order, Chief Trouten called for a moment of silence to be held for fallen officer Jason Roscow from the North Las Vegas Police Department.

Audio picked up at 1:14 with Chief Floyd putting on record the posting locations of the agenda.

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

A Regularly Scheduled Meeting of the Commission on Peace Officer Standards and Training was held on Wednesday, February 5, 2025 commencing at 1:00 p.m. at 5587 Wa Pai Shone Avenue, Carson City, Nevada.

COMMISSIONERS:

Tyler Trouten, Chairman
Dan Coverley
Kevin McKinney
Oliver Miller
Russ Niel
Jamie Prosser
Tim Shea
Rob Straube
George Togliatti
Tiffany Young

STAFF:

Kathy Floyd, POST F
Geordan Goebel, Attorney General's Office
Mike Sherlock, POST F

TRANSCRIBED BY: Marsha Steverman-Meech

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PROCEEDINGS

FLOYD: Meeting agenda has been posted in compliance with NRS 241.020. The agenda was physically posted at the POST Administration Building and the Nevada State Library in Carson City, and electronically posted at post.nv.gov, State of Nevada website at notice.nv.gov, and emailed to all single point of contacts and administrators on the POST listserv.

TROUTEN: Thank you. We will now commence with roll call. I'm Ty Trouten from Elko Police Department.

STRAUBE: Rob Straube, City of Las Vegas Department of Public Safety.

PROSSER: Jamie Prosser, Las Vegas Metro.

COVERLEY: Dan Coverley, Douglas County.

TOGLIATTI: George Togliatti, Nevada Department of Public Safety.

MILLER: Oliver Miller, Reno Police Department.

MCKINNEY: Kevin McKinney, Carlin Police Department.

NIEL: Russ Niel, State Gambling.

SHEA: Tim Shea, Boulder City Police.

YOUNG: Tiffany Young, community member.

FLOYD: Kathy Floyd with POST.

SHERLOCK: Mike Sherlock from POST.

GOEBEL: Geordan Goebel, Attorney General's Office.

TROUTEN: Thank you. I believe we are all present. Outstanding. We'll now move on to public comment. Commission may not take any action on any matter considered under this item until that matter is specifically included on a future agenda as an action item. There will be another opportunity for public comment at the end of the meeting. If you wish to make public comment, if you would please come up to the table, speak loudly into the microphone and state your name before presenting your views. Do we have any public comment?

JOHNSON: Good afternoon, Commission, Aaron Johnson, Boulder City Police Department. I'd like to make comment on Item Number 7. I take full responsibility for that one. That is my fault. An officer came up to me a month or so ago and suggested that he realized that Chief Shea was eligible for his executive certificate, asked me what I thought and I said let's put him in for it. And last week when my boss saw the agenda item, he was less than pleased. So I just want to make sure for the record that this is my fault. I apologize. Thank you.

TROUTEN: Thank you.

SHEA: Former Deputy Chief Johnson (inaudible) to the desert for his protection hearing.

TROUTEN: Is there any additional public comment? All right, hearing none, we'll close public comment, move on to Item 4, discussion, public comment, and for possible actions,

approval of the minutes from October 17, 2024, regularly scheduled POST Commission meeting. Ask first, and I think we have a little snafu on the packet that they were there then not there. Has the Board been able to read the minutes or see the minutes? So this may be an item we'll have the table for next time and do two in a row.

SHERLOCK: If they didn't see it, right?

FLOYD: No, the book that had the minutes was taken down yesterday. So if nobody read them before yesterday, then no, they're not there. They will be up this afternoon though.

TROUTEN: (Inaudible.) Okay. So for that we'll just take no action, let it come back around to us unless somebody has anything contrary to that. All right, we'll move on then to Item 5, information, Executive Director's Report.

SHERLOCK: Thanks. Mike Sherlock for the record. So we are entering the fun time of legislative session, both in terms of bills and budget. Just real quick, we're hopeful that our request that was approved through the Governor's budget remains, which specifically we're interested in that new data management program that was approved. So we're hoping it stays there through final approval of that budget in terms of that particular item. In terms of bills, you know, we received fiscal notes, we've received quite a few, but nothing earth shattering in terms of bills. We have seen a couple bills

adding peace officers such as an IG, bill to create an IG Office, which would be in this bill, Category II, officers upgrading Department of Insurance Investigators to Category II officers. No real impact on us in terms of budget currently. It was a little surprising in the past, the legislature has made it clear that there was no desire to add peace officers, so these bills are a little unusual I think from that perspective but nothing, again, too earth shattering. We received or we're looking for comments on a bill to add human trafficking training to law enforcement dispatchers, both at the basic training level and as an annual requirement. Again, no real fiscal impact for us because we already do that in other disciplines. Once again, there's a bill to allow non-citizens to be eligible for employment as peace officers. That bill specifically directs the Commission in its current form right now, and it's early, we've already provided some feedback, but prohibits the commission from prohibiting legal, resident non-citizens from being peace officers. Currently, statute and regulations require citizenship. I know we talked about this last time with the last bill and not sure where the Sheriffs and Chiefs will be. Our position is always that you don't take away our ability to do a thorough and complete background on a law enforcement or policing applicant, and we'll see what happens. I will say the difference between this bill and the last bill is it does make specific that they have to be legal residents of the United

States so it would limit it to green card holders, permanent residence. I've said in the past, and we've talked about it in the past, that the California rule that recently passed says you have to be a legal resident, a green card holder who is eligible for naturalization. That's a little bit better position from our perspective because if you understand immigration law, you aren't eligible for naturalization till five years of holding that green card. So that would allow at least five years of background on that applicant, should we move away from the citizenship requirement. There are other issues, as I know you know, where an oath office is required. It does sort of put a block on things because Supreme Court's pretty clear that an oath of office is ineffective if they're not a citizen of the country they're making the oath to, and so we'll see how that happens or how that plays out. I can tell you that SB2 in California, that agencies that require an oath of office are not mandated to allow non-citizen applicants. I can't say what we'll do here in Nevada when it comes to that, if it comes to that. And who knows again, yeah, it’s early in the session, we'll see what happens with that. I don't recall any other real directly related bills so far that have come through. We've gotten a lot of fiscal note requests, but nothing that directly affects POST or certification or policing from our training standpoint. So we'll see what happens. We're currently administering a couple new grants that we recently received.

One of those we're going to present training via an outside vendor that addresses sort of the high-level management or creation of a wellness program within a policing agency, so look for that training course to come out very soon. The intent is to help agencies meet the requirements of the mental wellness or behavioral wellness requirements passed in AB 336 a couple sessions ago. That training will be coming out very soon. We just received the money today actually. We are expanding or increasing some of our reality based or scenario based training equipment and at the same time, looking to loan some of our training equipment that does not meet our basic training needs anymore out to agencies to allow them to use those resources. I just want to get out there that we have 16 stress vests that are in really basically brand new shape. These are shock vests if people don't know what the training vests are. They just don't meet our needs. Our academies are too big now. We have 16 of 'em and it is hard to change 'em out constantly for trainees, but they would be a great training tool or training aid for individual agencies should they need them or should they want them, and we'll probably give those out via lottery or something like that. But get ahold of us on those. We also have two milo simulators, use-of-force simulators that we are looking to loan out. We've moved to VR programs for our use-of-force type training. Again, these are great training aids and we'd be looking to permanently loan these to an agency that could make

use of those. So don't be afraid to get ahold of us for that stuff. In the interest of time, I'll leave it at that and send it back to you, Chairman.

TROUTEN: Thank you. Director Sherlock, just looking through the packet again, I know this question -- I believe Jamie brought this up last time about what happens with entities that are not meeting the audits, what the follow up looks like, what the accountability is on them, and I noticed on this one we had -- again looks like a consistent theme of issues with backgrounds and then one with training.

SHERLOCK: Yeah. Thank you. That is one thing I wanted to bring. Mike Sherlock for the record. So, you know, we talked last time and we are seeing some issues. Just to give the Commission a sort of background, by statute we are mandated to audit academies annually so every academy we audit annually, once a year. Agencies, we inspect, as the statute says, and audit for compliance with the provisions of the chapter, one third a year. So every three years an agency will be audited for compliance, background, that type of thing. Agencies that fail the background then are audited, you know, after 90 days to see if they're backing compliance and so you don't wait three years. But we still are seeing repeat offenders in terms of backgrounds and we are looking -- and we're hoping for the support of the Commission on this as sort of a remedy. We are looking at those, by policy, those repeat offenders that don't

seem to catch up with what the regulations require to require them to provide to us those backgrounds real time. So after failing twice, we would then require that they provide proof that they are meeting the regulatory requirement instead of waiting to go do another audit but in real time. And we think hopefully -- and for us it's about education. A lot of times there's some misunderstanding in what the regulatory requirements are, and we think that that sort of real-time feedback from us would help those agencies that are repeat offenders to come into compliance. Let's be honest, we don't have any real teeth, anything like that other than, you know, public documents that record those violations of the regulations but we feel that if we're able to look at those real time, we can, again, educate the agencies on what is required under the regulations and get them into compliance.

TROUTEN: Any questions, comments from the Board about information? All right, hearing none, we'll move on to Item Number 6. This is for discussion and possible action, update regarding gross misdemeanor convictions process or the process related to employing agencies and revocations for this Board. I'll go over to Director Sherlock for some background, please.

SHERLOCK: Sure. So Mike Sherlock for the record. So after last session we came back and reviewed the issues related to gross misdemeanors and again, in the interest of

time, I'll keep this super short. Let me just say that a regulation change is not prudent, but we believe the process, we hope in providing you with a list of the criminal convictions that are coming before us prior to going to an agenda item and prior to a hearing, providing that information to the Commission and their status in terms of employment or any other inquiries you might have, you can get back to us on using that document. Again, without getting into the weeds, based on what the comments were last meeting, we're hoping that this sort of covers the concerns the Commission may have with gross misdemeanor convictions, and will suffice to meet those needs that, that were expressed in lieu of a regulation change.

TROUTEN: Thank you, Director, and I do appreciate the information of seeing the cases that are coming before us potentially that have been reported but are still awaiting adjudication, things like that. I think that really helps us kind of see a picture of what's going on. Are there comments or questions from the Board on this matter? Okay, hearing none, I don't know that there's necessarily any action to take. I think we'll try this for a while and make sure that we're getting this information, see what's going and see if that fulfills the needs.

SHERLOCK: So again, Mike Sherlock for the record. From a staff perspective, we'd like to see a motion that we

continue with this document in lieu of the regulation change and see if that works.

TROUTEN: All right, then I would entertain a motion.

COVERLEY: Dan Coverley. So moved.

TROUTEN: I have a motion. Do I have a second?

MCKINNEY: Kevin McKinney. I'll second.

TROUTEN: There's a motion and a second to continue with the document. Any further discussion? All Board members vote by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Motion carries. Move on to Item 7. This is a good one. Appreciate you leading this way, Chief Shea, that is good. Request from the Boulder City Police Department for an executive certificate for their employee Chief Timothy Shea, pursuant to NAC 289.270(1)(b). Possible action may include approval or denial of the requested executive certificate. Director Sherlock.

SHERLOCK: So, thank you, Mike Sherlock for the record. So staff has reviewed the application for Chief Shea for an executive certificate. I have had some talks with Chief Shea about some of our concerns, mostly his short time on the job in law enforcement, but we did find that despite the conspiracy apparently that prompted this, we do find that Chief

Shea meets or exceeds the requirements of the executive certificate and the staff would recommend that the Commission approve that certificate.

TROUTEN: Outstanding. Is there a motion from the Board?

YOUNG: (Inaudible) to approve.

TROUTEN: Thank you. Do I have a second?

NIEL: Russ Niel. I second.

TROUTEN: Have a motion and a second. All those in favor please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Congratulations, Chief. Item number 8, request from the Boulder City Police Department for an executive certificate for their employee Lieutenant Thomas Healing pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested executive certificate. Director Sherlock.

SHERLOCK: Mike Sherlock for the record. Not sure if the lieutenant was part of that conspiracy, but staff has reviewed Lieutenant Thomas Healing's application for an executive certificate and find he meet the requirements and would recommend the Commission approve.

TROUTEN: Thank you. Do we have a motion?

MCKINNEY: Kevin McKinney, I'll move.

TROUTEN: And do we have a second?

COVERLEY: Dan Coverley, second.

TROUTEN: Motion and second to grant. All those in favor please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Item 9, request from North Las Vegas Police Department for an executive certificate for their employee Captain Mario Perez Pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of requested executive certificate. Once again, Director Sherlock.

SHERLOCK: Thank you. Mike Sherlock for the record, staff has reviewed Captain Mario Perez's application for an executive certificate and find he does meet the requirements and would recommend the Commission approve that certificate.

TROUTEN: Thank you. Any discussion? If not, would entertain a motion to approve.

SHEA: Tim Shea. I'll make a motion to approve.

TROUTEN: Thank you, sir. Do we have a second?

MILLER: Oliver Miller. Second.

TROUTEN: Thank you. We have motion, second to approve. All those in favor please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Motion carries. Just take a second to commend those

individuals, all of them. I love it when I see these certificates coming up and also monthly postings of people who are working on their intermediates and advanced. That's excellent. Move on to Item 10, discussion for possible action, request from the 11th Judicial District Youth and Family Services for a six-month extension past the one-year requirement, NRS 289.550, in order to meet the requirements for certification for their employee, Deputy Chief Juvenile Probation Officer Nicole Mathias, hire date January 15, 2024, extension to July 15, 2025. Possible action may include approval or denial of the requested extension. Is there anyone here to speak on her behalf from that department?

SHERLOCK: Chief, Mike Sherlock for the record. So they had sent the letter, I think it's in your book. Staff would recommend the extension of time. In this particular case, I believe the applicant was injured was part of the delay and frankly, here at POST, we're struggling with getting the numbers necessary to have an academy for the CAT IIs. We just don't hire enough particularly in the north and that's been some of our time. So when you combine the injury from the last academy and our inability to have enough bodies to start a new academy, we do have one starting in March perhaps if we get the numbers, so that's been part of the delay. So staff would recommend the extension of time in this particular case for this CAT II certificate applicant.

TROUTEN: All right, thank you sir. Are there questions, concerns? Public comments? Is there a motion from the Board.

COVERLEY: Dan Coverley, so moved.

TROUTEN: Okay, we have a motion to extend. Is there a second?

PROSSER: Jamie Prosser, second.

TROUTEN: All right, motion, second. All those in favor please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Thank you. Item 11, discussion for possible action, hearing pursuant to NAC 289.290(1)(i) on the revocation of Charles N. Beck's, formerly employed with the Fallon Police Department, Category I and III basic certificates based on a conviction of misdemeanor crime of domestic violence as defined in 18 U.S.C 921(a)(33). The conviction that have led to this are Count II: battery that constitutes domestic violence. First offense, violation of NRS 200.485(1)(A), 200.481 and 33.018, a misdemeanor. Possible action may be revocation of the Category I and III basic certificates, and I'll turn this over to our Attorney General's representative.

GOEBEL: Thanks, Commissioner, Geordan Goebel for the record. Although we're on item 11 in your booklet, we have revocation items 11 through 16. Each one of those in the

booklet has individualized exhibits specific to that agenda item. All of those exhibits, I'm going to be asking Chief Floyd a few questions for foundation authenticity and due process. So with that, Chief Floyd, the records and exhibits that are contained in these materials where the offense is addressed in agenda items 11 through 16, did you obtain those records and exhibits directly from the courts or employing agencies?

FLOYD: Yes I did.

GOEBEL: Have you maintained those documents in ordinary course of your record keeping since you obtained them from the courts and agencies?

FLOYD: Yes, I have.

GOEBEL: And are the versions of those documents that are contained in the meeting materials here true and accurate copies of those materials?

FLOYD: Yes, they are.

GOEBEL: With that, these documents are valid public records and may be considered by the Commission for the agenda items 11 through 16.

TROUTEN: Thank you, sir. Are there any questions or comments from the Board overall on these documents? Are there any questions or comments specific to Mr. Charles N. Beck and his POST Category I and III certificates? Public comment? Hearing none, I would ask for a motion from the Board.

SHEA: Tim Shea, I'll make a motion to revoke.

TROUTEN: Have a motion to revoke by Tim Shea. Is there a second.

NIEL: Russ Niel, I second.

TROUTEN: Thank you. All those in favor please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Thank you. Onto Item Number 12, this is discussion and for possible action, hearing pursuant to NAC 289.290(1)(g), and NAC 289.290(1)(i) on the revocation, I'm going to kill that name, Lejohshona -- I slaughtered that, Lejohshona Bess's, formerly employed with the Nevada Department of Corrections, Category III basic certificate based on a conviction of or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony and conviction of a misdemeanor crime of domestic violence. The convictions which have led to this action are Count I: coercion, a Category B felony in violation of NRS 207.190 and NOC 53159; and Count II: battery constituting domestic violence misdemeanor in violation of NRS 200.485(1)(A), 200.481(1)(A), 33.018, and NOC 50235. Action can be for revocation or not of the Category III basic certificate. Again, we've already had background information spoken about so we can move on to the Board. Is there any comment or questions from the Board relative to this certificate? Public comments on this side? Hearing none, would entertain a motion from the Board relative to this certificate.

COVERLEY: Dan Coverley, make a motion to revoke.

TROUTEN: We have a motion to revoke. Do we have a second?

YOUNG: Tiffany Young, I second.

TROUTEN: Thank you. Motion and a second. All those in favor of revocation please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Motion carries. Item 13, hearing pursuant to NAC 289.290(1)(e) on the revocation of Mark A. Lawson's formerly employed with the University Police Department-Northern Command Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a gross misdemeanor. The convictions, let's see, is that a conviction or? The conviction that led to this action are Count I: conspiracy to possess a drug that may not be introduced into interstate commerce in violation of NRS 454.351(1) and NRS 199.480(3)(g), a gross misdemeanor. Possible action may be revocation of the Category I basic certificate, and then also I do believe there is a letter attached to this one in the packet where he has articulated he is willing to surrender his certificate.

SHERLOCK: Yeah, Mike Sherlock for the record. So staff wouldn't be opposed to tabling or continuing this particular hearing. He has indicated that he is willing to

voluntarily surrender his certificate, which would not require a hearing, and if the Commission's willing to do that, we're not opposed to that. We can reach out to him and go from there and voluntary surrender that certificate rather throughout here.

TROUTEN: And then does that still require that his name goes on the National Decertification Index?

SHERLOCK: It does, yes.

TROUTEN: Thank you. Are there questions, comments, discussion from the Board?

SHEA: Tim Shea. I just have a question. On a case like this, this is one of the ones we were talking about previously because it's a gross misdemeanor, we would have something from the Department indicating either they opposed or proved it, or they only send us something if the proposed (inaudible).

SHERLOCK: So Mike Sherlock for the record. So this would be a good example why we recommended not changing the regulation to allow you as a Commission to make decisions and in this case, it's like every other gross misdemeanor we've dealt with in the last 20 years. There's only been 18 of them. The person has been terminated from their employment. There is no employer to recommend action or that would want to recommend action based on that termination. In this case, it's an interesting case because the investigating agency actually contacted us wanting to know why this person has not been on the

agenda for revocation and so yes, this is a good example of why we're suggesting maybe the document that we produce is better suited for your purpose for these type of cases. In this case, this person is willing to voluntarily surrender their certificate, which sort of -- it's the whole argument anyway in terms of bringing them before you with or without the agency. And so again, we're not opposed to -- staff would support allowing him the opportunity to voluntarily surrender.

TROUTEN: So I guess my preference would be that any motion then would indicate that if the Board chooses to go this way, that the surrender of the certificate must occur prior to the need to agendize next Commission meeting.

SHERLOCK: Sure.

TROUTEN: And does not take place before then, so that we know that it goes back up for revocation.

SHERLOCK: Correct.

TROUTEN: Any comments?

SHEA: So he's changed his mind over the letter?

SHERLOCK: So Mike Sherlock for the record. And for due diligence, we have to notify people of the hearing. He was notified and his letter was in response to the notification of the revocation hearing. And so in that letter, as you can see, he's asking, you know, if we not do the hearing, he's

willing to voluntarily surrender to avoid the hearing essentially is what he's asking.

SHEA: By writing this letter to you and your staff to review this case, I was hoping you reconsidered not to revoke my Nevada POST certification based on a few different points of clarification and other factors I would consider honorable. So he's changed his mind from that statement?

FLOYD: It's later on in the letter.

SHERLOCK: He changes -- Mike Sherlock for the record. I believe he changed his mind mid-letter, but --

COVERLEY: I'm ready for a motion.

SHERLOCK: Yeah, he's saying -- again, not understanding the full process, staff doesn't have the ability to, you know, conduct a hearing and he doesn't understand that. But in the letter, he eventually says he's willing to voluntarily surrender. We want to give him that opportunity.

FLOYD: At the end of the letter.

SHERLOCK: At the end of the letter.

PROSSER: Jamie Prosser. He also says in the letter that he's trying to fight the conviction. So is he going to hold onto the certificate until that process is done?

SHERLOCK: Mike Sherlock for the record. Again, I'm not sure. So just for your perspective, if he does overturn that conviction and he wants to bring that before you, you do have the authority to get it back to him anyway. So it's sort

of again, he may be trying to do that, you know, it doesn't change -- it won't affect him.

PROSSER: Jamie Prosser moves to allow the gentleman to turn in his certificate.

TROUTEN: Is there a second?

MCKINNEY: Kevin McKinney. I'll second.

TROUTEN: I have a motion and a second to allow Mr. Lawson to surrender his certificate. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Are there any opposed? And I also vote aye. Thank you. And now to Item 14, discussion --

YOUNG: I'm sorry. This is Tiffany Young. Does the motion need to include that if it's not turned in that it comes back before the Commission?

TROUTEN: Because we've already had the vote and aware of it, I guess if we don't see it next time, it just goes on the agenda.

SHERLOCK: So Mike Sherlock for the record. Again, by regulation, we will bring it back to you even without that on there to allow you to make that decision.

YOUNG: Okay.

TROUTEN: So it'll be back on the agenda if he doesn't do it.

YOUNG: Thank you.

TROUTEN: Item 14, discussion, possible action hearing pursuant to NAC 289.290(1)(g) on the revocation of De'Wayne Lyons's, formerly employed with the Nevada Department of Corrections, Category III basic certificate based on the conviction of or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony. The convictions which have led to this action are Count I: furnishing a weapon, facsimile, intoxicant, or controlled substance to state prisoner, Category B Felony, in violation of NRS 212.160(1)(a), NOC 53434, action of the Category III basic certificate. We've already gone through the documentation side so I'll open this up to the Board for comments, questions, and discussion. Hearing none, is there any comment from the public on this matter? Hearing none, open for a motion.

MCKINNEY: Kevin McKinney, I move to revoke.

TROUTEN: Have a motion to revoke. Is there a second?

NIEL: Russ Niel. I second.

TROUTEN: Motion and second. All in favor of revocation, please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? I also vote aye. Item 15, discussion and for possible action, hearing pursuant to NAC 289.290(1)(g) on the revocation of Dario A. Sanchez's, formerly employed with the Nevada Department of Corrections, Category III

basic certificate based on the conviction of or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony. The convictions which led to this action are Count I: oppression under color of office with use of physical force, Category D Felony, in violation of NRS 197.200(1)(a), NRS 197.200(1)(d), NRS 197.200(2)(a), NOC 52313. Action can be revocation of the Category III basic certificate. Is there any discussion or comment from the Board? Hearing none, is their comment from the public? I would entertain a motion.

STRAUBE: Straube. Motion to revoke.

TROUTEN: Motion to revoke. Do we have a second?

PROSSER: Prosser second.

TROUTEN: Motion and second. All in favor of revocation of POST certificate, please say aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. Thank goodness we're on to 16, the last one of these. Hearing pursuant to NAC 289.290(1)(g) on the revocation of Andrew L. Trujillo's, formerly employed with the Nevada Department of Corrections, Category III basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill, or nolo contendere to a felony. The conviction which has led to this action is Count I: oppression under color of office with use of physical force, a Category D Felony, in violation of NRS 197.200(1)(a), NRS 197.200(1)(d), NRS 197.200(2)(a), and NOC

52313. Possible action can be revocation of the Category III basic certificate. Discussion or comments from the Board? Discussion or comments from the public? Hearing none, I would entertain a motion.

MILLER: (Inaudible), I make a motion to revoke.

TROUTEN: Motion to revoke. Do I have a second?

COVERLEY: Dan Coverley, second.

TROUTEN: Motion and second. All those in favor of revocation please signify by saying aye.

MEMBERS: Aye.

TROUTEN: Any opposed? And I also vote aye. That moves us on to public comment, Item 17. Again, the Commission cannot take any action on any matter considered under this item until the matter is specifically included on an agenda at future time as an action item. Is there any public comment? Hearing none, we will close public comment. Item 18, talking about scheduling our next upcoming Commission meeting, which should be right around the memorial.

SHERLOCK: Mike Sherlock for the record. So at this point, it looks like the Sheriff's and Chief's meeting will be up here on April 30th. As the usual schedule, the Peace Officer Memorial will be on the 1st in the afternoon. So we would recommend we have a meeting the morning of May 1st and then allow people to get over to the memorial after that.

TROUTEN: Thank you, sir. Any discussion on that item? That works. Entertain a motion for the next meeting to be May 1st, 2025 in Carson City.

MCKINNEY: Kevin McKinney I'll move next meeting to be May 1st.

TROUTEN: Okay. We have a motion. Is there a second?

YOUNG: Tiffany Young. I'll second.

TROUTEN: We have a motion, second. All those in favor, please say aye.

MEMBERS: Aye.

TROUTEN: I also vote aye. That concludes action items. Is there any discussion from the Board member or comments? If not, move for adjournment.

PROSSER: Jamie Prosser moves to adjourn.

TROUTEN: Motion to adjourn. Second?

COVERLEY: (Inaudible.) I'll second.

TROUTEN: That was beyond stereo. Motion and second. All in favor, please say aye.

MEMBERS: Aye.

TROUTEN: Motion carries. We are adjourned. Thank you all.

5. **INFORMATION** Executive Director's report.
   a. Training Division
   b. Standards Division
   c. Administration

POST 1st Quarterly Audit Report
(Jan-Mar)

Number of Agencies: 3 **Number of Agencies with Deficiencies: 0**
Number of Academies: 6 **Number of Academies with Deficiencies: 0**

AGENCIES:

Agency training deficiency and recommended corrective action: 0

Agency background deficiency and recommended corrective action : 0

ACADEMIES:

Academy training deficiency and recommended corrective action: 0

PENDING REVOCATIONS		
Date	**Offense**	**Action**
8/31/2023	Sexual assault 1 ct. attempted sex assault 1 ct. sex assault w/minor under 16	Sentencing 06/23/2025
12/31/2023	2 counts Depravation of rights under color of law	Federal-Jury trial 04/08/2025
1/15/2025	1.(F) Coercion w/force or threat of force 2. (F) Assault w/deadly weapon 3.(F) Kidnapping, second degree-w/use of deadly weapon or tear gas	Preliminary Hearing 05/01/2025
2/24/2024	1. (GM)Battery on a health care provider	Sentenced 03/27/2025-REVOCATION HEARING JULY
8/18/2023	1. Deprivation of Rights Under Color of Law 2-5. Fraud by Wire 6. Perjury	Federal-Sentencing 06/10/2025 REVOCATION HEARING JULY
10/12/2024	1. Felony DV by strangulation	Jury Trial 04/14/2025
4/2/2024	(M) DUI	Trial 04/14/2025
6/18/2023	1. (F) Assault w/use of deadly weapon	Negotiations 04/09/2025
9/24/2024	Child Abuse/Neglect and violation of protection order	Waiting for hearing
3/30/2025	1. (F) Res Burg, 1st offense 1. (F) Home Invasion, 1st offense	Felony Arraignment 04/08/2025 2 separate cases
3/18/2024	3 Felony counts -Unlawful for Prision employee/volunteer to commit sexual abuse of prisoner	Continued 05/07/2025
8/26/2024	**1. (F) Battery/Domestic Violence**	**REVOCATION HEARING MAY**
11/28/2023	11 (F) Counts -Assault w/deadly weapon, child abuse, discharging gun into occupied vehicle, oppression under color of office	Jury Trial 05/19/2025
9/20/2024	1. (M) DUI	Status Check 04/21/2025 of filing criminal complaint
2/29/2024	**1.(F) Assault w/deadly weapon constituting DV** **2. (F) Burglary of motor vehicle in possession of deadly weapon**	**REVOCATION HEARING MAY**
2/25/2025	1. (F) Traffic Sch I, II C/S, FLNTRZPM/GHB, 400+ grams 2. (F) Sell/Trans or att sch I or II C/S, 1st off	Preliminary Hearing 04/14/2025

Date	Offense	Action
5/14/2024	1. (F)Traffic in sch I or II 2. (F) Furn or att, state prisoner 3. (F) know/attempt furnish portable telecom device/conspiracy 4. (F) - Poss to sell sch I/II 5. (F) - Know/attempt furnish a portable telecom dev 6. DA DENIAL 7. (GM) Consp by pub off/empl as for/receive bribe 8. (F) Misconduct of pub off	Negotiations 04/24/2025
1/19/2025	(M) Confine animal in motor vehicle (M) Fail provide for confined animal	Negotiations 04/23/2025
4/25/2023	**1. (F) Sexual Assault** **2. (F) Assault w/use of deadly weapon** **3. (M) Domestic Violence** **4. (M) Stalking** **5. (F) Prevent or dissuade victim or other from reporting crime**	**REVOCATION HEARING MAY**
12/1/2024	1. DUI Liquor 2. (M) Failure to drive in travel lane 3. Obstructing/False info to PO	PreTrial 05/07/2025
10/3/2020	1. (F) Attempt Theft	Pled Guilty - Sentencing 04/03/2025 REVOCATION HEARING JULY
10/23/2024	1. DV	Trial set week of 10th?
7/30/2021	**1. (GM) Conspiracy to possess a drug that may not be introduced into interstate commerce**	**REVOCATION HEARING MAY**
5/1/2023	**1. (F/GM) Attempt Theft** **2. (GM) - Oppression under color of office**	**REVOCATION HEARING MAY**
8/30/2024	1st case - 386532 1. (GM) Oppression under color of office 2. (F) Oppression under color of office w/immediate threat or use of physical force 3. (GM) Oppression under color of office 4. (F) Perjury 5-9 (GM) Oppression under color of office 10. (F) Perjury 11.(GM) Battery on protected person 12-13. (GM) Oppression under color of office 2nd case - 387164-1 1-4 (F) Possession of visual presentation depicting sexual conduct	1st case - Motions 4/14 and 25 2nd case - Jury Trial 08/18/2025
	DV related charges	Waiting on update from agency

Date	Offense	Action
3/4/2025	1. (F)Insurance Fraud 2. (F) Att Theft 3. (F) Misconduct of Public Official 4. (GM) False report by public officer 5. (M) False report of crime	Court Appearance 06/18/2025
	Aggravated stalking	Perliminary 3/25/2025
4/6/2025	2 counts Felony sexual assault	WAITING FOR UPDATE FROM AGENCY ON CHARGES
11/16/2023	1. (F) Child Abuse, Neglect, or Endangerment w/use of deadly weapon 2-6. (F) Child Abuse, neglect, or endangerment 7. (F) Coercion constituting Domestic Violence	Sentencing 03/19/2025 REVOCATION HEARING JULY
5/17/2023	**1. (F) Trafficking in a controlled substance , 100 grams or more, but less than 400 grams**	**REVOCATION HEARING MAY**
11/15/2023	**1. (F) Oppression under color of office** **2. (F) Misconduct of Public Officer** **3. (F) Sexual Assault**	**FTA**
3/3/2025	1. (F) Lure/att to lure child/mentally ill person w/use of computer 2. (F) Att use or permit minor, age 14 or older, to be subject of 3. (F) Att child abuse or neglect, 1st 4. (F) Attempted statutory sexual seduction by person over 21	Mandatory Status Conference 04/10/2025
8/10/2024	1. (M) Domestic Battery (1st)	Pretrial 04/24/2025
3/6/2024	**1. (F) Sex Trafficking of a child under 18** **2. (F) First Degree Kidnapping of minor**	**REVOCATION HEARING MAY**
4/25/2024	1. (F) Luring children or mentally ill persons w/intent to engage in sexual conduct 2. (F) Soliciting a child for prostitution 3. (F) Child Abuse, ,Neglect or endangerment 4-6 (GM) Unlawful contact w/child 7-9 (F) Child abuse, neglect or endangerment 9. (F) Use of minor in producing pornography	Sentencing 04/10/2025 REVOCATION HEARING JULY
3/11/2022	1. (F) Sexual Assault against a child	Jury Trial 09/08/2025
	Sexual Assault Pending Investigation	Booked 01/14/2024/released

INVESTIGATIONS			
Date	**Offense**	**Action**	**Agency Notified**
3/25/2024	Sustained for Standards of Conduct/Truthfullness	Termed	PAR
3/18/2024	Aggravated Stalking	Resigned	Email
3/25/2024	Pending Investigation-Drug Free Workplace	Termed	PAR
3/12/2024	Violation of county and departmental policy and misuse of fuel card	Termed	PAR
4/2/2024	Terminated for dishonesty	Termed	PAR
4/26/2024	Resigned while pending investigation	Resigned	Email
5/6/2024	Substantiated misconduct involving dishonesty and sexual harassment	Termed	PAR
7/1/2024	Pending Truthfulness Investigation	Termed	PAR
7/11/2024	Involuntary Termination for violating truthfulness required at all times and Standards of Conduct	Termed	PAR
8/7/2024	Terminated for dishonesty	Termed	PAR
9/30/2024	Involuntary termination: Truthfulness required at all times	Termed	PAR
10/11/2024	Resigned under investigation for alleged misconduct	Resigned	Email
11/20/2024	Pending Investigation with IG		Email
11/20/2024	Pending Investigation with IG		Email
11/20/2024	Pending Investigation with IG		Email
11/20/2024	Pending Investigation with IG		Email
1/24/1994	Pending Investigation with IG		Email
11/19/2024	(M) Trespass, (M) Resist Public Officer		Email-no revocation request
2/18/2025	Resigned in lieu while under investigation for misconduct		Email
3/3/2025	possible charges regarding "over familiarity with inmate"	Termed	PAR
3/3/2025	arrested for abuse?	Termed	PAR
3/3/2025	Child Pornography?	Termed	PAR
3/3/2025	Under Investigation -	Termed	PAR
3/3/2025	Resigned while under investigation	Termed	PAR
3/3/2025	Dismissed due to DUI arrest	Termed	PAR
3/3/2025	Appeal process for IA-2023-0055?	Termed	PAR
3/5/2025	Pending Investigation with IG		Email
2/27/2025	On going case for staff compromised		Email
2/27/2025	positive for THC		Email
3/20/2025	Road Rage Incident in San Bernardino, CA		Email
2/18/2025	Pending investigation	Resigned	Article
2/14/2025	Pending notice of Sustained findings for truthfulness required at all times and Standards of Conduct	Termed	PAR

6. <u>INFORMATION ONLY</u>

Chairman statement

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

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

State of Nevada – POST

Professional Certificate Application

Agency Details

Agency Name *
Douglas Co SO

Officer's Details

POST ID *
24891

Officer's Name *
Richard J Koontz

Select the Professional Certificate and choose the applicant's qualifications for the certificate.
All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. Use the POST *Professional Training* or *Annual Compliance* forms for this.

*

- ○ Intermediate (NAC 289.240)
- ○ Advanced (NAC 289.250)
- ○ Supervisor (NAC 289.255)
- ○ Management (NAC 289.260)
- ◉ Executive (NAC 289.270)

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

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

> **Executive** – a letter confirming job level, org. chart, and proof of 200 hrs. advanced management training

Attachments (3)

POST – PROFESSIONAL CERTIFICATE APPLICATION – – Richard J Koontz – 2/26/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Richard J Koontz – 2/26/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Richard J Koontz – 2/26/2025

Additional information or comments

Submitter Details

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate level selected.

Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail *
Ana George	775-782-9901	ageorge@douglasnv.us

This section is for POST approval only

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

Douglas County
SHERIFF
"A Tradition of Service"

Daniel J. Coverley
SHERIFF

February 24, 2025

Mike Sherlock, Executive Director
5587 Wa Pai Shone Ave,
Carson City, Nevada 89703

Dear Mr. Sherlock,

Douglas County Sheriff's Office Captain Richard Koontz, is submitting his request to receive the Executive Peace Officer's Standards and Training certificate, without any reservations, I believe he has completed all the necessary training and educational classes to obtain this certificate.

Captain Koontz was hired by our agency in December of 2005 and has advanced through the ranks. In January 2021, he was promoted to the rank of Captain and is currently our Patrol Division Commander. His performance standards are well above the average and are a huge asset to our Sheriff's Office. Captain Koontz has also attended the FBI National Academy.

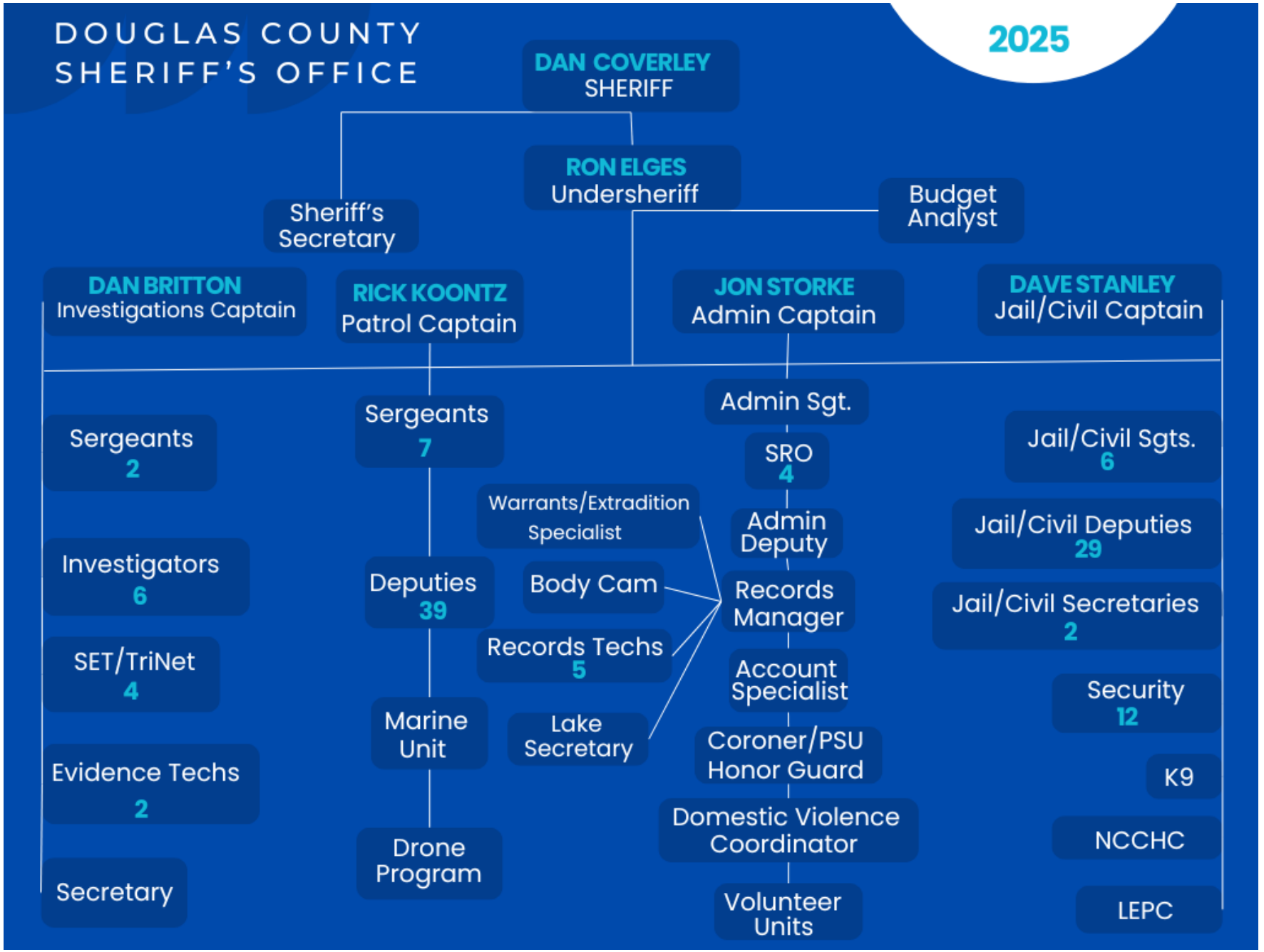
If you have any questions or concerns, please contact me at 775-782-9900 or email me at relges@douglasnv.us

Thank you for your consideration.

Respectfully,

Ron Elges, Undersheriff

POST OFFICE BOX 218 MINDEN, NEVADA 89423
Administration 775/782-9900 – Investigations 775/782-9905 – Civil 775/782-9942 – Jail 775/782-9921
Records 775/782-9933 – Dispatch 775/782-5126 – Fax 775/782-9919


DOUGLAS COUNTY
SHERIFF'S OFFICE
2025
DAN COVERLEY
SHERIFF
RON ELGES
Undersheriff
Sheriff's Secretary
Budget Analyst
DAN BRITTON
Investigations Captain
RICK KOONTZ
Patrol Captain
JON STORKE
Admin Captain
DAVE STANLEY
Jail/Civil Captain
Sergeants 2
Sergeants 7
Admin Sgt.
Jail/Civil Sgts. 6
SRO 4
Warrants/Extradition Specialist
Admin Deputy
Jail/Civil Deputies 29
Investigators 6
Deputies 39
Body Cam
Records Manager
Jail/Civil Secretaries 2
SET/TriNet 4
Records Techs 5
Account Specialist
Security 12
Marine Unit
Lake Secretary
Coroner/PSU Honor Guard
Evidence Techs 2
K9
Domestic Violence Coordinator
NCCHC
Drone Program
Secretary
Volunteer Units
LEPC

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Issues this award thereby certifying that

Richard J. Koontz

Douglas County Sheriff's Office, Minden, NV

has completed a general course of instruction afforded by the

FBI National Academy

at Quantico in the state of Virginia for a period of ten weeks
ending the fourteenth day of September in the year of two thousand and twenty three.

Christopher A. Wray
Director
Federal Bureau of Investigation

Wayne A. Jacobs
Acting Assistant Director
Training Division

3/5/2025 Nevada Commission on POST Employee Profile

Koontz, Richard J (24891)

Certifications

Level	Status Date	Status	Cert Date	Exp Date
Management	2/25/2025	Active	2/25/2025	
Supervisor	2/6/2019	Active	2/6/2019	
Advanced	12/6/2011	Active	12/6/2011	
Intermediate	4/28/2009	Active	4/28/2009	
Category I	5/16/2008	Active	5/16/2008	
Category III	5/25/2006	Active	5/25/2006	

8. <u>DISCUSSION AND FOR POSSIBLE ACTION.</u>

Request from the City of Las Vegas Department of Public Safety for an Executive Certificate for their employee Assistant Chief Robert Straube, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

State of Nevada – POST

Professional Certificate Application

Agency ID *
0025

Agency Name *
City of LV Dept of Public Safety

Officer's Details

POST ID *
17302

Officer's Name *
Robert C Straube

Select the Professional Certificate and choose the applicant's qualifications for the certificate.
All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. Use the POST *Professional Training* or *Annual Compliance* forms for this.

*

- ○ Intermediate (NAC 289.240)
- ○ Advanced (NAC 289.250)
- ○ Supervisor (NAC 289.255)
- ○ Management (NAC 289.260)
- ◉ Executive (NAC 289.270)

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

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

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

Attachments (2)

POST – PROFESSIONAL CERTIFICATE APPLICATION – – Robert C Straube – 3/11/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Robert C Straube – 3/11/2025

Additional information or comments

Submitter Details

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate level selected.

Submitter's Full Name *
Dawn Hunt

Submitter's Phone # *
702-229-1828

Submitter's E-Mail *
dhunt@lasvegasnevada.gov

This section is for POST approval only

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

City of Las Vegas

Department of
Public Safety

Chief
Jason Potts

Assistant Chief
Robert Straube

Deputy Chief
Kyle Ward

Deputy Chief
Matthew Triplett

Administrative Offices
3300 Stewart Avenue
Las Vegas, NV 89101

Field Services
833 Las Vegas Boulevard N.
Las Vegas, NV 89101

Detention Services
3200 Stewart Avenue
Las Vegas, NV 89101

Animal Protection Services
2824 E. Charleston Boulevard
Las Vegas, NV 89104

702-229-6444

March 10, 2025

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

Dear Executive Director Sherlock,

I formally recommend Assistant Chief Robert Straube of the City of Las Vegas Department of Public Safety for the Nevada POST Executive Certificate. He meets all the qualifications outlined in NAC 289.270, as required.

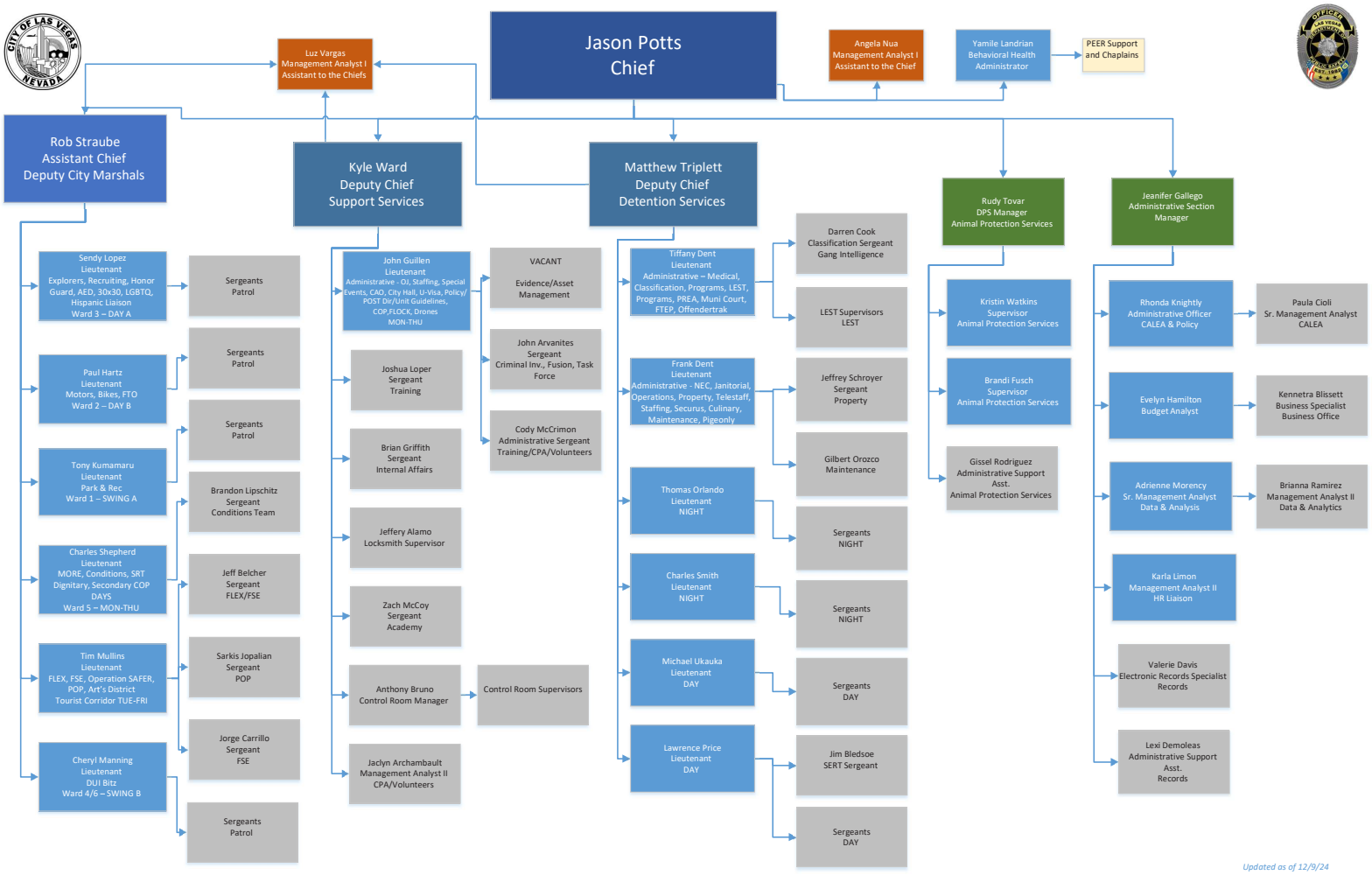
Assistant Chief Straube has been with our department since February 27, 2002, and has worked in a management and executive capacity for over six years. He became a Lieutenant effective September 11, 2017, was promoted to Deputy Chief on June 5, 2020, and to Assistant Chief on August 18, 2022. His prior and current assignments, plus completing the required advanced management courses, meet the executive-level position criteria.

I have enclosed an organizational chart outlining his position within our agency, which demonstrates that he fulfilled the executive certificate requirements.

Please do not hesitate to contact me should you require any further information at 702-229-1424 or jpotts@lasvegasnevada.gov.

Sincerely,

Jason Potts
Chief


Jason Potts
Chief
Luz Vargas
Management Analyst I
Assistant to the Chiefs
Angela Nua
Management Analyst I
Assistant to the Chief
Yamile Landrian
Behavioral Health
Administrator
PEER Support
and Chaplains
Rob Straube
Assistant Chief
Deputy City Marshals
Kyle Ward
Deputy Chief
Support Services
Matthew Triplett
Deputy Chief
Detention Services
Rudy Tovar
DPS Manager
Animal Protection Services
Jeanifer Gallego
Administrative Section
Manager
Sendy Lopez
Lieutenant
Explorers, Recruiting, Honor Guard, AED, 30x30, LGBTQ, Hispanic Liaison
Ward 3 – DAY A
Sergeants
Patrol
Paul Hartz
Lieutenant
Motors, Bikes, FTO
Ward 2 – DAY B
Sergeants
Patrol
Sergeants
Patrol
Tony Kumamaru
Lieutenant
Park & Rec
Ward 1 – SWING A
Brandon Lipschitz
Sergeant
Conditions Team
Charles Shepherd
Lieutenant
MORE, Conditions, SRT
Dignitary, Secondary COP
DAYS
Ward 5 – MON-THU
Jeff Belcher
Sergeant
FLEX/FSE
Tim Mullins
Lieutenant
FLEX, FSE, Operation SAFER, POP, Art's District
Tourist Corridor TUE-FRI
Sarkis Jopalian
Sergeant
POP
Cheryl Manning
Lieutenant
DUI Bitz
Ward 4/6 – SWING B
Jorge Carrillo
Sergeant
FSE
Sergeants
Patrol
John Guillen
Lieutenant
Administrative - OJ, Staffing, Special Events, CAO, City Hall, U-Visa, Policy/ POST Dir/Unit Guidelines, COP,FLOCK, Drones
MON-THU
VACANT
Evidence/Asset Management
John Arvanites
Sergeant
Criminal Inv., Fusion, Task Force
Cody McCrimon
Administrative Sergeant
Training/CPA/Volunteers
Joshua Loper
Sergeant
Training
Brian Griffith
Sergeant
Internal Affairs
Jeffery Alamo
Locksmith Supervisor
Zach McCoy
Sergeant
Academy
Anthony Bruno
Control Room Manager
Control Room Supervisors
Jaclyn Archambault
Management Analyst II
CPA/Volunteers
Tiffany Dent
Lieutenant
Administrative – Medical, Classification, Programs, LEST, Programs, PREA, Muni Court, FTEP, Offendertrak
Darren Cook
Classification Sergeant
Gang Intelligence
LEST Supervisors
LEST
Frank Dent
Lieutenant
Administrative - NEC, Janitorial, Operations, Property, Telestaff, Staffing, Securus, Culinary, Maintenance, Pigeonly
Jeffrey Schroyer
Sergeant
Property
Gilbert Orozco
Maintenance
Thomas Orlando
Lieutenant
NIGHT
Sergeants
NIGHT
Charles Smith
Lieutenant
NIGHT
Sergeants
NIGHT
Michael Ukauka
Lieutenant
DAY
Sergeants
DAY
Lawrence Price
Lieutenant
DAY
Jim Bledsoe
SERT Sergeant
Sergeants
DAY
Kristin Watkins
Supervisor
Animal Protection Services
Brandi Fusch
Supervisor
Animal Protection Services
Gissel Rodriguez
Administrative Support Asst.
Animal Protection Services
Rhonda Knightly
Administrative Officer
CALEA & Policy
Paula Cioli
Sr. Management Analyst
CALEA
Evelyn Hamilton
Budget Analyst
Kennetra Blissett
Business Specialist
Business Office
Adrienne Morency
Sr. Management Analyst
Data & Analysis
Brianna Ramirez
Management Analyst II
Data & Analytics
Karla Limon
Management Analyst II
HR Liaison
Valerie Davis
Electronic Records Specialist
Records
Lexi Demoleas
Administrative Support Asst.
Records
Updated as of 12/9/24

MEMORANDUM

TO: Executive Director M. Sherlock

FROM: Mike Hayhurst, Training Division Chief

DATE: February 12, 2024

SUBJECT: Robert Straube, Las Vegas DPS

Assistant Chief Robert Straube, from the City of Las Vegas DPS, has requested an evaluation of his transcript from Western Governors University (WGU) for the purpose of determining if he has met the training requirements of NAC 289.260. Assistant Chief Straube provided his unofficial transcript. I retrieved course descriptions from the appropriate WGU course catalog.

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

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

Based on the evidence presented, Assistant Chief Straub has a Master's degree in Management and Leadership and a Bachelor's degree in Business with an emphasis in Human Resources Management; both of which were earned from a regionally accredited university. The subjects enumerated in NAC 289.260 were addressed in Assistant Chief Straube's academic programs as follows:

NAC 289.260 Subject	Course #/Credit Hours	Course Name
Introduction to management	BUS C483/3	Principles of Management
Public administration	MGMT C200/3	Managing Orgs & Leading People
Financial administration	FINC C708/3	Principles of Finance
Personnel administration	HRM C232/3	Intro to Human Resource Management
Management and labor relations	HRM C233/3	Employment Law
Policy Formation	MGMT C208/3	Change Management and Innovation

The general rule provided by the U.S. Department of Education and regional accreditors is that one academic semester credit hour is composed of 15 hours of direct instruction (50–60-minute hours) and 30 hours of out-of-class student work (60-minute hours) for a total of 45 hours per credit. Using this formula, the 18 credit hours relevant to the required subjects equates to 810 hours of "real-time" invested.

Conclusion:

Assistant Chief Robert Straube has met the training subject requirements of NAC 289.260 by completing over 200 hours of formal education including performance examinations in the required subject areas. **Note: Numerous units from the transcript were not applied to this evaluation and are eligible for application to the training requirements for an Executive certificate.**

3/12/2025 Nevada Commission on POST Employee Profile

Straube, Robert C (17302)

Certifications

Level	Status Date	Status	Cert Date	Exp Date
Management	2/20/2025	Active	2/20/2025	
Category I	7/2/2024	Active	7/2/2024	
Advanced	5/12/2020	Active	5/12/2020	
Intermediate	5/12/2020	Active	5/12/2020	
Supervisor	5/12/2020	Active	5/12/2020	
Category III	5/10/2002	Active	5/10/2002	

9. <u>DISCUSSION AND FOR POSSIBLE ACTION.</u>

Request from the City of Las Vegas Department of Public Safety for an Executive Certificate for their employee Deputy Chief Kyle Ward, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

State of Nevada – POST

Professional Certificate Application

Agency ID *
0025

Agency Name *
City of LV Dept of Public Safety

Officer's Details

POST ID *
25414

Officer's Name *
Kyle Ward

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

All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. Use the POST *Professional Training* or *Annual Compliance* forms for this.

*

- ○ Intermediate (NAC 289.240)
- ○ Advanced (NAC 289.250)
- ○ Supervisor (NAC 289.255)
- ○ Management (NAC 289.260)
- ◉ Executive (NAC 289.270)

*

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

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

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

Attachments (2)

POST – PROFESSIONAL CERTIFICATE APPLICATION – – Kyle Ward – 3/11/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Kyle Ward – 3/11/2025

Additional information or comments

Submitter Details

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate level selected.

Submitter's Full Name *
Dawn Hunt

Submitter's Phone # *
702-229-1828

Submitter's E-Mail *
dhunt@lasvegasnevada.gov

This section is for POST approval only

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

City of Las Vegas

Department of
Public Safety

Chief
Jason Potts

Assistant Chief
Robert Straube

Deputy Chief
Kyle Ward

Deputy Chief
Matthew Triplett

Administrative Offices
3300 Stewart Avenue
Las Vegas, NV 89101

Field Services
833 Las Vegas Boulevard N.
Las Vegas, NV 89101

Detention Services
3200 Stewart Avenue
Las Vegas, NV 89101

Animal Protection Services
2824 E. Charleston Boulevard
Las Vegas, NV 89104

702-229-6444

March 10, 2025

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

Dear Executive Director Sherlock,

I am writing to recommend Deputy Chief Kyle Ward for the Nevada POST Executive Certificate. He fulfills the requirements outlined in NAC 289.270.

Deputy Chief Ward joined the City of Las Vegas Department of Public Safety on November 1, 2021, after serving 16 years with the Las Vegas Metropolitan Police Department. His current assignment (for more than 3 years) places him in an executive-level position overseeing key operational areas. He has completed over 200 hours of POST-certified advanced management courses, meeting the qualifications for the Executive Certificate.

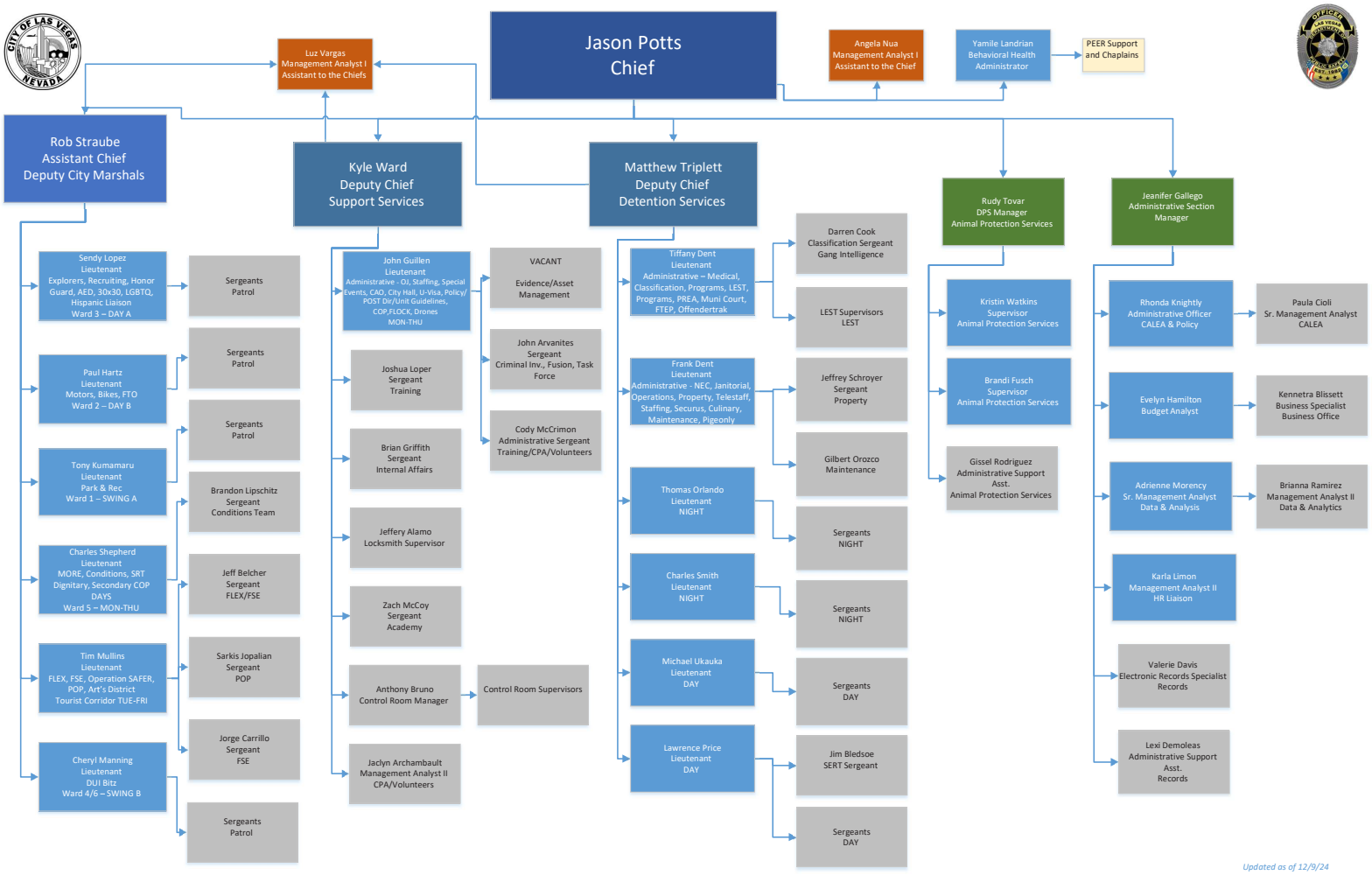
Enclosed is an organizational chart demonstrating his role and current position as an executive within our department.

Please do not hesitate to contact me if you require any further information. I can be reached at 702-229-1424 or jpotts@lasvegasnevada.gov.

Sincerely,

Jason G Potts

Jason Potts
Chief


Jason Potts
Chief
Luz Vargas
Management Analyst I
Assistant to the Chiefs
Angela Nua
Management Analyst I
Assistant to the Chief
Yamile Landrian
Behavioral Health
Administrator
PEER Support
and Chaplains
Rob Straube
Assistant Chief
Deputy City Marshals
Kyle Ward
Deputy Chief
Support Services
Matthew Triplett
Deputy Chief
Detention Services
Rudy Tovar
DPS Manager
Animal Protection Services
Jeanifer Gallego
Administrative Section
Manager
Sendy Lopez
Lieutenant
Explorers, Recruiting, Honor Guard, AED, 30x30, LGBTQ, Hispanic Liaison
Ward 3 – DAY A
Sergeants
Patrol
Paul Hartz
Lieutenant
Motors, Bikes, FTO
Ward 2 – DAY B
Sergeants
Patrol
Sergeants
Patrol
Tony Kumamaru
Lieutenant
Park & Rec
Ward 1 – SWING A
Brandon Lipschitz
Sergeant
Conditions Team
Charles Shepherd
Lieutenant
MORE, Conditions, SRT
Dignitary, Secondary COP
DAYS
Ward 5 – MON-THU
Jeff Belcher
Sergeant
FLEX/FSE
Tim Mullins
Lieutenant
FLEX, FSE, Operation SAFER, POP, Art's District
Tourist Corridor TUE-FRI
Sarkis Jopalian
Sergeant
POP
Cheryl Manning
Lieutenant
DUI Bitz
Ward 4/6 – SWING B
Jorge Carrillo
Sergeant
FSE
Sergeants
Patrol
John Guillen
Lieutenant
Administrative - OJ, Staffing, Special Events, CAO, City Hall, U-Visa, Policy/ POST Dir/Unit Guidelines, COP,FLOCK, Drones
MON-THU
VACANT
Evidence/Asset Management
John Arvanites
Sergeant
Criminal Inv., Fusion, Task Force
Cody McCrimon
Administrative Sergeant
Training/CPA/Volunteers
Joshua Loper
Sergeant
Training
Brian Griffith
Sergeant
Internal Affairs
Jeffery Alamo
Locksmith Supervisor
Zach McCoy
Sergeant
Academy
Anthony Bruno
Control Room Manager
Control Room Supervisors
Jaclyn Archambault
Management Analyst II
CPA/Volunteers
Tiffany Dent
Lieutenant
Administrative – Medical, Classification, Programs, LEST, Programs, PREA, Muni Court, FTEP, Offendertrak
Darren Cook
Classification Sergeant
Gang Intelligence
LEST Supervisors
LEST
Frank Dent
Lieutenant
Administrative - NEC, Janitorial, Operations, Property, Telestaff, Staffing, Securus, Culinary, Maintenance, Pigeonly
Jeffrey Schroyer
Sergeant
Property
Gilbert Orozco
Maintenance
Thomas Orlando
Lieutenant
NIGHT
Sergeants
NIGHT
Charles Smith
Lieutenant
NIGHT
Sergeants
NIGHT
Michael Ukauka
Lieutenant
DAY
Sergeants
DAY
Lawrence Price
Lieutenant
DAY
Jim Bledsoe
SERT Sergeant
Sergeants
DAY
Kristin Watkins
Supervisor
Animal Protection Services
Brandi Fusch
Supervisor
Animal Protection Services
Gissel Rodriguez
Administrative Support Asst.
Animal Protection Services
Rhonda Knightly
Administrative Officer
CALEA & Policy
Paula Cioli
Sr. Management Analyst
CALEA
Evelyn Hamilton
Budget Analyst
Kennetra Blissett
Business Specialist
Business Office
Adrienne Morency
Sr. Management Analyst
Data & Analysis
Brianna Ramirez
Management Analyst II
Data & Analytics
Karla Limon
Management Analyst II
HR Liaison
Valerie Davis
Electronic Records Specialist
Records
Lexi Demoleas
Administrative Support Asst.
Records
Updated as of 12/9/24

MEMORANDUM

TO: Executive Director M. Sherlock

FROM: Mike Hayhurst, Training Division Chief

DATE: February 12, 2024

SUBJECT: Kyle Ward, Las Vegas DPS

Deputy Chief Kyle Ward, from the City of Las Vegas DPS, has requested an evaluation of his transcripts from the University of Virginia, Michigan State University, University of Phoenix, and ITT Technical Institute, for the purpose of determining if he has met the training requirements of NAC 289.260. Deputy Chief Ward provided his unofficial transcripts. I retrieved course descriptions from the appropriate course catalogs.

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

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

Based on the evidence presented, Deputy Chief Ward has a Doctorate degree in Management and lesser degrees in various subjects; all of which were earned from regionally accredited universities. The subjects enumerated in NAC 289.260 were addressed in Deputy Chief Ward's academic programs as follows:

NAC 289.260 Subject	Course #/Credit Hours	Course Name
Introduction to management	MSU MGT 325/3	Management Skills & Processes
Public administration	UVA CJ 5890/3	Essentials for L.E. Executives
Financial administration	ITT MG 516/4Qtr	Corporate Finance
Personnel administration	MSU MGT 315/3	Managing Human Resources
Management and labor relations	MSU MGT 315/used	Managing Human Resources
Policy Formation	MSU PLS 310/3	Public Bureaucracy in Policy Process

The general rule provided by the U.S. Department of Education and regional accreditors is that one academic semester credit hour is composed of 15 hours of direct instruction (50–60-minute hours) and 30 hours of out-of-class student work (60-minute hours) for a total of 45 hours per credit. Quarter units equate to 2/3 of a semester credit hour. Using this formula, the 12 semester credit hours and 4 quarter units relevant to the required subjects equates to 660 hours of "real-time" invested.

Conclusion:

Deputy Chief Kyle Ward has met the training subject requirements of NAC 289.260 by completing over 200 hours of formal education including performance examinations in the required subject areas. **Note: Numerous units from the transcripts were not applied to this evaluation and are eligible for application to the training requirements for an Executive certificate.**

3/12/2025 Nevada Commission on POST Employee Profile

Ward, Kyle (25414)

Certifications

Level	Status Date	Status	Cert Date	Exp Date
Management	2/20/2025	Active	2/20/2025	
Supervisor	11/1/2021	Active	1/27/2015	
Advanced	11/1/2021	Active	9/30/2013	
Intermediate	11/1/2021	Active	9/30/2013	
Category I	11/1/2021	Active	8/28/2006	

10. <u>DISCUSSION AND FOR POSSIBLE ACTION.</u>

Request from the Washoe County Sheriff's Office for an Executive Certificate for their employee Chief Deputy Sandra Barboza, pursuant to NAC 289.270(1)(a). Possible action may include approval or denial of the requested Executive Certificate.

State of Nevada – POST

Professional Certificate Application

Agency ID *
0001

Agency Name *
Washoe Co SO

Officer's Details

POST ID *
13127

Officer's Name *
Sandra A Barboza

Select the Professional Certificate and choose the applicant's qualifications for the certificate.
All officer's hours of POST training used to meet the requirements must be entered into the POST database before submitting this application. Use the POST *Professional Training* or *Annual Compliance* forms for this.

*

- ○ Intermediate (NAC 289.240)
- ○ Advanced (NAC 289.250)
- ○ Supervisor (NAC 289.255)
- ○ Management (NAC 289.260)
- ◉ Executive (NAC 289.270)

*

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

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

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

Attachments (4)

POST – PROFESSIONAL CERTIFICATE APPLICATION – – Sandra A Barboza – 4/18/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Sandra A Barboza – 4/18/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Sandra A Barboza – 4/18/2025
POST – PROFESSIONAL CERTIFICATE APPLICATION – – Sandra A Barboza – 4/18/2025

Additional information or comments

Submitter Details

By electronically signing and submitting this form, you attest that the applicant meets the requirements for the certificate applied for as set out in the Nevada Administrative Code that is referenced next to the certificate level selected.

Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail *
Yolanda LeBlanc	775-328-3040	yleblanc@washoecounty.gov

This section is for POST approval only

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

Darin Balaam, Sheriff

WASHOE COUNTY SHERIFF

April 10, 2025

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

Subject: Executive Certificate Application – Chief Deputy Sandra Barboza (POST #13127)

Dear P.O.S.T. Commission,

I am writing to formally confirm that Chief Deputy Sandra Barboza (POST #13127) meets all eligibility requirements for the P.O.S.T. Executive Certificate.

Chief Deputy Barboza was promoted to her current role within our Operations Bureau on April 8, 2024. She presently oversees our Administration Bureau, where she holds operational command over the following divisions and services:

- Administrative Services (Records and Civil)
- Regional Public Safety Training Center
- Training Division
- Research and Development
- Backgrounds
- Community Relations
- Dispatch
- Fleet Services

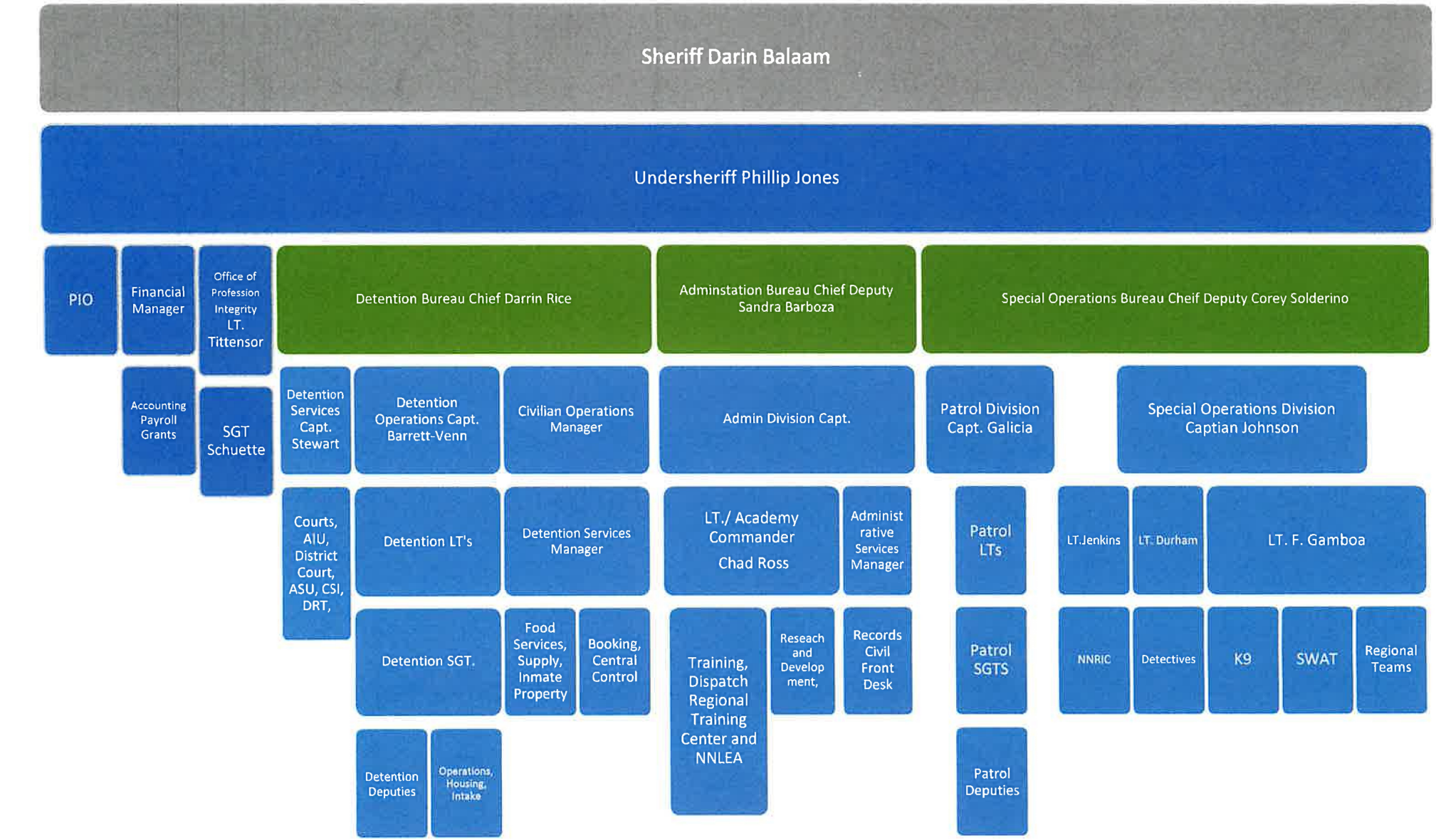
Her responsibilities encompass full administrative and managerial oversight of the Administration Bureau, including personnel management, operational planning, and the strategic direction of all associated units.

Please accept this letter in support of her application for the Executive Certificate. Should you require any additional information or documentation, feel free to contact me directly.

Sincerely,

Darin Balaam, Sheriff

WASHOE COUNTY SHERIFF OFFICE



The Southern Police Institute

Department of Criminal Justice
College of Arts and Sciences
University of Louisville

on recommendation of its faculty and by virtue of the authority vested in it by the trustees of the university has awarded to

Sandra Barboza

this certificate as evidence of the satisfactory completion of the

Administrative Officers Course

Given in the City of Louisville in the Commonwealth of Kentucky in the United States of America in the year of Our Lord two thousand twenty-three, this tenth day of November.

President, University of Louisville

Chair, Criminal Justice

Dean, College of Arts and Sciences

Director, Southern Police Institute

The Southern Police Institute

Department of Criminal Justice
College of Arts and Sciences
University of Louisville

on recommendation of its faculty and by virtue of the authority vested in it by the trustees of the university has awarded to

Sandra Barboza

this certificate as evidence of the satisfactory completion of the

Police Executive Leadership Graduate Program

Given in the City of Louisville in the Commonwealth of Kentucky in the United States of America in the year of Our Lord two thousand twenty-three, this tenth day of November.

President, University of Louisville

Chair, Criminal Justice

Dean, College of Arts and Sciences

Director, Southern Police Institute

Scheduled Courses

Full List of Continuing Education Courses

AOC

- AOC Dates
- How to Apply
- Curriculum: Undergraduate
- Curriculum: Graduate
- Budget Planning (AOC Tuition, Housing, and Fees)
- On-Campus Housing at Billy Minardi Hall for the AOC
- G I Bill Funding

CODC

Lodging for Louisville CE Courses

Administrative Officers Course (AOC)

Background

The Southern Police Institute is an integral part of the Department of Criminal Justice in the College of Arts and Sciences of the University of Louisville. It is an advanced educational and training institute whose mission is to enhance the professional development of law enforcement practitioners. Since the creation of the Southern Police Institute in 1951, its program of instruction has been based on the belief that law enforcement is a demanding activity requiring the highest level of professional preparation. The Administrative Officers Course has been offered continuously since 1951. Today, it is our primary leadership development program. It is designed to provide a comprehensive and challenging educational experience that is intended to enhance the professional and personal lives of our students

Course Description

The Administrative Officers Course is a twelve week (480 hour) in-residence, accredited college level educational program. The course curriculum is designed to develop informed, effective, ethically and technically competent law enforcement managers who are capable of assuming positions of leadership in their respective agencies. It is an appropriate course for individuals in or about to be promoted to middle and upper management positions. This comprehensive development program provides instruction in law enforcement issues, diagnostic problem solving, and administrative law. The varied methods of instruction used by the faculty permit participants to engage their individual creativity and initiative through the analytical examination of issues and problems faced by contemporary law enforcement executives. This course is required as a prerequisite for appointment to the position of police chief by many government jurisdictions throughout the United States. Numerous graduates of the Administrative Officers Course are among today's law enforcement leaders directing agencies throughout the United States and abroad.

4/22/2025 Nevada Commission on POST Employee Profile

Barboza, Sandra A (13127)

Certifications

Level	Status Date	Status	Cert Date	Exp Date
Management	10/5/2007	Active	10/5/2007	
Category III	2/11/2003	Active	2/11/2003	
Advanced	6/25/2001	Active	6/25/2001	
Intermediate	6/25/2001	Active	6/25/2001	
Category I	1/24/2000	Active	1/24/2000	

11. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) and NAC 289.290(1)(i) on the revocation of Robert G. Cummins's (formerly employed with Nevada Lakes Crossing Center) Category III basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony and conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C § 921(a)(33). The convictions which have led to this action are:

Count I: Coercion with Physical Force or Immediate Threat of Physical Force, a violation of NRS 207.190 92(a), a category B Felony

Count II: Domestic Battery, First Offense, a violation of NRS 200.485(1)(a) and NRS 33.018, a Misdemeanor.

Action will be revocation of the Category III basic certificate.

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 20, 2025

Robert G. Cummins
[redacted]
Reno, NV 89512

POST PIN #: 40832

Dear Mr. Cummins,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) will be revoked pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony and NAC 289.290(1)(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33).** The conviction(s) which have led to this action are as follows:

Count I: Coercion with Physical Force or Immediate Threat of Physical Force, a violation of NRS 207.190 92(a), a category B Felony
Count II: Domestic Battery, First Offense, a violation of NRS 200.485(1)(a) and NRS 33.018, a Misdemeanor
Case#: CR24-1945
Dept No: 15
Jurisdiction: Second Judicial District Court of the State of Nevada in and for the County of Washoe

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NEVADA 89701

The hearing will cover the following: the revocation of your P.O.S.T certificate(s) pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony and NAC 289.290(1)(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33).**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, SGT. MARK BOYD, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

To Individual's Name: **ROBERT G. CUMMINS**

at [redacted] ELY, NV. 89301 / [redacted] this
(location)

20 day of MARCH, 2025.
Day *Month* *Year*

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

Executed on this 20 day of MARCH, 2025.
Day *Month* *Year*

SGT. M. Boyd
Signature of person serving the Notice

SGT MARK BOYD
Printed name of person serving the Notice

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

EXHIBIT B

State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency Login

Agency Name *
NV Lakes Crossing Center

Employee Details

POST ID *
40832

First Name *
ROBERT

Last Name *
CUMMINS

Middle Initial
G

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *
◉ Line ○ Supervisor ○ Management ○ Executive

*
○ Part Time ◉ Full Time

Status Changed
○ Deceased ○ Retired ◉ Separated

Effective Date *
09/04/2024

NAC 289.290 Notification (Cause for Commission Action)

EXHIBIT C

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

Does the above NAC apply?

○ No ◉ Yes

Is your agency requesting revocation?

○ Yes ◉ No

Comments\Additional Information:

Officer Cummins was arrested on 8-26-24 and charged with Battery which constitutes domestic violence with substantial bodily harm (Category C Felony). His court case number is CR24-1945

Submitter Details

Submitter's Full Name *	Submitter's Phone #*	Submitter's E-Mail Address
David Golish	775-688-0552	dgolish@health.nv.gov

txtFormType

Update PAR

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category III Basic Certificate

To

Robert G. Cummins

For having fulfilled all the requirements for basic certification
As prescribed by Nevada Administrative Code.

Commission Chairman

Executive Director

40832
POST ID #

01/25/2024
Date

EXHIBIT D

FILED
Electronically
CR24-1945
2024-11-06 04:17:56 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 10665246

DA# 0346905

RPD RP24-015971

CODE 1800
Christopher J. Hicks
#7747
One South Sierra, South Tower, 4th Floor
Reno, NV 89501
districtattorney@da.washoecounty.gov
(775) 328-3200
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

ROBERT CUMMINS,

Defendant.
_____/

Case No.: CR24-1945

Dept. No.: D15

INFORMATION

CHRISTOPHER J. HICKS, District Attorney within and for the County of Washoe, State of Nevada, in the name and by the authority of the State of Nevada, informs the above-entitled Court that, the defendant above-named, ROBERT CUMMINS, has committed the crime(s) of:

BATTERY WHICH CONSTITUTES DOMESTIC VIOLENCE WITH SUBSTANTIAL BODILY HARM, a violation of NRS 200.481, 200.485.533.018, a category B Felony, (61677) in the manner following, to wit:

That the said defendant, ROBERT CUMMINS, on or about August 26, 2024, within the County of Washoe, State of Nevada, did willfully and unlawfully use force or violence upon the person of [redacted], a person with whom he has had or is having a dating

EXHIBIT E

relationship, in Washoe County, Nevada, causing substantial bodily harm, to wit: the said defendant attacked [redacted] by grabbing her by the throat, and shoved her into various objects and/or shoved her to the ground and kicked her, causing her to substantial bodily harm.

All of which is contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Nevada.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By _____
KENNETH CHING
10542
Deputy District Attorney

2 of 3 Certified by AJuarez on 02/25/2025

The following are the names of such witnesses as are known to me at the time of the filing of the within Information:

[redacted] RECORDS - REMSA
RENOWN HEALTH
SAINT MARY'S REGIONAL MEDICAL CENTER
OFFICER ALISHA BULLINGTON

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 6th day of November, 2024.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By Kenneth K. Ching
KENNETH CHING
10542
Deputy District Attorney

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court in and for the County of Washoe.

3 of 3 Certified by AJuarez on 02/25/2025

FILED
Electronically
CR24-1945
2024-11-25 11:34:38 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10695776

DA# 0346905

RPD RP24-015971

CODE 1095
Christopher J. Hicks
#7747
One South Sierra, South Tower, 4th Floor
Reno, NV 89501
districtattorney@da.washoecounty.gov
(775) 328-3200
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

ROBERT CUMMINS,

Defendant.
_____/

Case No.: CR24-1945

Dept. No.: D15

AMENDED INFORMATION

CHRISTOPHER J. HICKS, District Attorney within and for the County of Washoe, State of Nevada, in the name and by the authority of the State of Nevada, informs the above-entitled Court that, the defendant above-named, ROBERT CUMMINS, has committed the crimes of:

COUNT I. COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE, a violation of NRS 207.190.2A, a category B Felony, (53159) in the manner following, to wit:

That the said defendant, ROBERT CUMMINS, on or about August 26, 2024, within the County of Washoe, State of Nevada, did willfully and unlawfully, with the intent to compel another to do or abstain from doing an act which the other person has a right to do or abstain

EXHIBIT F

from doing, use violence or inflict injury upon the person, or any member of his family, or upon his property, or threaten such violence or injury, to wit: the said defendant attacked [redacted] by grabbing her by the throat, and shoved her into various objects and/or shoved her to the ground and kicked her, causing her to substantial bodily harm, all of which occurred at or near [redacted] Washoe County, Nevada.

COUNT II. DOMESTIC BATTERY, FIRST OFFENSE, a violation of NRS 200.485.1A, 33.018, a Misdemeanor, (50235) in the manner following, to wit:

That the said defendant, ROBERT CUMMINS, on or about August 26, 2024, within the County of Washoe, State of Nevada, did willfully and unlawfully use force or violence upon the person of [redacted], a person with whom he has had or is having a dating relationship, to wit: the said defendant attacked Walton by grabbing her by the throat, and shoved her into various objects and/or shoved her to the ground and kicked her, causing her to substantial bodily harm, all of which occurred at or near [redacted], [redacted] Washoe County, Nevada.

///

///

///

///

///

///

///

All of which is contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Nevada.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By 
KENNETH CHING
10542
Deputy District Attorney

3 of 4 Certified by AJuarez on 02/25/2025

The following are the names of such witnesses as are known to me at the time of the filing of the within Amended Information:

[redacted]

[redacted]

CUSTODIAN OF RECORDS - REMSA
RENOWN HEALTH
SAINT MARY'S REGIONAL MEDICAL CENTER
OFFICER ALISHA BULLINGTON

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 25th day of November, 2024.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By _____
KENNETH CHING
10542
Deputy District Attorney

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court in and for the County of Washoe.

DDA: [redacted]

4 of 4 Certified by AJuarez on 02/25/2025

FILED
Electronically
CR24-1945
2024-11-26 02:13:14 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 10699783

CODE 1785
Christopher J. Hicks
#7747
One South Sierra, South Tower, 4th Floor
Reno, NV 89501
districtattorney@da.washoecounty.gov
(775) 328-3200
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

ROBERT CUMMINS,

Defendant.

Case No.: CR24-1945

Dept. No.: D15

/

GUILTY PLEA MEMORANDUM

1. I, ROBERT CUMMINS, understand that I am charged with the offenses of COUNT I. COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE, a violation of NRS 207.190.2A, a category B Felony, and COUNT II. DOMESTIC BATTERY, FIRST OFFENSE, a violation of NRS 200.485.1A, 33.018, a Misdemeanor.

2. I desire to enter a plea of guilty to the offenses of: COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE, a violation of NRS 207.190.2A, a category B Felony, and DOMESTIC BATTERY, FIRST OFFENSE, a violation of NRS 200.485.1A, 33.018, a Misdemeanor, as more fully alleged in the charges filed against me.

///

EXHIBIT G

3. By entering my plea of guilty I know and understand that I am waiving the following constitutional rights:

A. I waive my privilege against self-incrimination.

B. I waive my right to trial by jury, at which trial the State would have to prove my guilt of all elements of the offenses beyond a reasonable doubt.

C. I waive my right to confront my accusers, that is, the right to confront and cross examine all witnesses who would testify at trial.

D. I waive my right to subpoena witnesses for trial on my behalf.

4. I understand the charges against me and that the elements of the offenses which the State would have to prove beyond a reasonable doubt at trial are that on or about August 26, 2024, within the County of Washoe, State of Nevada, I did willfully and unlawfully, with the intent to compel another to do or abstain from doing an act which the other person has a right to do or abstain from doing, use violence or inflict injury upon the person, or any member of my family, or upon my property, or threaten such violence or injury, to wit: I attacked [redacted] by grabbing her by the throat, and shoved her into various objects and/or shoved her to the ground and kicked her, causing her to substantial bodily harm, all of which occurred at or near [redacted] Washoe County, Nevada.

///

///

I further understand the charges against me and that the elements of the offenses which the State would have to prove beyond a reasonable doubt at trial are that on or about August 26, 2024, within the County of Washoe, State of Nevada, I did willfully and unlawfully use force or violence upon the person of [redacted], a person with whom I have had or am having a dating relationship, at [redacted] Washoe County, Nevada, to wit: I attacked [redacted] by grabbing her by the throat, and shoved her into various objects and/or shoved her to the ground and kicked her, causing her to substantial bodily harm, all of which occurred at or near [redacted] Washoe County, Nevada.

5. I understand that I admit the facts which support all the elements of the offenses by pleading guilty. I admit that the State possesses sufficient evidence which would result in my conviction. I have considered and discussed all possible defenses and defense strategies with my counsel. I understand that I have the right to appeal from adverse rulings on pretrial motions only if the State and the Court consent to my right to appeal in a separate written agreement. I understand that any substantive or procedural pretrial issue(s) which could have been raised at trial are waived by my plea.

6. I understand that the consequences of my plea of guilty to Count I are that I may be imprisoned for 1-6 years in the Nevada State Department of Corrections. I may be fined up to $5,000. I am probation eligible.

I further understand that the consequences of my plea of guilty to Count II are that I may be imprisoned in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and performing not less than 48 hours, but not more than 120 hours, of community service. I shall be further punished by a fine of not less than $200, but not more than $1,000.

7. In exchange for my plea of guilty, the State, my counsel and I have agreed to recommend the following: The parties will be free to argue for an appropriate sentence.

8. I understand that, even though the State and I have reached this plea agreement, the State is reserving the right to present arguments, facts, and/or witnesses at sentencing in support of the plea agreement.

9. Where applicable, I additionally understand and agree that I will be responsible for the repayment of any costs incurred by the State or County in securing my return to this jurisdiction.

10. I understand that the State, at their discretion, is entitled to either withdraw from this agreement and proceed with the prosecution of the original charges or be free to argue for an appropriate sentence at the time of sentencing if I fail to appear at any scheduled proceeding in this matter OR if prior to the date of my sentencing I am arrested in any jurisdiction for a violation of law OR if I have misrepresented my prior criminal history. I understand and agree that the occurrence of any of these acts constitutes a material breach of my plea agreement with the State. I further understand and agree that by the execution of this agreement, I am

waiving any right I may have to remand this matter to Justice Court should I later withdraw my plea.

11. I understand and agree that pursuant to the terms of the plea agreement stated herein, any counts which are to be dismissed and any other cases charged or uncharged which are either to be dismissed or not pursued by the State, may be considered by the court at the time of my sentencing.

12. I understand that the Court is not bound by the agreement of the parties and that the matter of sentencing is to be determined solely by the Court. I have discussed the charge, the facts, and the possible defenses with my attorney. All of the foregoing rights, waiver of rights, elements, possible penalties, and consequences, have been carefully explained to me by my attorney. My attorney has not promised me anything not mentioned in this plea memorandum, and, in particular, my attorney has not promised that I will get any specific sentence. I am satisfied with my counsel's advice and representation leading to this resolution of my case. I am aware that if I am not satisfied with my counsel, I should advise the Court at this time. I believe that entering my plea is in my best interest and that going to trial is not in my best interest. My attorney has advised me that if I wish to appeal, any appeal, if applicable to my case, must be filed within thirty days of my sentence and/or judgment.

13. I understand that this plea and resulting conviction will likely have adverse effects upon my residency in this country if I am not a U. S. Citizen. I have discussed the effects my plea will

have upon my residency with my counsel.

14. I offer my plea freely, voluntarily, knowingly and with full understanding of all matters set forth in the Amended Information and in this Plea Memorandum. I have read this plea memorandum completely and I understand everything contained within it.

15. My plea of guilty is voluntary and is not the result of any threats, coercion or promises of leniency.

16. I am signing this Plea Memorandum voluntarily with advice of counsel, under no duress, coercion, or promises of leniency.

17. I do hereby swear under penalty of perjury that all of the assertions in this written plea agreement document are true.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 26 TH day of November, 2024.

Robert Cummins
Defendant

Translator/Interpreter

Attorney ~~Witnessing Defendant's~~ Signature

Deputy District Attorney

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: 02/25/2025

ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By _____ Deputy

6 Pages

FILED
Electronically
CR24-1945
2025-01-22 01:19:33 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 10792735

CODE 1850

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs.

ROBERT CUMMINS,

Defendant.
_____/

Case No. CR24-1945

Dept. No. 15

JUDGMENT

The Defendant, having entered a plea of Guilty, and no sufficient cause being shown as to why judgment should not be pronounced against him, the Court rendered judgment as follows:

That Robert Cummins is guilty of the crime of Coercion With Physical Force or Immediate Threat of Physical Force, a violation of NRS 207.190 92)(a), a category B felony, as charged in Count I of the Amended Information, and he shall be punished by imprisonment in the Nevada Department of Corrections for the maximum term of twenty-four (24) months with the minimum parole eligibility of twelve (12) months, with credit for four (4) days time served.

That Robert Cummins is guilty of the crime of Domestic Battery, First Offense, a violation of NRS 200.485 (1)(a), and NRS 33.018, a misdemeanor, as charged in Count II of the Amended Information, and he shall be punished by imprisonment in the Washoe County Jail for the term of six (6) months, to be served concurrently to the

EXHIBIT H

sentence imposed for Count I, with credit for four (4) days time served. As to Count II, the Defendant is further punished by payment of a fine in the amount of One Thousand Dollars ($1,000.00), and he shall perform forty-eight (48) hours of community service.

It is further ordered that the Defendant shall pay the statutory Twenty-Five Dollar ($25.00) administrative assessment fee; that he shall submit to a DNA analysis test for the purpose of determining genetic markers and pay a testing fee in the amount of One Hundred Fifty Dollars ($150.00); that he shall pay the Three Dollar ($3.00) administrative assessment fee for obtaining a biological specimen and conducting a genetic marker analysis; and that he shall pay the domestic battery assessment fee in the amount of Thirty-Five Dollars ($35.00).

It is further ordered that the fees shall be subject to removal from the Defendant's books at the Washoe County Jail and/or the Nevada Department of Corrections. Any fine, fee, administrative assessment, or restitution ordered today (as reflected in this Judgment) constitutes a lien, as defined in NRS 176.275. Should the Defendant not pay these fines, fees, assessments, or restitution, collection efforts may be undertaken against him.

Dated this 21st day of January, 2025.

DISTRICT JUDGE

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

FILED
Electronically
CR24-1945
2025-01-24 12:33:03 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 10798531

CODE 1860

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs.

ROBERT CUMMINS,

Defendant.

Case No. CR24-1945

Dept. No. 15

CORRECTED JUDGMENT

The Defendant, having entered a plea of Guilty, and no sufficient cause being shown as to why judgment should not be pronounced against him, the Court rendered judgment as follows:

That Robert Cummins is guilty of the crime of Coercion With Physical Force or Immediate Threat of Physical Force, a violation of NRS 207.190 92)(a), a category B felony, as charged in Count I of the Amended Information, and he shall be punished by imprisonment in the Nevada Department of Corrections for the maximum term of *forty-eight (48)* months with the minimum parole eligibility of twelve (12) months, with credit for four (4) days time served.

That Robert Cummins is guilty of the crime of Domestic Battery, First Offense, a violation of NRS 200.485 (1)(a), and NRS 33.018, a misdemeanor, as charged in Count II of the Amended Information, and he shall be punished by imprisonment in the Washoe County Jail for the term of six (6) months, to be served concurrently to the

EXHIBIT I

sentence imposed for Count I, with credit for four (4) days time served. As to Count II, the Defendant is further punished by payment of a fine in the amount of One Thousand Dollars ($1,000.00), and he shall perform forty-eight (48) hours of community service.

It is further ordered that the Defendant shall pay the statutory Twenty-Five Dollar ($25.00) administrative assessment fee; that he shall submit to a DNA analysis test for the purpose of determining genetic markers and pay a testing fee in the amount of One Hundred Fifty Dollars ($150.00); that he shall pay the Three Dollar ($3.00) administrative assessment fee for obtaining a biological specimen and conducting a genetic marker analysis; and that he shall pay the domestic battery assessment fee in the amount of Thirty-Five Dollars ($35.00).

It is further ordered that the fees shall be subject to removal from the Defendant's books at the Washoe County Jail and/or the Nevada Department of Corrections. Any fine, fee, administrative assessment, or restitution ordered today (as reflected in this Judgment) constitutes a lien, as defined in NRS 176.275. Should the Defendant not pay these fines, fees, assessments, or restitution, collection efforts may be undertaken against him.

Dated this 23rd day of January, 2025.
NUNC PRO TUNC to January 21, 2025.

DISTRICT JUDGE

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

12. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(h) and NAC 189.290(1)(i) on the revocation of Darriel K. Gaynor's (formerly employed with the Clark County Department of Juvenile Justice Services) Category II and III basic certificates based on a conviction of a misdemeanor and a conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). The convictions which have led to this action are:

Count I: ASSAULT, VIOLATION OF NOC 50200, A MISDEMEANOR
Count II: DOMESTIC BATTERY, 1ST, VIOLATION OF NOC 50235, A MISDEMEANOR

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

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 20, 2025

Darriel K. Gaynor
[redacted]
N Las Vegas, NV 89032

POST PIN #: 38297

Dear Ms. Gaynor,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290(1)(i) based on a Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33) and NAC 289.290(1)(h) based on a Conviction of a misdemeanor.** The conviction(s) which have led to this action are as follows:

Count I: ASSAULT, VIOLATION OF NOC 50200, A MISDEMEANOR
Count II: DOMESTIC BATTERY, 1ST, VIOLATION OF NOC 50235, A MISDEMEANOR
Case#: 24CRN000456-0000
Dept No: DEPT. 2
Jurisdiction: JUSTICE COURT, NORTH LAS VEGAS TOWNSHIP, CLARK COUNTY, NEVADA

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or a number that is practicable at a hearing or designate an independent hearing officer to hear the matter. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NEVADA 89701

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked, pursuant to **NAC 289.290(1)(i) based on a Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33) and NAC 289.290(1)(h) based on a Conviction of a misdemeanor.**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

CONSTABLE'S OFFICE of HENDERSON TOWNSHIP
Kenny Taylor, Constable
243 Water Street Henderson, NV 89015
Phone 702-455-7940 Fax 702-455-7942

HNTC 3615

CIVIL PROCESS FORM

PLEASE COMPLETE THE FOLLOWING INFORMATION ABOUT THE PERSON OR COMPANY WE ARE SERVING:

Type:	NOTICE TO REVOKE
Case #	P#38297
Fee Total:	~~0~~
Court Date:	05-01-2025

NAME & TITLE OF PERSON TO BE SERVED: If a company or corporation please provide the name of the owner, corporate officer, or resident agent.

NAME OR BUSINESS TO BE SERVED: DARRIEL K GAYNOR

[redacted] N. LAS VEGAS NV 89032

EMPLOYER & EMPLOYER ADDRESS:

BEST TIME TO SERVE @ HOME: _____ A.M. P.M. @WORK _____ A.M. P.M.

PHONE NUMBER OF PERSON TO BE SERVED: HOME _____ WORK _____

DESCRIPTION

RACE _____ SEX _____ HEIGHT _____ WEIGHT _____ HAIR COLOR _____ EYES _____ AGE _____

VEHICLE

YEAR _____ MAKE _____ BODY STYLE _____ COLOR _____ PLATE # _____ STATE _____

OTHER INFORMATION TO HELP US SERVE THE DEFENDANT:

Defendant Info (person to be served)

Plaintiff Info

PLAINTIFF'S DAY PH#: _____ CELL PH#: 775-687-7678

PLAINTIFF'S NAME State of Nevada Commission on Peace Officer Standards & Training

ADDRESS 5587 Wa Pai Shone Ave

Carson City, NV 89701

*email to: Kath & Floyd

{DO NOT WRITE BELOW THIS LINE}

Deputy Worksheet

DEPUTY ASSIGNED: Nakagawa DATE: 3.25.25

1. DATE MAR 2 8 2025 TIME: 0701 LOCATION: S/A.

2. DATE: _____ TIME: _____ LOCATION: _____

3. DATE: _____ TIME: _____ LOCATION: SERVED

REASON FOR NON-SERVICE:

NEW ADDRESS INFO: _____

PERSON ACCEPTING PRINT and SIGN DARRIEL GAYNOR

MAR 2 6 2025 / 0600

D. NAKAGAWA P#45

EXHIBIT B

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
5587 Wa Pai Shone Avenue
CARSON CITY, NEVADA 89701
(775) 687-7678 FAX (775) 687-4911

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, D. NAKAGAWA P#45, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

To Individual's Name: **DARRIEL K. GAYNOR**

at [redacted] NLV, NV 89032 on this
(location)

28 day of MAR 2025
Day *Month* *Year*

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

Executed on this 28 day of MAR 2025
Day *Month* *Year*

D 45
Signature of person serving the Notice

D. NAKAGAWA P#45
Printed name of person serving the Notice

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

togetherforbetter

Clark County Juvenile Justice Services

Director's Office

601 N. Pecos Road, Las Vegas, NV 89101
Office: 702-455-5210 | Fax: 702-455-5216 | ClarkCountyNV.gov

John Muñoz
Director

Michael Whelihan
Deputy Director

August 27th, 2024

To whom it may concern,

I hope this message finds you well. My name is John Muñoz, and I serve as the Director of the Clark County Juvenile Justice Services. I am writing to formally request the revocation of Juvenile Probation Officer Darriel Gaynor's Category II and III basic certificates, pursuant to NAC 289.290, following her recent conviction for misdemeanor Domestic Battery on May 22, 2024.

Please let me know if you need further information.

Thank you,

John Muñoz

EXHIBIT C

State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency Login

Agency Name *
Clark Co Dept of Juvenile Justice Svcs

Employee Details

POST ID *
38297

First Name *
DARRIEL

Last Name *
GAYNOR

Middle Initial
D

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *
◉ Line ○ Supervisor ○ Management ○ Executive

*
○ Part Time ◉ Full Time

Status Changed
○ Deceased ○ Retired ◉ Separated

Effective Date *
05/09/2024

NAC 289.290 Notification (Cause for Commission Action)

EXHIBIT D

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

Does the above NAC apply?

○ No ● Yes

Is your agency requesting revocation?

○ Yes ○ No

Comments\Additional Information:

Charged with Domestic violence w/a deadly weapon (felony), burglary while in possession of a handgun (felony), harassing phone calls and possession of stolen property (both misdemeanors).

Submitter Details

Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail Address
Horacio Valdez	702-455-5452	valdezho@clarkcountynv.gov

txtFormType

Update PAR

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category II
Basic Certificate

To

Darriel K. Gaynor

For having fulfilled all the requirements for basic certification
As prescribed by Nevada Administrative Code.

Commission Chairman

Executive Director

38297
POST ID #

06/22/2020
Date

EXHIBIT E

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category III
Basic Certificate

To

Darriel K. Gaynor

For having fulfilled all the requirements for basic certification
As prescribed by Nevada Administrative Code.

Commission Chairman

Executive Director

38297
POST ID #

06/22/2020
Date

JUSTICE COURT, NORTH LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DARRIEL KENISE GAYNOR #7515685,

Defendant.

North Las Vegas Justice Court
FILED IN OPEN COURT
Clerk 3-12-24 Date

24CRN000456-0000
DA CASE NO: 202409809C
Dept. 2

CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of ASSAULT WITH A DEADLY WEAPON CONSTITUTING DOMESTIC VIOLENCE (Category B Felony - NRS 200.471, 33.018 - NOC 61576) and BURGLARY OF A MOTOR VEHICLE WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426), in the manner following, to wit: That the said Defendant, on or about the 29th day of February, 2024, at and within the County of Clark, State of Nevada,

COUNT 1 - ASSAULT WITH A DEADLY WEAPON CONSTITUTING DOMESTIC VIOLENCE

did willfully, unlawfully, feloniously and intentionally place another person in reasonable apprehension of immediate bodily harm and/or did willfully and unlawfully attempt to use physical force against another person, to wit: [redacted] who was her spouse, former spouse, any other person to whom she is related by blood or marriage, a person with whom she has had or is having a dating relationship, a person with whom she has a child in common, the minor child of any of those persons or her minor child, with use of a deadly weapon, to wit: a firearm, by pointing said firearm at the said [redacted].

COUNT 2 - BURGLARY OF A MOTOR VEHICLE WHILE IN POSSESSION OF A DEADLY WEAPON

did willfully, unlawfully, and feloniously unlawfully enter or unlawfully remain in a motor vehicle, to wit: a Mercedes, or any part thereof, owned or occupied by [redacted]

EXHIBIT F

[redacted] located at [redacted] Clark County, Nevada, with the intent to commit grand or petit larceny, assault or battery, and/or a felony, while in possession of and/or gaining possession of a firearm, a deadly weapon, during the commission of the crime and/or before leaving the vehicle.

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

03/06/24

CERTIFIED COPY
The document to which this certificate is attached is a full, true and correct copy of the original on file with the North Las Vegas Justice Court, Clark County, State of Nevada
By: _____ Date: 8-22-24

/ih
NLVPD EV# 2402290004027
(TK) - CRD: 03-12-2024

JUSTICE COURT. NORTH LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 24CRN000456-0000

State **GAYNOR, DARRIEL KENISE** [redacted]

Charge(s)	DOMESTIC BATTERY, 1ST	GUILTY PLEA W/SENT BEFORE PRELIM
	(Amended from BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON)	
	ASSAULT	GUILTY PLEA W/SENT BEFORE PRELIM
	(Amended from ASLT DOM VIOL, W/USE OF DW)	

Conditions

Description	Required Amount	Bal Due	Due Dt	Notes
STAY OUT OF TROUBLE				
STAY AWAY FROM VICTIM				
SUSPENDED SENTENCE	180.00 DAYS	180.00		
MENTAL HEALTH COUNSEL				

LINKED CASES FOR: 24CRN000456-0000

CASE #	STATUS	EVENT DATE	EVENT DESCRIPTION
24PCN000507-0000	CRIMINAL COMPLAINT FIL	NO FUTURE EVENTS	PRETRIAL CUSTODY STATUS HEARING N

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
February 29, 2024	BAIL AMOUNT Charge #1: ASLT DOM VIOL, W/USE OF DW	
	BAIL AMOUNT Charge #2: BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON	
March 01, 2024	SET FOR COURT APPEARANCE Event: PRETRIAL CUSTODY STATUS HEARING NLV Date: 03/02/2024 Time: 8:00 am Judge: HARRIS, BELINDA T Location: DEPARTMENT 3 Result: PRETRIAL CUSTODY STATUS HEARING HELD	
	COURT MANUAL JUDGE ASSIGNMENT The judge was changed from HOO, KALANI to TYRRELL, NATALIE L	
	PROBABLE CAUSE DETERMINATION	

EXHIBIT G

JUSTICE COURT. NORTH LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 24CRN000456-0000

State **GAYNOR, DARRIEL KENISE** [redacted]

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
March 02, 2024 C. NEWMAN (PRO-TEM) FOR B. T. HARRIS, JP S. CLOWERS, DDA L. AVANTS, DPD M. REHAGEN, CLERK	PRETRIAL CUSTODY STATUS HEARING HELD Defendant NOT present on BAIL (not yet received) Probable cause found Defendant posted bond and was told to appear March 12, 2024, at 8:30 in Department 2 PASSED for status check on filing of the criminal complaint BAIL continues SET FOR COURT APPEARANCE Event: FELONY ARRAIGNMENT NLV Date: 03/12/2024 Time: 8:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2	
March 05, 2024	BAIL POSTED Arrest Bond Added to Case with: Action Code: ASLT DOM VIOL, W/USE OF DW Arrest Date: 02/29/2024 Bond Status: POSTED Status Date: 03/01/2024 Blanket Bond: Yes Okay to Apply: No Bond Type: CASH BAIL OR SURETY BOND Bond Amount: 28000 Bond/Pwr No.: SV50-5367455 Bonding Co.: ALADDIN BAIL BONDS Surety Agent: VILLAGOMEZ, BRYANA Insurance Co.: SEAVIEW INSURANCE COMPANY Charge #1: ASLT DOM VIOL, W/USE OF DW	

JUSTICE COURT. NORTH LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 24CRN000456-0000

State **GAYNOR, DARRIEL KENISE** [redacted]

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
March 12, 2024 N. L. TYRRELL, JUDGE J. TAYLOR, DDA J. MELORO, ESQ FOR J. MARCHESE, ESQ J. HARRIS, CLERK RECORDED BY JAVS	SET FOR COURT APPEARANCE Event: STATUS CHECK NLV Date: 04/16/2024 Time: 8:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2 SET FOR COURT APPEARANCE Event: FELONY ARRAIGNMENT NLV Date: 03/12/2024 Time: 8:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2 Result: CRIMINAL HEARING HELD COMPLAINT SWORN TO AND FILED IN OPEN COURT: ARRAIGNMENT HEARING HELD DEFENDANT IS NOT PRESENT IN COURT J. MELORO ESQ. CONFIRMS AS ATTORNEY OF RECORD FOR J. MARCHESE ESQ. DEFENSE REQUESTS CONTINUANCE MOTION GRANTED PASSED FOR STATUS CHECK ON NEGOTIATIONS BOND CONTINUES	
April 16, 2024 N. L. TYRRELL, JUDGE J. TAYLOR, DDA Y. KHAYYAMMI, ESQ FOR J. MARCHESE, ESQ J. HARRIS, CLERK RECORDED BY JAVS	STATUS CHECK - HELD DEFENDANT NOT PRESENT IN COURT DEFENSE REQUESTS CONTINUANCE-GRANTED PRELIMINARY HEARING SET BOND CONTINUES SET FOR COURT APPEARANCE Event: PRELIMINARY HEARING NLV Date: 05/22/2024 Time: 9:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2	

JUSTICE COURT. NORTH LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 24CRN000456-0000

State **GAYNOR, DARRIEL KENISE** [redacted]

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
May 22, 2024 H. STOBERSKI, PRO-TEM FOR N. L. TYRRELL, JUDGE H. TRIPPIEDI, DDA J. MARCHESE, ESQ J. HARRIS, CLERK RECORDED BY JAVS	THIS IS THE TIME SET FOR PRELIMINARY HEARING DEFENDANT PRESENT IN COURT ON BOND BATTERY DOMESTIC VIOLENCE ADMONISHMENT OF RIGHTS FORM RECEIVED IN OPEN COURT DEFENDANT ENTERS INTO A PLEA OF NOLO TO MISDEMEANOR CHARGES OF ASSAULT 50200 AND BATTERY DOMESTIC VIOLENCE-1ST 50235 90 DAYS SUSPENDED SENTENCE FOR EACH COURT CONSECUTIVE-180 DAYS TOTAL MENTAL HEALTH EVALUATION STAY AWAY FROM VICTIM AND SILVER MESA RECREATION CENTER AT 4025 ALLEN LANE NLV ALL OTHER BATTERY DOMESTIC VIOLENCE REQUIREMENTS ARE CREDIT FOR TIME SERVED STAY OUT OF TROUBLE PASSED FOR STATUS CHECK BOND EXONERATED O/R CONTINUES	
	Defendant sentenced to: STAY AWAY FROM VICTIM Due Date: Required: YES Units: Balance:	
	SET FOR COURT APPEARANCE Event: STATUS CHECK NLV Date: 07/10/2024 Time: 8:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2	
	Defendant sentenced to: STAY OUT OF TROUBLE Due Date: Required: YES Units: Balance:	
	Suspended Sentence Due Date: Required: YES Units: 180 DAYS Balance: 180	

JUSTICE COURT. NORTH LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA
DOCKET SHEET...CRIMINAL

CASE # 24CRN000456-0000

State **GAYNOR, DARRIEL KENISE** [redacted]

DATE, JUDGE, OFFICERS OF COURT PRESENT	PROCEEDINGS APPEARANCES - HEARING	EVENTS
July 10, 2024 B.T. HARRIS, JUDGE FOR N. L. TYRRELL, JUDGE H. TRIPPIEDI, DDA J. MARCHESE, ESQ VIA ZOOM J. HARRIS, CLERK RECORDED BY JAVS	SET FOR COURT APPEARANCE Event: STATUS CHECK NLV Date: 08/14/2024 Time: 8:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2 STATUS CHECK - HELD DEFENDANT NOT PRESENT IN COURT DEFENSE REQUESTS THE DEFENDANT APPEARANCE BE WAIVED-GRANTED DEFENDANT WILL BE DOING THE EVALUATION TODAY PER DEFENSE DEFENSE REQUESTS CONTINUANCE-GRANTED PASSED FOR STATUS CHECK ON MENTAL HEALTH EVALUATION O/R CONTINUES	
August 14, 2024 N. L. TYRRELL, JUDGE J. TAYLOR, DDA J. MARCHESE, ESQ J. HARRIS, CLERK RECORDED BY JAVS	STATUS CHECK - HELD DEFENDANT NOT PRESENT IN COURT DEFENSE PROVIDES MENTAL HEALTH EVALUATION IN OPEN COURT EVALUATION RECOMMENDS 26 WEEKS OF DOMESTIC VIOLENCE CLASSES DEFENSE STATES THAT THE DEFENDANT HAS ALREADY COMPLETED 2 DOMESTIC VIOLENCE CLASSES DEFENSE REQUESTS CONTINUANCE-GRANTED DEFENDANT DID STAY OUT OF TROUBLE PER STATE PASSED FOR STATUS CHECK O/R CONTINUES SET FOR COURT APPEARANCE Event: STATUS CHECK NLV Date: 02/12/2025 Time: 8:30 am Judge: TYRRELL, NATALIE L Location: DEPARTMENT 2	STATUS CHECK NLV Date: February 12, 2025 Time: 8:30 am Location: DEPARTMENT 2

CERTIFIED COPY
The document to which this certificate is attached is a full, true and correct copy of the original on file with the North Las Vegas Justice Court, Clark County, State of Nevada
By: _____ Date: 8-22-24

FINAL DISPOSITION REPORT

CERTIFIED COPY
The document to which this certificate is attached is a full, true and correct copy of the original on file with the Las Vegas Justice Court, Clark County, State of Nevada
By: Date: 8-22-24

NEVADA DEPARTMENT OF PUBLIC SAFETY
CENTRAL REPOSITORY FOR NEVADA RECORDS OF CRIMINAL ACTIVITY
FAX: (775) 687-0173

NAME OF REPORTING AGENCY: NORTH LAS VEGAS POLICE DEPARTMENT

PCN:

SID#: 7515685

SUBJECT'S NAME: GAYNOR, DARRIEL, KENISE **DATE OF ARREST:** 02/29/2024

DOB: [redacted] **SSN:** [redacted]

ORIGINAL CHARGE *(Literal Name):*	ASLT DOM VIOL, W/USE OF DW					
ORIGINAL NOC *(5-Digit):*	61576	**WAS THIS CHARGE AMENDED**?**	**YES**	X	**NO**	
**** IF YES, FINAL CHARGE** *(Literal Name):*	ASSAULT					
FINAL NOC *(5-Digit):*	50200	**DISPOSITION DATE:**	05/22/2024			
OFFENSE CLASSIFICATION (OR SEVERITY):	MISDEMEANOR					
DISPOSITION CODE (OR TYPE):	GUILTY PLEA W/SENT BEFORE PRELIM					
PROSECUTOR/COURT ORI:	NV002043J	**CASE #:**	24CRN000456-0000			

For the following 3 fields, please indicate the specific dollar amount, exclusive of court fees:

FINE:		**EXCUSED:**		**RESTITUTION:**	
SENTENCED DATE:	05/22/2024	**JAIL/PRISON FACILITY:**	OUT OF CUSTODY		

For the following 4 fields involving sentencing, please indicate the specific quantity and applicable type (i.e., hours, days, months, or years)

TERM OF SENTENCE:	180 DAYS	**SUSPENDED?**	**YES**	X	**NO**		
CREDIT TIME SERVED:							
PROBATION:		**COMMUNITY SERVICE:**					
SCHOOL:	**YES**		**NO**	X	**COUNSELING:**	**YES**	X	**NO**	

SPECIAL CONDITIONS *(If applicable, specify in the space provide to the right, such as VIP, AA, SOOT, etc):*	180 DAYS	STAY OUT OF TROUBLE STAY AWAY FROM VICTIM SUSPENDED SENTENCE MENTAL HEALTH COUNSELING

Please enter below a name and phone number of preparer or contact person:

EXHIBIT H

FINAL DISPOSITION REPORT

NEVADA DEPARTMENT OF PUBLIC SAFETY
CENTRAL REPOSITORY FOR NEVADA RECORDS OF CRIMINAL ACTIVITY
FAX: (775) 687-0173

NAME OF REPORTING AGENCY: NORTH LAS VEGAS POLICE DEPARTMENT

PCN:

SID#: 7515685

SUBJECT'S NAME: GAYNOR, DARRIEL, KENISE **DATE OF ARREST:** 02/29/2024

DOB: [redacted] **SSN:** [redacted]

ORIGINAL CHARGE *(Literal Name):*	BURGLARY WHILE IN POSSESSION OF FIREARM OR DEADLY WEAPON					
ORIGINAL NOC *(5-Digit):*	50426	**WAS THIS CHARGE AMENDED**?**	**YES**	X	**NO**	
**** IF YES, FINAL CHARGE *(Literal Name):***	DOMESTIC BATTERY, 1ST					
FINAL NOC *(5-Digit):*	50235	**DISPOSITION DATE:**	05/22/2024			
OFFENSE CLASSIFICATION (OR SEVERITY):	MISDEMEANOR					
DISPOSITION CODE (OR TYPE):	GUILTY PLEA W/SENT BEFORE PRELIM					
PROSECUTOR/COURT ORI:	NV002043J	**CASE #:**	24CRN000456-0000			

For the following 3 fields, please indicate the specific dollar amount, exclusive of court fees:

FINE:		**EXCUSED:**		**RESTITUTION:**	

SENTENCED DATE:	05/22/2024	**JAIL/PRISON FACILITY:**	OUT OF CUSTODY

For the following 4 fields involving sentencing, please indicate the specific quantity and applicable type (i.e., hours, days, months, or years)

TERM OF SENTENCE:	180 DAYS	**SUSPENDED?**	**YES**	X	**NO**		
CREDIT TIME SERVED:							
PROBATION:		**COMMUNITY SERVICE:**					
SCHOOL:	**YES**		**NO**	X	**COUNSELING:**	**YES**	X	**NO**	

SPECIAL CONDITIONS *(If applicable, specify in the space provide to the right, such as VIP, AA, SOOT, etc):*	180 DAYS	STAY OUT OF TROUBLE STAY AWAY FROM VICTIM SUSPENDED SENTENCE MENTAL HEALTH COUNSELING

Please enter below a name and phone number of preparer or contact person:

13. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Jeremy P. Harvey's (formerly employed with the Washoe County Sheriff's Office) Category I, II and III basic certificates based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction which has led to this action is:

Count I: Coercion with Physical Force or Immediate Threat of Physical Force Constituting Domestic Violence, in violation of NRS 207.190.2(a), NRS 33.018 and NRS 176.094, a category B Felony.

Action will be revocation of the Category I, II and III basic certificates.

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 20, 2025

Jeremy P. Harvey
[redacted]
Sparks, NV 89436

POST PIN #: 35970

Dear Mr. Harvey,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) will be revoked pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The conviction(s) which have led to this action are as follows:

Count I: Coercion With Physical Force or Immediate Threat of Physical Force Constituting Domestic Violence, in violation of NRS 207.190.2A, NRS 33.018 and NRS 176.094, a category B Felony
Case#: CR23.3173
Dept No: 3
Jurisdiction: Second Judicial District Court of the State of Nevada, Washoe County

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NEVADA 89701

The hearing will cover the following: the revocation of your P.O.S.T certificate(s) pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, Doug Speegle, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

To Individual's Name: **JEREMY P. HARVEY**

at [redacted] Carson City, NV 89701 on this
(location)

20 day of March, 2025.
Day *Month* *Year*

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

Executed on this 20 day of March, 2025.
Day *Month* *Year*

Signature of person serving the Notice

Sgt. Doug Speegle
Printed name of person serving the Notice

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

EXHIBIT B

State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency Login

Agency Name *
Washoe Co SO

Employee Details

POST ID *
35970

First Name *
JEREMY

Last Name *
HARVEY

Middle Initial
P

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *
◉ Line ○ Supervisor ○ Management ○ Executive

*
○ Part Time ◉ Full Time

Status Changed
○ Deceased ○ Retired ◉ Separated

Effective Date *
04/12/2024

NAC 289.290 Notification (Cause for Commission Action)

EXHIBIT C

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

Does the above NAC apply?

○ No ◉ Yes

Is your agency requesting revocation?

○ Yes ◉ No

Comments\Additional Information:

Submitter Details

Submitter's Full Name *	Submitter's Phone #*	Submitter's E-Mail Address
Yolanda LeBlanc	775-328-3040	yleblanc@washoecounty.gov

txtFormType

Update PAR

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category I
Basic Certificate

To

Jeremy P. Harvey

For having fulfilled all the requirements for Basic Certification as prescribed by Nevada Administrative Code.

Governor

Executive Director

35970
POST ID No.

June 15, 2018
Date

(O) 500

EXHIBIT D

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category II
Basic Certificate

To

Jeremy P. Harvey

For having fulfilled all the requirements for Basic Certification as prescribed by Nevada Administrative Code.

Governor | *Executive Director*

35970
POST ID No.

June 15, 2018
Date

(O) 500A

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category III
Basic Certificate

To

Jeremy P. Harvey

For having fulfilled all the requirements for Basic Certification as prescribed by Nevada Administrative Code.

Governor — Executive Director

35970 — POST ID No.

June 15, 2018 — Date

FILED
Electronically
CR23-3173
2023-12-12 09:41:30 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10042151

DA# 0327322

RPD RP23-006729

CODE 1800
Christopher J. Hicks
#7747
One South Sierra, South Tower, 4th Floor
Reno, NV 89501
districtattorney@da.washoecounty.gov
(775) 328-3200
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

JEREMY PETER HARVEY,

Defendant.
_____/

Case No.: CR23-3173

Dept. No.: D03

INFORMATION

CHRISTOPHER J. HICKS, District Attorney within and for the County of Washoe, State of Nevada, in the name and by the authority of the State of Nevada, informs the above-entitled Court that, the defendant above-named, JEREMY HARVEY, has committed the crime(s) of:

COUNT I. SEXUAL ASSAULT, a violation of NRS 200.366.2b, a category A Felony, (50095) in the manner following, to wit:

That the said defendant, JEREMY PETER HARVEY, on or about April 16, 2023, within the County of Washoe, State of Nevada, did willfully and unlawfully subject A.J. to sexual penetration against the victim's will, to wit: the defendant penetrated the victim's vagina with his penis and/or subjected the victim to cunnilingus

EXHIBIT E

against her will, at [redacted], [redacted], Washoe County, Nevada.

COUNT II. ASSAULT, WITH USE OF DEADLY WEAPON, a violation of NRS 200.471.2b, a category B Felony, (50201) in the manner following, to wit:

That the said defendant, JEREMY PETER HARVEY, on or about April 16, 2023, within the County of Washoe, State of Nevada, did willfully and unlawfully attempt to use physical force against the person of A.J., and/or did intentionally place A.J. in reasonable apprehension of immediate bodily harm with the use of, or present ability to use, a deadly weapon, to wit: a ceramic plate, in that said defendant did forcibly and violently throw the said plate at the victim nearly striking her in the head and/or face, at [redacted], Washoe County, Nevada.

COUNT III. DOMESTIC BATTERY, a violation of NRS 200.481, NRS 200.485, and NRS 33.018, a misdemeanor, (50235) in the manner following, to wit:

That the said defendant, JEREMY PETER HARVEY, on or about April 16, 2023, within the County of Washoe, State of Nevada, did willfully and unlawfully use force or violence upon the person of A.J., a person with whom he has had a dating relationship, to wit: the defendant spat on the victim's face and/or caused a piece of a broken late to cut her face and/or lip, at [redacted], Washoe County, Nevada.

///

///

All of which is contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Nevada.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By Darcy Cameron
DARCY CAMERON
12100
Deputy District Attorney

3 of 4 Certified by DColtrin on 03/11/2025

The following are the names of such witnesses as are known to me at the time of the filing of the within Information:

[redacted]
OFFICER CARL-PAUL DESANTIS
OFFICER MATTHEW EDELEN
DEBRA J. ROBISON, RN, SANE-A
[redacted]

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 12th day of December, 2023.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By Darcy Cameron
DARCY CAMERON
12100
Deputy District Attorney

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.
By: ALICIA L. LERUD, Clerk of the Second Judicial District Court in and for the County of Washoe.
DEPUTY CLERK

4 of 4 Certified by DColtrin on 03/11/2025

F I L E D
Electronically
CR23-3173
2024-10-07 10:20:10 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10606477 : bblough

DA# 0327322

RPD RP23-006729

CODE 1800
Christopher J. Hicks
#7747
One South Sierra, South Tower, 4th Floor
Reno, NV 89501
districtattorney@da.washoecounty.gov
(775) 328-3200
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

JEREMY PETER HARVEY,

Defendant.
/

Case No.: CR23-3173

Dept. No.: D03

AMENDED INFORMATION

CHRISTOPHER J. HICKS, District Attorney within and for the County of Washoe, State of Nevada, in the name and by the authority of the State of Nevada, informs the above-entitled Court that, the defendant above-named, JEREMY PETER HARVEY, has committed the crime of:

COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE CONSTITUTING DOMESTIC VIOLENCE, a violation of NRS 207.190.2A, NRS 33.018, and NRS 176.094, a category B Felony, (61752) in the manner following, to wit:

That the said defendant, JEREMY PETER HARVEY, on or about April 16, 2023, within the County of Washoe, State of Nevada, did

EXHIBIT F

willfully and unlawfully, with the intent to compel A.J. to do or abstain from doing an act which A.J. has a right to do or abstain from doing, use violence or inflict injury, and/or threaten such violence or injury, upon the person of A.J., a person with whom the defendant has had or was having a dating relationship.

All of which is contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Nevada.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By Darcy Cameron
DARCY CAMERON
12100
Deputy District Attorney

2 of 3 Certified by DColtrin on 03/11/2025

The following are the names of such witnesses as are known to me at the time of the filing of the within Information:

[redacted]PAUL DESANTIS
DETECTIVE MATTHEW EDELEN
[redacted]ISON, RN, SANE-A
[redacted]

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 7th day of October, 2024.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By Darcy Cameron
DARCY CAMERON
12100
Deputy District Attorney

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.
By: ALICIA L. LERUD, Clerk of the Second Judicial District Court in and for the County of Washoe.
DEPUTY

3 of 3 Certified by DColtrin on 03/11/2025

FILED
Electronically
CR23-3173
2024-10-10 10:30:00 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10614362

CODE 1785
Christopher J. Hicks
#7747
One South Sierra, South Tower, 4th Floor
Reno, NV 89501
districtattorney@da.washoecounty.gov
(775) 328-3200
Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

JEREMY PETER HARVEY,

Defendant.
_____/

Case No.: CR23-3173

Dept. No.: D03

GUILTY PLEA MEMORANDUM

1. I, JEREMY PETER HARVEY, understand that I am charged with the offense of: COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE CONSTITUTING DOMESTIC VIOLENCE, a violation of NRS 207.190.2A, NRS 33.018, and NRS 176.094, a category B Felony, (61752).

2. I desire to enter a plea of guilty to the offense of: COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE CONSTITUTING DOMESTIC VIOLENCE, a violation of NRS 207.190.2A, NRS 33.018, and NRS 176.094, a category B Felony, (61752), as more fully alleged in the charge filed against me.

///

EXHIBIT G

1 of 6 Certified by DColtrin on 03/11/2025

3. By entering my plea of guilty I know and understand that I am waiving the following constitutional rights:

A. I waive my privilege against self-incrimination.

B. I waive my right to trial by jury, at which trial the State would have to prove my guilt of all elements of the offense beyond a reasonable doubt.

C. I waive my right to confront my accusers, that is, the right to confront and cross examine all witnesses who would testify at trial.

D. I waive my right to subpoena witnesses for trial on my behalf.

4. I understand the charge against me and that the elements of the offense which the State would have to prove beyond a reasonable doubt at trial are: COERCION WITH PHYSICAL FORCE OR IMMEDIATE THREAT OF PHYSICAL FORCE CONSTITUTING DOMESTIC VIOLENCE, a violation of NRS 207.190.2A, NRS 33.018, and NRS 176.094, a category B Felony, (61752): that on or about April 16, 2023, within the County of Washoe, State of Nevada, I did willfully and unlawfully, with the intent to compel A.J. to do or abstain from doing an act which A.J. has a right to do or abstain from doing, use violence or inflict injury, and/or threaten such violence or injury, upon the person of A.J., a person with whom I have had or was having a dating relationship.

5. I understand that I admit the facts which support all the elements of the offense by pleading guilty. I admit that the State possesses sufficient evidence which would result in my

conviction. I have considered and discussed all possible defenses and defense strategies with my counsel. I understand that I have the right to appeal from adverse rulings on pretrial motions only if the State and the Court consent to my right to appeal in a separate written agreement. I understand that any substantive or procedural pretrial issue(s) which could have been raised at trial are waived by my plea.

6. I understand that the consequences of my plea of guilty are that I may be imprisoned for 1 to 6 years in the Nevada State Department of Corrections. I am eligible for probation. I may also be fined up to $5,000.00. I further understand that I must pay a $35 domestic violence fee, and participate in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 6 months, but not more than 12 months, at my expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258.

7. In exchange for my plea of guilty, the State, my counsel and I have agreed to recommend the following: Both parties will jointly recommend a term of probation with a special condition that I serve 364 days in the Washoe County Jail, straight time with credit for time previously served. The State will dismiss the pending misdemeanor charge of Stalking in RCR2023-122825. The State will not pursue any other criminal charges arising out of this transaction or occurrence.

8. I understand that, even though the State and I have reached this plea agreement, the State is reserving the right to

3 of 6 Certified by DColtrin on 03/11/2025

present arguments, facts, and/or witnesses at sentencing in support of the plea agreement.

9. Where applicable, I additionally understand and agree that I will be responsible for the repayment of any costs incurred by the State or County in securing my return to this jurisdiction. I also agree that I will make full restitution in this matter, as determined by the Court.

10. I understand that the State, at their discretion, is entitled to either withdraw from this agreement and proceed with the prosecution of the original charges or be free to argue for an appropriate sentence at the time of sentencing if I fail to appear at any scheduled proceeding in this matter OR if prior to the date of my sentencing I am arrested in any jurisdiction for a violation of law OR if my bail/own recognizance release is revoked OR if I have misrepresented my prior criminal history. I understand and agree that the occurrence of any of these acts constitutes a material breach of my plea agreement with the State. I further understand and agree that by the execution of this agreement, I am waiving any right I may have to remand this matter to Justice Court should I later withdraw my plea.

11. I understand and agree that pursuant to the terms of the plea agreement stated herein, any counts which are to be dismissed and any other cases charged or uncharged which are either to be dismissed or not pursued by the State, may be considered by the court at the time of my sentencing.

///

4 of 6 Certified by DColtrin on 03/11/2025

12. I understand that the Court is not bound by the agreement of the parties and that the matter of sentencing is to be determined solely by the Court. I have discussed the charge, the facts, and the possible defenses with my attorney. All of the foregoing rights, waiver of rights, elements, possible penalties, and consequences, have been carefully explained to me by my attorney. My attorney has not promised me anything not mentioned in this plea memorandum, and, in particular, my attorney has not promised that I will get any specific sentence. I am satisfied with my counsel's advice and representation leading to this resolution of my case. I am aware that if I am not satisfied with my counsel, I should advise the Court at this time. I believe that entering my plea is in my best interest and that going to trial is not in my best interest. My attorney has advised me that if I wish to appeal, any appeal, if applicable to my case, must be filed within thirty days of my sentence and/or judgment.

13. I understand that this plea and resulting conviction will likely have adverse effects upon my residency in this country if I am not a U. S. Citizen. I have discussed the effects my plea will have upon my residency with my counsel.

14. I offer my plea freely, voluntarily, knowingly and with full understanding of all matters set forth in the Amended Information and in this Plea Memorandum. I have read this plea memorandum completely and I understand everything contained within it.

///

15. My plea of guilty is voluntary and is not the result of any threats, coercion or promises of leniency.

16. I am signing this Plea Memorandum voluntarily with advice of counsel, under no duress, coercion, or promises of leniency.

17. I do hereby swear under penalty of perjury that all of the assertions in this written plea agreement document are true.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 9th day of October, 2024.

Defendant

Translator/Interpreter

Attorney Witnessing Defendant's Signature

Darcy Cameron

Deputy District Attorney

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

6 of 6 Certified by DColtrin on 03/11/2025

F I L E D
Electronically
CR23-3173
2025-03-11 08:45:01 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10883318

CODE NO. 1850

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

vs.

JEREMY PETER HARVEY,

Defendant.
_____/

Case No. CR23-3173

Dept. No. 3

JUDGMENT OF CONVICTION

The Defendant having entered a plea of Guilty, and no sufficient cause being shown by Defendant as to why judgment should not be pronounced against him, the Court rendered judgment as follows:

That Jeremy Peter Harvey is guilty of the crime of Coercion With Physical Force or Immediate Threat of Physical Force Constituting Domestic Violence, a violation of NRS 207.190.2A, NRS 33.018 and NRS 176.094, a category B felony, as charged in the Amended Information, and that he be punished by imprisonment in the Nevada Department of Corrections for the minimum term of nineteen (19) months to a maximum term of forty-eight (48) months. The prison sentence is suspended, and the Defendant is placed on probation for a definite period of thirty-six (36) months.

As a condition of probation, Defendant shall serve a period of three hundred sixty-four (364) days flat time, with no good time credit, in the Washoe County Detention Facility. Defendant's credit for time served in the amount of ninety-three

EXHIBIT H

(93) days shall be credited towards this condition of probation, leaving a remaining period of incarceration of two hundred seventy-one (271) days.

It is further ordered that Defendant shall attend Domestic Violence counseling sessions of not less than 1.5 hours per week for a period of not less than six (6) months but not more than twelve (12) months, until discharged by Defendant's counselor.

Additional special conditions of probation were imposed by the Court as set out in the Order Admitting Defendant to Probation and Fixing the Terms Thereof filed in this matter.

The Defendant is further ordered to pay a Three Dollar ($3.00) administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis, a Twenty-Five Dollar ($25.00) administrative assessment fee, extradition costs in the amount of Four Hundred Three Dollars and Fourteen Cents ($403.14), a Thirty-Five Dollar ($35.00) domestic battery assessment and a One Hundred Fifty Dollar ($150.00) DNA analysis fee to the Clerk of the Second Judicial District Court.

Any fine, fee administrative assessment or restitution imposed today (as reflected in this Judgment) constitutes a lien, as defined in Nevada Revised Statute NRS 176.275. Should the Defendant not pay these fines, fees, or assessments, collection efforts may be undertaken against Jeremy Peter Harvey.

Pursuant to NRS 202.360, it is ordered that the Defendant is prohibited from owning, possessing or having under his custody or control any firearm; the Defendant shall permanently surrender, sell or transfer any firearm that he owns or that is in his possession or under his custody or control. Further should the Defendant violate any provision included in this Judgment of Conviction concerning the surrender, sale, transfer, ownership, possession, custody or control of a firearm he shall be guilty of a category B felony and shall be punished by imprisonment in the state prison for a

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minimum term of not less than 1 year and a maximum term of not more than 6 years and may be further punished by a fine of not more than $5,000.00.

DATED this 10th day of March, 2025.

DISTRICT JUDGE

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

14. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) on the revocation of Mark A. Lawson's (formerly employed with the University Police Department-Northern Command) Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. The conviction(s) that have led to this action are:

COUNT I: CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE in violation of NRS 454.351(1) and NRS 199.480(3)(g), a gross misdemeanor.

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

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 20, 2025

Mark A. Lawson
[redacted]
Sparks, NV 89441

POST PIN #: 37661

Dear Mr. Lawson,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290(1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor.** The conviction(s) which have led to this action are as follows:

Count I: CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE, in violation of NRS 454.351(1) and NRS 199.480(3)(g), a gross misdemeanor.
Case#: CR24-1494
Dept No: 1
Jurisdiction: IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NV 89701

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked, pursuant to **NAC 289.290(1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor.**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, B. Vacca, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

To Individual's Name: **MARK A. LAWSON**

at [redacted] Sparks, NV 89411 on this
(location)

28 day of March, 2025.
Day *Month* *Year*

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

Executed on this 28 day of March, 2025.
Day *Month* *Year*

[signature] #4483
Signature of person serving the Notice

B. Vacca
Printed name of person serving the Notice

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

EXHIBIT B

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

Post ID Number: 37661

Last Name: Lawson **First Name:** Mark

MI: A **Suffix:**

☐ **Name Change?**

Last Name: Lawson First Name: Mark

MI: A Suffix:

☐ **Address Change?**

Street Address: [redacted]

City: Sparks State: NV Zip Code: 5453

County: Other E-Mail:

Level Change? O Line O Supervisor O Management O Executive

O Part Time O Full Time

Status Change? O Deceased O Retired ◉ Separated

NAC289.290 Notification (Cause For Commission Action)

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

Does the above NAC apply? ◉ No O Yes

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

Comments\Additional Information:

Effective Date: 08/30/2021

Submitters Name: A.G.Wilson

Submitters Phone: (775) 313-5197

Submitters E-Mail: agwilson@unr.edu

EXHIBIT C

POST Update PAR form
Revised 01/01/2016

Submission number: 201490

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category I
Basic Certificate

To

Mark A. Lawson

For having fulfilled all the requirements for basic certification
As prescribed by Nevada Administrative Code.

Commission Chairman

Executive Director

37661
POST ID #

11/20/2019
Date

EXHIBIT D

F I L E D
Electronically
CR24-1494
2024-07-22 08:33:14 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10461079

1800
AARON D. FORD
Attorney General
KELLI R. GALLIMORE (Bar No. 13428)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511
P: (775) 687-2103
F: (775) 688-1822
kgallimore@ag.nv.gov
Attorneys for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs.

MARK ALLEN LAWSON,

Defendant.

Case No. CR24-1494

Dept. No. 15

CRIMINAL INFORMATION

AARON D. FORD, Attorney General of the State of Nevada, and KELLI R. GALLIMORE, Senior Deputy Attorney General, in the name and by the authority of the State of Nevada, inform the above-entitled court that MARK ALLEN LAWSON (LAWSON), 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, committed the following offense:

COUNT I

CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE
Gross Misdemeanor - NRS 454.351(1) [51366]; NRS 199.480(3)(g) [55982]

That the Defendant, LAWSON, on or about August 21, 2021 did conspire with another to possess body building supplements, namely anabolic steroids, to wit: Mesterolone, and/or Oxymetholone, and/or, Stanozolol, and/or Fluoxymesterone and/or Methenolone which may not be introduced into interstate commerce in that the Defendant, LAWSON, did purchase or sell said controlled substances from a source outside the State of Nevada, and had the same delivered to his residence in Washoe County, Nevada.

EXHIBIT E

1 of 4 Certified by AJuarez on 09/05/2024

All of which is contrary to the form, force and effect of the statutes in such cases, made and provided, and against the peace and dignity of the State of Nevada.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document, CRIMINAL INFORMATION, filed in Second Judicial District Court case number CR24-1494, does not contain the social security number of any person.

DATED this 22nd day of July, 2024.

AARON D. FORD
Attorney General

By:/s/ *Kelli R. Gallimore*
KELLI R. GALLIMORE
Senior Deputy Attorney General

WITNESS LIST

Pursuant to NRS 173.045, the following people may be called as witnesses at trial.

1. Nevada Rhodes, Nevada Attorney General's Office, 5420 Kietzke Lane, Suite 202 Reno, NV 89511

2. David O'Hara, Minden, NV 89423

3. Annecia Martin, Drug Enforcement Administration, 2815 Scott Street, Vista, CA 92081

4. Sylvia Tarin-Brousseau. Drug Enforcement Administration, 2815 Scott Street, Vista, CA 92081

5. Chad Forrester, Sparks, NV 89434

6. Johnnie Gonzales, Sparks, NV 89434

7. LaQuisha Chaffin, Office of Professional Standards, Intelligence Division – Digital Forensics Unit, 300 Patrol Road, Forsyth, GA 31029

8. Sydney Murphy, Oxygen Forensics, 909 N. Washington Street, Suite 300, Alexandria, VA 22314

RESPECTFULLY SUBMITTED this 22nd day of July, 2024.

AARON D. FORD
Attorney General

By:/s/ *Kelli R. Gallimore*
KELLI R. GALLIMORE
Senior Deputy Attorney General

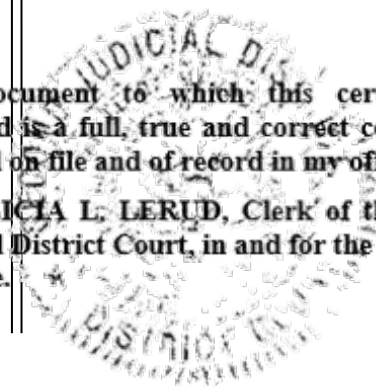
3 of 4 Certified by AJuarez on 09/05/2024

CERTIFICATE OF SERVICE

I certify on this 22nd day of July, 2024, I electronically filed the foregoing CRIMINAL INFORMATION with the Clerk of the Court by using the ECF system, which will send a notice of electronic filing to the following:

Thomas E. Viloria, Esq.
Viloria, Oliphant, Oster & Aman, LLP
P.O. Box 3677
Reno, NV 89505

/s/*Rhonda Collins*
RHONDA COLLINS



The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

4 of 4 Certified by AJuarez on 09/05/2024

FILED
Electronically
CR24-1494
2024-08-14 02:29:15 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 10508144

1785
AARON D. FORD
Attorney General
KELLI R. GALLIMORE (Bar #13428)
Senior Deputy Attorney General
State of Nevada
Office of the Attorney General
5420 Kietzke Lane, Suite 202
Reno, NV 89511
P: (775) 687-2100
F: (775) 688-1822
kgallimore@ag.nv.gov
Attorneys for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs.

MARK ALLEN LAWSON,

Defendant.

Case No. CR24-1494

Dept. No. 1

NOLO CONTENDERE PLEA MEMORANDUM

I, MARK ALLEN LAWSON, understand that I am charged with one (1) gross misdemeanor offense of CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE.

1. I desire to enter a plea of nolo contendere pursuant to *North Carolina v. Alford,* 400 U.S. 25 (1970), to one (1) gross misdemeanor offense of CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE, in violation of NRS 454.351(1) and NRS 199.480(3)(g), as set forth in the Criminal Information and as more fully alleged in the charge filed against me. I acknowledge that the facts supporting the plea to Count One constitutes a legal fiction and I waive any defects with the charge to which I am pleading.

2. By entering my plea of nolo contendere, I know and understand that I am waiving the following constitutional rights:

a. I waive my privilege against self-incrimination.

b. I waive my right to trial by jury, at which trial the State would have to prove

EXHIBIT F

1 of 5 Certified by AJuarez on 09/05/2024

my guilt of all elements of the offenses beyond a reasonable doubt.

c. I waive my right to confront my accusers, that is, the right to confront and cross-examine all witnesses who would testify at trial.

d. I waive my right to subpoena witnesses for trial on my behalf.

As to Count 1, I am pleading nolo contendere to CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE, a gross misdemeanor. I understand that had this case proceeded to trial, the State would have been prepared to prove beyond a reasonable doubt the elements of CONSPIRACY TO POSSESS A DRUG THAT MAY NOT BE INTRODUCED INTO INTERSTATE COMMERCE, a gross misdemeanor in violation of 454.351(1) and NRS 199.480(3)(g), in that on or about August 21, 2021, I did conspire with another to possess body building supplements, namely anabolic steroids, to wit: Mesterolone, and/or Oxymetholone, and/or, Stanozolol, and/or Fluoxymesterone and/or Methenolone which may not be introduced into interstate commerce in that I did purchase or sell said controlled substances from a source outside the State of Nevada, and had the same delivered to my residence in Washoe County, Nevada.

4. I understand that by pleading nolo contendere pursuant to *North Carolina v. Alford,* 400 U.S. 25 (1970), I am not expressly admitting guilt and maintain my factual innocence. However, by pleading nolo contendere I am authorizing the court to treat me as if I were guilty. I admit the State possesses sufficient evidence which could result in my conviction on more serious offenses at trial and authorize the court to weigh my conflicting claim of innocence against the State's evidence supporting the original charges in entering its Judgment of Conviction.

I have considered and discussed all possible defenses and defense strategies with my counsel. I understand that I have the right to appeal from adverse rulings on pretrial motions only if the State and the Court consent to my right to appeal in a separate written agreement. In the absence of such an agreement, I understand that any substantive or procedural pretrial issue or issues which could have been raised at trial are waived by my nolo contendere plea.

5. As to Count 1, I understand that the consequences of my plea of nolo contendere are that I may be imprisoned in the county jail for a maximum term of not more than 364 days, and/or a fine of not more than $2,000.

6. In exchange for my plea of nolo contendere, the State, my counsel and I have agreed to the following: I agree to enroll in and complete an eight (8) hour substance abuse education/training program in advance of my plea. I additionally agree to pay investigative fees to the Nevada Attorney General's Office in the amount of $2,000, payable at the time of sentencing. I agree to pay all fines and fees imposed by the court. The State agrees to forego prosecution on the originally charged felony counts against me, and the State will not pursue any other offenses arising out of the investigation in Attorney General Case No. 11801-3292. The parties agree to waive Presentence Investigation and proceed to immediate sentencing after entry of plea.

7. I understand that, even though the State and I have reached this nolo contendere plea agreement, the State is reserving the right to present arguments, facts, and/or witnesses at sentencing in support of the plea agreement and its recommended sentence.

8. I understand that, if applicable, I may be ordered to make restitution to the victim(s) of the offense to which I am pleading nolo contendere and to the victim(s) of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any. For any amount of restitution which remains unpaid upon expiration of the term of parole or probation, I agree to enter a Civil Confession of Judgment. I agree to waive all defects in the pleadings, if any, pay all fines and fees imposed by the Court, interview with the Division of Parole and Probation, comply with all Court orders or instructions, cooperate with and comply with all instructions from pre-trial services, appear at all hearings in District Court, and obey all laws (excluding minor traffic violations).

9. I understand that the State, at its discretion, is entitled to either withdraw from this agreement and proceed with the prosecution of the original charges and still be free to argue for an appropriate sentence at the time of sentencing if I fail to appear at any scheduled proceeding in this matter OR if prior to the date of my sentencing, I am arrested in any jurisdiction for a violation of law, OR if a judge of competent jurisdiction issues a warrant for my arrest, OR if I have misrepresented my prior criminal history. I understand and agree that the occurrence of any of these acts constitutes a material breach of my plea agreement with the State. I further understand and agree that by the execution of this agreement, I am waiving any right I may have to remand this matter to Justice Court should I later

withdraw my plea.

10. I understand and agree that pursuant to the terms of the plea agreement stated herein, any counts which are to be dismissed and any other related cases charged or uncharged which are either to be dismissed or not pursued by the State, may be considered by the Court at the time of my sentencing.

11. I understand that the Court is not bound by the agreement of the parties and that the matter of sentencing is to be determined solely by the Court. I have discussed the charges, the facts and the possible defenses with my attorney. All of the foregoing rights, waiver of rights, elements, possible penalties, and consequences, have been carefully explained to me by my attorney. My attorney has not promised me anything not mentioned in this plea memorandum, and, in particular, my attorney has not promised that I will get any specific sentence. I am satisfied with my counsel's advice and representation leading to the resolution of my case. I am aware that if I am not satisfied with my counsel, I should advise the Court at this time. I believe that entering my plea is in my best interest and that going to trial is not in my best interest. My attorney has advised me that if I wish to appeal, any appeal, if applicable to my case, must be filed within thirty days of my sentence and/or judgment.

12. I understand that this plea and resulting conviction will likely have adverse effects upon my residency in this country if I am <u>not</u> a U.S. Citizen. I have discussed the effects my plea will have upon my residency with my counsel.

13. I offer my plea freely, voluntarily, knowingly and with full understanding of all matters set forth in the Criminal Information and in this Plea Memorandum. I understand everything contained within this Memorandum.

14. My plea of nolo contendere is voluntary, and is not the result of any threats, coercion or promises of leniency.

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///

15. I am signing this Plea Memorandum voluntarily with advice of counsel, under no duress, coercion, or promises of leniency.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document, NOLO CONTENDERE PLEA MEMORANDUM, filed in Second Judicial District Court case number CR24-1494, does not contain the social security number of any person.

DATED this 14th day of August, 2024.

MARK ALLEN LAWSON
Defendant

Attorney Witnessing Defendant's signature

/s/ Kelli R. Gallimore
Prosecuting Attorney

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

5 of 5 Certified by AJuarez on 09/05/2024

F I L E D
Electronically
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2024-08-30 02:02:51 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 10540351

CODE 1850

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs. **Case No. CR24-1494**

MARK ALLEN LAWSON, **Dept. No. 1**

Defendant.

_____/

JUDGMENT OF CONVICTION

The Defendant having entered a plea of Guilty, and no legal cause being shown as to why judgment should not be pronounced against Mark Allen Lawson, the Court rendered judgment as follows:

1. That Mark Allen Lawson is Guilty of the crime of Conspiracy To Possess A Drug That May Not Be Introduced Into Interstate Commerce, a violation of NRS 454.351(1); NRS 199.480(3)(g), a gross misdemeanor, as charged in the Information.

2. That Mark Allen Lawson be punished by payment of an investigative fee in the amount of $2,000.00 made payable to the State of Nevada Attorney General and by completing 8 hours of a substance abuse education/training program and the same have been satisfied.

3. It is further ordered that Mark Allen Lawson shall pay an administrative assessment fee of $25.00 and the $3.00 as an administrative assessment for obtaining a

EXHIBIT G

1 of 2 Certified by AJuarez on 09/05/2024

biological specimen and conducting a genetic marker analysis to the Clerk of the Second Judicial District Court.

4. Mark Allen Lawson is hereby advised that:

Any fine, fee administrative assessment, or restitution imposed today (as reflected in this judgment of conviction) constitutes a lien, as defined in Nevada Revised Statute 176.275. Should you not pay these fines, fees, or assessments, collection efforts may be undertaken against you.

Dated this 29th day of August, 2024.

DISTRICT JUDGE

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

2 of 2 Certified by AJuarez on 09/05/2024

F I L E D
Electronically
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2024-09-04 09:39:14 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 10544506

CODE 1850

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs. **Case No. CR24-1494**

MARK ALLEN LAWSON, **Dept. No. 1**

Defendant.

_____/

CORRECTED JUDGMENT OF CONVICTION

(This Corrected Judgment is entered to reflect the Defendant's correct plea)

The Defendant having entered a plea of Nolo Contendere, and no legal cause being shown as to why judgment should not be pronounced against Mark Allen Lawson, the Court rendered judgment as follows:

1. That Mark Allen Lawson is Guilty of the crime of Conspiracy To Possess A Drug That May Not Be Introduced Into Interstate Commerce, a violation of NRS 454.351(1); NRS 199.480(3)(g), a gross misdemeanor, as charged in the Information.

2. That Mark Allen Lawson be punished by payment of an investigative fee in the amount of $2,000.00 made payable to the State of Nevada Attorney General and by completing 8 hours of a substance abuse education/training program and the same have been satisfied.

3. It is further ordered that Mark Allen Lawson shall pay an administrative assessment fee of $25.00 and the $3.00 as an administrative assessment for obtaining a

EXHIBIT H

1 of 2 Certified by AJuarez on 09/05/2024

biological specimen and conducting a genetic marker analysis to the Clerk of the Second Judicial District Court.

4. Mark Allen Lawson is hereby advised that:

Any fine, fee administrative assessment, or restitution imposed today (as reflected in this judgment of conviction) constitutes a lien, as defined in Nevada Revised Statute 176.275. Should you not pay these fines, fees, or assessments, collection efforts may be undertaken against you.

Dated this 3rd day of September, 2024.
NUNC PRO TUNC to August 29, 2024.

DISTRICT JUDGE

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

2 of 2 Certified by AJuarez on 09/05/2024

A. **MARK LAWSON RESPONSE 1ST RESPONSE LETTER**

B. **POST RESPONSE-VOLUNTARY SURRENDER FORMS SENT**

C. **MARK LAWSON 2ND RESPONSE LETTER**

D. **MARK LAWSON 3RD RESPONSE LETTER**

EXHIBIT I

A

Received
JAN 21 2025
P.O.S.T

January 13, 2025

To: Nevada Commission of Peace Officer Standards of Training
ATTN: Director Sherlock
5587 Wa Pai Shone Avenue
Carson City, NV 89701

From: Mark Lawson
POST PIN #37661

Subject: POST Revocation Consideration

I was recently served with a Notice of Intent to Revoke my Nevada POST certification by the Washoe County Sheriff's Department on behalf of the State of Nevada Commission on Peace Officer Standard and Training dated January 7, 2025.

By writing this letter to you and your staff who review this case, I was hoping you reconsider not to revoke my Nevada POST certification based on a few different points of clarification and other factors I would consider honorable.

I have honorably served as a public safety official for over three decades most of which were with CAL FIRE but I have also been a sworn peace officer for over (22) years where I have even achieved an Advanced Peace Officer certification. In that time, I have never been investigated by anyone for any type of misconduct nor have I ever been disciplined for any type of employee/officer misconduct.

As with any background check of which I have had conducted, I have absolutely nothing that would give any agency I have applied for or worked for a reason to not hire me. This is until a recent incident where I was investigated by the State of Nevada for alleged controlled substance related charges that were filed against me shortly after accepting a job as the Fire Chief for the City of Sparks in December of 2022. This particular investigation initially started in 2021 while I was employed with the University of Nevada as a Category I Police Officer. I was never arrested or had charges even filed against me until (7) days after being appointed the Fire Chief for the City of Sparks were these erroneous charges filed.

Fast forwarding ahead to August of 2024, after almost (3) years of fighting the various charges against me, none of which ever stuck, was I given direction by my Criminal Defense Attorney, Tom Viloria, to consider an entry of a no contest plea of a

"Conspiracy to Possess a Drug That May or May Not be Introduced into Interstate Commerce, a gross misdemeanor in the State of Nevada. Although, I wanted to continue to fight these erroneous charges, I was told that if I chose to continue to fight the charges, I would possibly be looking at spending another potential $30,000.00 in court and attorney fees and if for some reason the jury found me guilty on even one felony charge that I would be considered a convicted felon and never allowed to vote, own a firearm or travel outside of the country etc. He explained to me that if I accept this plea bargain of nolo contendere pursuant to North Carolina vs. Alford I would still maintain my factual innocence however, the courts would still consider it a guilty charge. He also told me to contact him exactly a year and six months from the adjudication date and he could file a request with the courts to have the charge completely removed from my record as if it never happened.

If you are familiar with the case, it was handled through the Nevada Attorney General's Office and they seemed to put in a bunch of extra effort and time into my case that sat static for almost three years but as soon as I was appointed the Fire Chief for the City of Sparks, they filed charges a week later and continued to try to have something "stick" against me after I successfully sued the City of Sparks for defamation. They even dropped the charges against me and then decided to refile them after doing so.

I can assure you and anyone who has ever done a background on me or who know me, that I have never done drugs in my life, even after almost (56) years of my life. I do however have prescription for hormone replacement therapy that includes Testosterone replacement therapy of which seems to be pretty popular these day amongst males over (40) years old and abundance of those being sworn peace officers or other public safety officials. I don't deny the fact that I was asked by a close friend at the time whose father was diagnosed with Stage IV cancer if I could help him get some Testosterone for his ailing father to treat his low levels. As I have always told anyone who has asked, I have never nor would I ever share a prescription drug with anyone as I know that is considered to be illegal. I did however acquire testosterone from a legitimate website online who advertised it to be of pharmaceutical grade without the need of a physician's prescription. The website is Aslan Pharmaceuticals and anyone including yourself can purchase these types of PED's online as well. Nowhere on this particular site does it say they need a physician's prescription to initiate a purchase. They are an out of state company who ships worldwide. I have now 's learned that even though the site does not require a physician's prescription that they are still illegally selling Schedule III Controlled Substances and if anyone were to purchase them from the website is breaking the law. I have never purchased anything since even with a physician's prescription.

As I have stated, I have had an very successful career in public safety and have always been one who values honor, integrity and trust within my personal and professional life. I have never even smoked marijuana nor have I ever even been issued a traffic citation.

I consider myself as a very honorable person and believe this whole unfortunate situation as a very personal attack on me as a person. I will also assure you that there is a lot of other illegal activity that was happening at the Warm Springs Correctional Center prior to me even being somehow implicated or named within this investigation that was never given any additional investigative work and "swept under the rug" for the most part. I truly believe they were just looking for someone to hold responsible and because of my name and my position, I was singled out.

In closing, I know this is a difficult decision for you and your staff but I believe by allowing me to maintain my POST certification, it may allow me to continue to utilize my extensive knowledge and experience in another opportunity where I can help uphold the laws within the State of Nevada with great honor and integrity as I have my entire career. Do very honorable public safety officials make mistakes or make decisions that if given the opportunity to correct they would? Of course they do. I am most certain that there are plenty of other Nevada POST certified officers who've exercised poor judgment and were able to maintain their certification? Of course, there are and I am fairly certain that it was a positive outcome. I actually am proud to say my own son will carry on my legacy as he has entered the brother/sisterhood of sworn peace officers including many other family members who have since retired. One was even a cousin who was the Sheriff in Battle Mountain, Dwayne Urrutia.

If for some reason, you and your staff still feel it necessary to stick to the letter of the law without exercising some flexibility or spirit of the law and move to revoke my Nevada POST certification, you please allow me to surrender my certification. Although this is not the outcome I desire, I prefer not to be disciplined once again for something that I will forever continue to maintain my factual innocence. I have every intention of having any type of conviction against me removed or sealed within the time period I spoke of in prior language within this letter.

Thank you in advance for your time and consideration. I am truly grateful for the opportunity to submit this letter for consideration in this very important matter.

Respectfully submitted,

Mark A. Lawson

Mark A. Lawson

B

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

February 10, 2025

Mark Lawson
[redacted]

Dear Mr. Lawson,

The POST Commission reviewed your letter and voted to table your revocation to allow you to voluntary surrender your Category I basic certificate. I have included the Voluntary Surrender form with this letter. Please fill this out, have it notarized and return to me at:

Commission on POST
ATTN: CHIEF FLOYD
5587 Wa Pai Shone Ave.
Carson City, NV 89701

Please arrange to have this packet returned to my office no later than March 15, 2025. If I do not receive it by March 15, 2025, I will add you to the agenda for the May Commission meeting and the Commission will decide whether to revoke at that time.

Thank you,

Kathy Floyd
Chief, Standards Division

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

VOLUNTARY SURRENDER OF BASIC CERTIFICATE (NAC 289.235)
(All documents with original signatures to be mailed to POST)

_____ (initials) **PERMANENT SURRENDER:** I hereby voluntarily and permanently surrender my POST Basic Certificate(s) issued to me by the Nevada Commission on Peace Officer Standards and Training (POST).

This action is for which of the following **(mark all that apply)**

- ☐ As part of an employee termination agreement (voluntary, involuntary, retirement or other cause)
- ☐ As part of an agreed settlement to commission action
- ☐ As part of a plea bargain to a criminal charge
- ☐ For any other reason (please specify in the summary explanation section)

_____ (initials) **TEMPORARY SURRENDER:** I hereby voluntarily surrender my POST Basic Certificate(s) issued to me by the Nevada Commission on Peace Officer Standards and Training (POST) for a stated term effective upon acceptance by the POST Executive Director and ending on _____.

This action is for which of the following **(mark all that apply)**

- ☐ As part of an employee termination agreement (voluntary, involuntary, retirement or other cause)
- ☐ As part of an agreed settlement to commission action
- ☐ As part of a plea bargain to a criminal charge
- ☐ For any other reason (please specify in the summary explanation section)

_____ (initials) I understand and agree that this voluntary surrender will not be effective until it is accepted by the Executive Director of POST.

_____ (initials) I understand and agree that if my voluntary surrender is accepted by the Executive Director, I will no longer be certified by the POST Commission and I cannot serve in any capacity as a peace officer.

_____ (initials) I understand and agree that if my voluntary surrender is being requested as part of a termination agreement between me and my employing agency, as part of a plea bargain in a criminal proceeding against me, or as part of a settlement agreement between the Commission and me, the voluntary surrender shall be deemed to include the voluntary surrender of all categories of basic and reserve certificates that have been issued to me by the Commission.

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

VOLUNTARY SURRENDER OF BASIC CERTIFICATE (NAC 289.235) cont.

_____ (initials) I understand and agree that, as a result of my voluntary surrender, I am no longer a certified peace officer and I cannot serve in any capacity as a peace officer until the POST Commission authorizes me to reinstate my basic certification.

_____ (initials) I understand I will be required to apply to the Commission to reinstate my basic certificate(s). If the voluntary surrender is permanent, I will not be able to apply for reinstatement of the basic certificate for at least 60 months after the effective date of the voluntary surrender. If the voluntary surrender is for a stated term, I will not be able to apply for reinstatement of the basic certificate until the date specified for the end of the term of the voluntary surrender.

_____ (initials) I have been provided with a copy of the Voluntary Surrender of a Basic Certificate regulation in effect as of this date and I am aware that this surrender should include a summary of the reason for surrender.

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

VOLUNTARY SURRENDER OF BASIC CERTIFICATE (NAC 289.235) cont.

SUMMARY OF THE REASON FOR THE VOLUNTARY SURRENDER

As required by NAC289.235(2)(e), you must provide a summary of the reason(s) for the surrender:

I SIGN THIS VOLUNTARY SURRENDER OF BASIC CERTIFICATE(S) FREELY, VOLUNTARILY AND WITH FULL KNOWLEDGE OF THE CONSEQUENCES ASSOCIATED WITH SIGNING THIS DOCUMENT.

Name: **POST ID#:**

Mailing Address:

Signature: **Date:**

SWORN TO and subscribed before me on the _____ day of _____, 20_____.

Notary Seal or Stamp

_____
Signature of Notary Public

_____
Notary's Printed or Typed Name

Notary's Commission Expires _____

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

NAC 289.235 Voluntary surrender and subsequent reinstatement of basic certificate; report to Commission. (NRS 289.510)

1. A peace officer may, permanently or for a stated term, voluntarily surrender a basic certificate to the Commission:

(a) As part of a termination agreement between the peace officer and his or her employing agency;

(b) As part of a plea bargain in a criminal proceeding against the peace officer;

(c) As part of a settlement agreement between the Commission and the peace officer; or

(d) For any other reason.

2. A peace officer who wishes to voluntarily surrender his or her basic certificate must submit to the Executive Director a request for the voluntary surrender. The request must:

(a) Be in writing;

(b) State the date on which the voluntary surrender will become effective;

(c) State whether the voluntary surrender is permanent or for a stated term;

(d) If the voluntary surrender is for a stated term, include the date on which the voluntary surrender will end;

(e) Include a summary of the reason for the voluntary surrender;

(f) If the voluntary surrender is being requested as part of a termination agreement, plea bargain or settlement agreement described in paragraph (a), (b) or (c) of subsection 1, include an acknowledgment by the peace officer that the voluntary surrender shall be deemed to include the voluntary surrender of all other basic certificates held by the peace officer;

(g) Include a statement by the peace officer that he or she understands and has knowledge of the consequences of the voluntary surrender; and

(h) Be signed by the peace officer and be notarized.

3. The Executive Director shall accept or reject each request for the voluntary surrender of a basic certificate submitted pursuant to subsection 2 and shall notify the peace officer of the acceptance or rejection. If the Executive Director accepts the voluntary surrender of a basic certificate requested as part of a termination agreement, plea bargain or settlement agreement described in paragraph (a), (b) or (c) of subsection 1, the peace officer shall be deemed to have voluntarily surrendered all other basic certificates held by the peace officer, regardless of the training categories in which the basic certificates were awarded.

4. A peace officer who voluntarily surrenders a basic certificate may apply to reinstate the basic certificate:

(a) If the voluntary surrender was for a stated term, after the date specified for the end of the term of voluntary surrender or 60 months after the effective date of the voluntary surrender, whichever occurs earlier; or

(b) If the voluntary surrender was permanent, 60 months after the effective date of the voluntary surrender.

5. A peace officer who wishes to have a basic certificate reinstated must submit a written request to the Commission for authorization to apply for reinstatement of the basic certificate. The Commission will schedule a hearing to consider the request. The Commission will notify the agency that employed the peace officer at the time that the voluntary surrender became effective or the agency that employed the peace officer immediately preceding his or her voluntary surrender, whichever is applicable, of the date and time of the hearing. After the hearing, the Commission will determine whether to authorize the peace officer to apply for reinstatement of the basic certificate.

6. If a peace officer is authorized by the Commission to apply for reinstatement of a basic certificate after a voluntary surrender, the peace officer must meet the minimum standards for appointment established by this chapter which are applicable at the time that the peace officer applies for reinstatement of the basic certificate. If the basic certificate is reinstated, the Commission may establish a probationary period during which any misconduct by the officer would result in the revocation of the basic certificate.

7. The Executive Director shall submit to the Commission at each meeting of the Commission a report concerning:

(a) Each voluntary surrender of a basic certificate that was accepted by the Executive Director since the last meeting of the Commission; and

(b) Each application for reinstatement of a basic certificate that was granted or denied since the last meeting of the Commission.

(Added to NAC by Peace Officers' Standards & Training Comm'n by R075-11, eff. 5-30-2012)

C

March 7, 2025

To: Nevada Commission of Peace Officer Standards of Training
ATTN: Kathy Floyd
Chief, Standards Division
5587 Wa Pai Shone Avenue
Carson City, NV 89701

Received
MAR 10 2025
P.O.S.T

From: Mark Lawson
POST PIN #37661

Subject: POST Revocation Consideration

I am submitting this letter to you for additional consideration and clarification regarding my current Nevada POST certification.

After my last letter I submitted to you, I was never given any response regarding my plea to not revoke my certification for many reasons but was instead sent an application to either permanently or temporarily surrender my certification. I could only assume you and your board had not considered any of my most respectful arguments and instead moved to table it in order for me to surrender my certification.

After careful review of the surrender letter, one of the criteria I am supposed to initial, is the fact that I was agreeing to surrender based on part of a termination agreement between me and my employing agency? I am not sure where you received this information but I have never been terminated while employed in the capacity of a peace officer from any employer including the University of Reno Police Department. In fact, for the record, I, myself agreed to resign from my position as a police officer with the University of Reno after being placed on Administrative Leave with Pay while the investigation that included me was going on. After over 4-6 weeks of no new information regarding my status did I offer my resignation over the phone with Lieutenant Reynolds from UNR PD. This allowed me to pursue other possible occupations instead of wait for almost two years for the Nevada Attorney General's Office to decide to file charges, some of which were wrongly charged and dropped. I was also advised by him that it was negatively affecting their budget by paying me when I wasn't able to perform the job. As a matter of fact, no charges were ever brought against me until 1 ½ years later after being hired for the City of Sparks as the Fire Chief.

I truly believe this is part of a personal agenda on behalf of the Nevada Attorney General's Office who was in charge of this investigation that took almost (2) years to complete and only after I was successfully hired by the City of Sparks as the Fire Chief. Even after the initial investigation from the Nevada Attorney General's Office where they seized my phone and computer, I was told to go live my life as I have before by my attorney who also told me if they had something against me they would have arrested me. This is why I stated that after almost (2) years after the initial investigation that anyone would believe that I was innocent of any intentional wrong doing and still to this day proclaim my factual innocence. I truly believe if it wasn't for the fact that I gained a lot of publicity for being the new Fire Chief for the City of Sparks that the Nevada Attorney's Office would have never done a thing and I would have lived my life free of any of this unnecessary drama.

To this day, I can still claim that I have never done an illegal drug in my life and never even had a speeding ticket. I have always taken great pride in my life and up until this most recent unfortunate situation have I ever been involved with any type of wrong doing. I wouldn't have run for a political office if I ever believed I was not a very honest person who if full of the highest level of integrity.

On a final note, I have already worked with my attorney, Tom Viloria to prepare to have my conviction sealed within the two-year period following the immediate sentencing date of August 26, 2024. This would allow me to once again have a perfect record by August 26, 2026.

I am once again asking that you reconsider your decision to revoke my POST certification and if nothing else consider to allow me to surrender my Nevada POST certification for only the period indicated above, less than two years from today on August 31, 2026.

Respectfully submitted,

Mark A. Lawson

Mark A. Lawson

D

Received
APR 16 2025
P.O.S.T

April 12, 2025

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

From: Mark A. Lawson
POST PIN #: 37661

Subject: Notice of Intent to Revoke Hearing

With great respect, I would like to have the opportunity to contest the revocation of my Nevada Peace Officer Standards of Training certificate. Although, all of the erroneous felony charges (5) were ultimately dropped as a result of lacking any evidence, I was ultimately directed by my attorney, to enter a nolo contendre (no contest) plea pursuant to North Carolina vs. Alford to a gross misdemeanor charge of Conspiracy to Possess A Drug That May Not Be Introduced Into Interstate Commerce (NRS 454.351(1) and NRS 199.480(3)(g) of which allowed me to maintain my factual innocence throughout the case against me and also finally bring closure to a long, drawn out, and very costly court battle. It has been mentioned in prior correspondence with your office that at one point ALL of the charges were dropped and then refiled which gave the appearance that my case was far beyond professional but more personal in nature.

I have also mentioned that I have never taken or possessed a Category I or II illegal substance in my life but I rather had acquired a Category III low level drug(s) from a legal website that did not require a physician's prescription although I did and still do possess a legal physician's letter for most of the drugs I was being accused of possessing. This website is still active as many others to this day and one can purchase any of the substances I was in possession of with many more available for purchase.

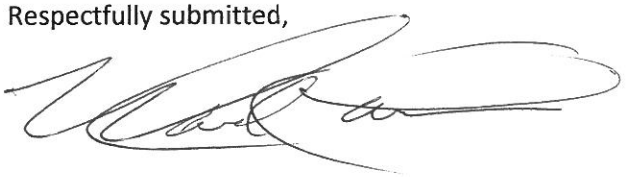
As I will hopefully have the opportunity to plead my case to a member(s) of the commission, I will once again attempt to convince the panel that I am an was and still am an outstanding member of the public safety family and have always tried to make good decisions in both my professional and personal life. I am currently (56) years old and have been a member of the public safety sector for over (32) years and I have never been in trouble with the law up until this most recent and very unfortunate situation where I truly believed I was truly innocent due to the fact that the website I purchased from was not from a dark web or had the appearance of any type of law violation when I purchased product from them. I also think it is most important that I have always, right from the beginning of this whole investigation, been 100% honest and chose to speak with investigators about the whole case involving me without have legal counsel represent me up until charges were actually filed almost (2) years later.

As I explained to the honorable judge presiding over my case, I still and will always maintain my factual innocence to any of the charges I was ultimately convicted of and furthermore explained this whole unfortunate situation against me was yet another learning lesson in life and I assured her that this was

the one and only time she would ever see me standing before her as a defendant in any case against me.

In closing, I once again would like to sincerely thank the honorable members of your commission for the opportunity to meet me and allow me to politely and professionally present my arguments against the revocation of my Nevada Peace Officer Standards of Training certificate that I worked very hard to obtain and possess with great pride and honor.

Respectfully submitted,



Mark A. Lawson

15. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(e) on the revocation of Sean W. Lucero's (formerly employed with Las Vegas Metropolitan Police Department) Category I basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor. The conviction(s) that have led to this action are:

Count I: Attempt Theft (Category E Felony/Gross Misdemeanor) in violation of NRS 205.0832, NRS 205.0835, NRS 193.153 – NOC 61956/61957.

Count II: Oppression under color of office (Gross Misdemeanor) in violation of NRS 197.200(2)(b) – NOC 52314.

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

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 31, 2025

Sean W. Lucero
[redacted]
Las Vegas, NV 89166

POST PIN #: 15352

Dear Mr. Lucero,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) may be revoked pursuant to **NAC 289.290(1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor.** The conviction(s) which have led to this action are as follows:

Count I: Attempt Theft (Category E Felony/Gross Misdemeanor) in violation of NRS 205.0832, 205.0835, 193.153
Count II: Oppression under color of office (Gross Misdemeanor) in violation of NRS 197.200(2)(B)
Case#: C-24-387038-1
Dept No: XII
Jurisdiction: District Court, Clark County, Nevada

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NEVADA 89701

The hearing will cover the following: whether your P.O.S.T certificate(s) should be revoked, pursuant to **NAC 289.290(1)(e) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a gross misdemeanor.**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

CONSTABLE'S OFFICE of HENDERSON TOWNSHIP
Kenny Taylor, Constable
243 Water Street Henderson, NV 89015
Phone 702-455-7940 Fax 702-455-7942

3625
HNTC

CIVIL PROCESS FORM

PLEASE COMPLETE THE FOLLOWING INFORMATION ABOUT THE PERSON OR COMPANY WE ARE SERVING:

Type:	NOTICE OF INTENT TO REVOKE
Case #	
Fee Total:	
Court Date:	MAY 1 2025

NAME & TITLE OF PERSON TO BE SERVED: If a company or corporation please provide the name of the owner, corporate officer, or resident agent.

NAME OR BUSINESS TO BE SERVED: SEAN W. LUCERO

HOME or BUSINESS ADDRESS (Apt #, Suite #, Zip Code): [redacted] LAS VEGAS NV 89166

EMPLOYER & EMPLOYER ADDRESS:

BEST TIME TO SERVE @ HOME: _____ A.M. P.M. @WORK _____ A.M. P.M.

PHONE NUMBER OF PERSON TO BE SERVED: HOME _____ WORK _____

DESCRIPTION

RACE _____ SEX ____ HEIGHT _____ WEIGHT _____ HAIR COLOR _____ EYES _____ AGE _____

VEHICLE

YEAR _____ MAKE _____ BODY STYLE _____ COLOR _____ PLATE # _____ STATE _____

OTHER INFORMATION TO HELP US SERVE THE DEFENDANT:

Defendant Info (person to be served)

Plaintiff Info

PLAINTIFF'S DAY PH#: 775-687-7678 CELL PH#: _____

PLAINTIFF'S NAME State of Nevada Commission on Peace Officer Standards & Training

ADDRESS 5587 WA PAI SHONE AVE

CARSON CITY, NV 89701

(DO NOT WRITE BELOW THIS LINE)

Deputy Worksheet

DEPUTY ASSIGNED: NAKAGAWA DATE: 04-01-25

1. DATE: APR 0 2 2025 TIME: 1221 LOCATION: K+A / RING DOORBELL - NO - RIC.

2. DATE: APR 0 3 2025 TIME: 0600 LOCATION: _____

3. DATE: _____ TIME: _____ LOCATION: _____ SERVED

REASON FOR NON-SERVICE:

NEW ADDRESS INFO: _____

PERSON ACCEPTING PRINT and SIGN SEAN LUCERO

EXHIBIT B

(X) GOOD ADDRESS

4/2 DELIVERY PACKAGE - FRT DOOR SHOWED HIS NAME.

R APR 0 1 2025 / 1100

D. NAKAGAWA P#45

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, D. NAKAGAWA P#45, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

To Individual's Name: **SEAN W. LUCERO**

at [redacted] LAS VEGAS, NV 89166 on this
(location)

_____ day of APR 0 3 2025, _____.
Day *Month* *Year*

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

Executed on this _____ day of APR 0 3 2025, _____.
Day *Month* *Year*

D 45
Signature of person serving the Notice

D. NAKAGAWA P#45
Printed name of person serving the Notice

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

EXHIBIT C

State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency ID *
0076

Agency Name *
LV Metro PD

Employee Details

POST ID *
15352

First Name *
SEAN

Last Name *
LUCERO

Middle Initial
W

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *
◉ Line ○ Supervisor ○ Management ○ Executive

*
○ Part Time ◉ Full Time

Status Changed
○ Deceased ◉ Retired ○ Separated

Effective Date *
08/14/2024

NAC 289.290 Notification (Cause for Commission Action)

EXHIBIT D

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

Does the above NAC apply?

○ No ◉ Yes

Is your agency requesting revocation?

○ Yes ○ No

Comments\Additional Information:

24-CR-081262 Justice Court

Submitter Details

Submitter's Full Name *	Submitter's Phone # *	Submitter's E-Mail Address
Jessica Reynolds	702-828-6944	J16596R@LVMPD.com

txtFormType

Update PAR

EXHIBIT E

STATE OF NEVADA

PEACE OFFICERS' STANDARDS AND TRAINING COMMITTEE

Hereby Awards the

Basic Certificate

To

SEAN W.LUCERO

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

CATEGORY I LAS VEGAS METRO POLICE DEPARTMENT ACADEMY-850 HRS.

Governor

Director, Department of Motor Vehicles and Public Safety

Presented this 30TH day of JUNE, 1999

(Rev. 9-85)

Electronically Filed
11/6/2024 9:29 AM
Steven D. Grierson
CLERK OF THE COURT

INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JOHN TAYLOR
Deputy District Attorney
Nevada Bar #016144
200 Lewis Avenue
Las Vegas, NV 89155
PH: (702) 671-2500
FAX: (702) 868-2412
DAInfo@clarkcountydanv.gov
Attorney for the Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

SEAN LUCERO
#1497011

Defendant.

CASE NO: C-24-387038-1

DEPT NO: XII

I N F O R M A T I O N

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 the Defendant(s) above named, within the County of Clark, State of Nevada, on or about May 23, 2024, committed one or more of the following crime(s), ATTEMPT THEFT (Category E Felony/Gross Misdemeanor - NRS 205.0832, 205.0835, 193.153 - NOC 61956/61957) and OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor - NRS 197.200(2)(B) - NOC 52314), as follows to wit:

COUNT 1 - ATTEMPT THEFT (Category E Felony/Gross Misdemeanor - NRS 205.0832, 205.0835, 193.153 - NOC 61956/61957)

did willfully, knowingly, feloniously, and without lawful authority attempt to commit theft of property having a value of $1,200 or more, to wit: U.S. Currency, belonging to [redacted] and/or [redacted] under one or more of the following theories, to wit: 1) controlling the property with the intent to deprive [redacted] and/or [redacted] of the property, 2)

EXHIBIT F

converting, making an unauthorized transfer of an interest in, and/or, without authorization, controlling or using the services or property entrusted to him and/or placed in his possession for a limited, authorized period of determined or prescribed duration or for a limited use, and/or 3) obtaining the real, personal or intangible property or the services by a material misrepresentation with intent to deprive [redacted] and/or [redacted] of the property or services, in the following manner, to wit: by entering into the Win Spa located at [redacted] under the pretense of securing the scene in anticipation of a search warrant and/or seizing evidence within plain view, thereafter Defendant seized, documented and impounded approximately $6,780, when in truth and fact Defendant seized U.S. Currency having a maximum approximate value of $12,000, Defendant thereby keeping and converting for his own use U.S. Currency having a maximum approximate value of $5,000, Defendant additionally taking a wallet and its contents.

COUNT 2 - OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor - NRS 197.200(2)(B) - NOC 52314)

did willfully, unlawfully, and maliciously, while acting as an officer or pretending to be an officer and acting under pretense or color of official authority, arrest another person or detain the person against his will, seize or levy upon another person's property, dispossess another person, property or rights, and/or does any act whereby the person, property or rights of another person are injured, in the following manner, to wit: by entering into the Win Spa located at [redacted] under the pretense of securing the scene in anticipation of a search warrant and/or seizing evidence within plain view, thereafter Defendant seized, documented and impounded approximately $6,780, when in truth and fact Defendant seized U.S. Currency having a maximum approximate value of $12,000, Defendant thereby keeping and converting for his own use U.S. Currency having a maximum approximate value of $5,000, Defendant additionally taking a wallet and its contents.

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All of which is contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

STEVEN B. WOLFSON
Clark County District Attorney

BY 

JOHN TAYLOR
Deputy District Attorney
Nevada Bar #016144

March 5, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

lb/L2
MPD EV# LLV240300101118

GPA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JESSICA WALSH
Chief Deputy District Attorney
Nevada Bar #009640
200 Lewis Avenue
Las Vegas, NV 89155
PH: (702) 671-2500
FAX: (702) 868-2412
DAInfo@clarkcountydanv.gov
Attorney for the Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT
FEB 13 2025
BY, REINA VILLATORO, DEPUTY

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

SEAN LUCERO
#1497011

Defendant.

CASE NO: C-24-387038-1

DEPT NO: XII

AMENDED

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to the charge(s) listed below, as more fully alleged in the charging document attached hereto:

COUNT 1 - ATTEMPT THEFT (Category E Felony/Gross Misdemeanor - NRS 205.0832, 205.0835, 193.153 - NOC 61956/61957) and

COUNT 2 - OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor - NRS 197.200(2)(B) - NOC 52314).

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

EXHIBIT G

C-24-387038-1
GPA
Guilty Plea Agreement
5120371

As to Count 1, Both parties stipulate to Gross Misdemeanor treatment. The State agrees to make no recommendation at rendition of sentencing. Both parties stipulate to a Pre-Sentence Investigation (PSI) Report.

As to Count 2, The State agrees to make no recommendation at rendition of sentencing. Both parties stipulate to a Pre-Sentence Investigation (PSI) Report.

All remaining counts contained in the Criminal Complaint which were bound over to District Court shall be dismissed when Defendant is adjudged guilty and sentenced.

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.

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

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

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of the offense(s) to which I now plead as set forth in the charging document attached hereto.

As to Count 1, the Court may elect to treat this offense as a felony or as a gross misdemeanor. If the Court elects to treat this offense as a felony I may be imprisoned in the Nevada Department of Corrections for a minimum term of not less than one (1) year and a maximum term of not more than four (4) years. In addition, I may be fined up to $5,000.00.

I further understand that the minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. If the Court elects to treat this offense as a gross misdemeanor, I may be imprisoned in the Clark County Detention Center for a period of not more than three hundred sixty-four (364) days. In addition, I may be fined up to $2,000.00.

As to Count 2, I may be imprisoned in the Clark County Detention Center for a period of not more than three hundred sixty-four (364) days and that I may be fined up to $2,000.00.

I understand that the law requires me to pay an Administrative Assessment Fee(s).

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense(s) to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

As to Count 1, If the Court elects to treat this offense as a felony, except as provided in this paragraph, pursuant to NRS 176A.100, when I am sentenced the Court shall suspend the execution of the sentence and grant probation upon such terms and conditions as the Court deems appropriate. Such conditions of probation may include, but are not limited to, requiring the person to serve a term of confinement of not more than three hundred sixty-four (364) days in the county jail. However, the court may, as it deems advisable, decide not to suspend the execution of the sentence imposed and grant probation if, at the time of sentencing, it is established that I had previously been two times convicted, whether in this state or elsewhere, of a crime that under the laws of the situs of the crime or of this state would amount to a felony. If the Court elects to treat this offense as a gross misdemeanor, I understand that I am eligible for probation for the offense(s) to which I am pleading guilty. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

As to Count 2, I understand that I am eligible for probation for the offense to which I am pleading guilty. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I understand that I must submit to blood and/or saliva tests under the Direction of the Division of Parole and Probation to determine genetic markers and/or secretor status.

//

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

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

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

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

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

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

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

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

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

//

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

WAIVER OF RIGHTS

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

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.

2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.

3. The constitutional right to confront and cross-examine any witnesses who would testify against me.

4. The constitutional right to subpoena witnesses to testify on my behalf.

5. The constitutional right to testify in my own defense.

6. The right to appeal the conviction or resulting sentence with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this prosecution, conviction, or any aspect of the resulting sentence, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

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VOLUNTARINESS OF PLEA

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

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

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

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

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

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

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

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

DATED this 13 day of January, 2025.

SEAN LUCERO
Defendant

AGREED TO BY:

Jessica Walsh

Jessica Walsh
Chief Deputy District Attorney
Nevada State Bar No. 009640

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 30th day of January, 2025.

CRAIG L HENDRICKS, ESQ.

March 5, 2025

JW/CAU

UNITED STATES OF AMERICA DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT COUNTY OF CLARK STATE OF NEVADA
CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

Electronically Filed
11/6/2024 9:29 AM
Steven D. Grierson
CLERK OF THE COURT

INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JOHN TAYLOR
Deputy District Attorney
Nevada Bar #016144
200 Lewis Avenue
Las Vegas, NV 89155
PH: (702) 671-2500
FAX: (702) 868-2412
DAInfo@clarkcountydanv.gov
Attorney for the Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

SEAN LUCERO
#1497011

Defendant.

CASE NO: C-24-387038-1

DEPT NO: XII

INFORMATION

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 the Defendant(s) above named, within the County of Clark, State of Nevada, on or about May 23, 2024, committed one or more of the following crime(s), ATTEMPT THEFT (Category E Felony/Gross Misdemeanor - NRS 205.0832, 205.0835, 193.153 - NOC 61956/61957) and OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor - NRS 197.200(2)(B) - NOC 52314), as follows to wit:

COUNT 1 - ATTEMPT THEFT (Category E Felony/Gross Misdemeanor - NRS 205.0832, 205.0835, 193.153 - NOC 61956/61957)

did willfully, knowingly, feloniously, and without lawful authority attempt to commit theft of property having a value of $1,200 or more, to wit: U.S. Currency, belonging to [redacted] and/or [redacted], under one or more of the following theories, to wit: 1) controlling the property with the intent to deprive [redacted] and/or [redacted] of the property, 2)

converting, making an unauthorized transfer of an interest in, and/or, without authorization, controlling or using the services or property entrusted to him and/or placed in his possession for a limited, authorized period of determined or prescribed duration or for a limited use, and/or 3) obtaining the real, personal or intangible property or the services by a material misrepresentation with intent to deprive [redacted] and/or [redacted] of the property or services, in the following manner, to wit: by entering into the Win Spa located at [redacted] under the pretense of securing the scene in anticipation of a search warrant and/or seizing evidence within plain view, thereafter Defendant seized, documented and impounded approximately $6,780, when in truth and fact Defendant seized U.S. Currency having a maximum approximate value of $12,000, Defendant thereby keeping and converting for his own use U.S. Currency having a maximum approximate value of $5,000, Defendant additionally taking a wallet and its contents.

COUNT 2 - OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor - NRS 197.200(2)(B) - NOC 52314)

did willfully, unlawfully, and maliciously, while acting as an officer or pretending to be an officer and acting under pretense or color of official authority, arrest another person or detain the person against his will, seize or levy upon another person's property, dispossess another person, property or rights, and/or does any act whereby the person, property or rights of another person are injured, in the following manner, to wit: by entering into the Win Spa located at [redacted] under the pretense of securing the scene in anticipation of a search warrant and/or seizing evidence within plain view, thereafter Defendant seized, documented and impounded approximately $6,780, when in truth and fact Defendant seized U.S. Currency having a maximum approximate value of $12,000, Defendant thereby keeping and converting for his own use U.S. Currency having a maximum approximate value of $5,000, Defendant additionally taking a wallet and its contents.

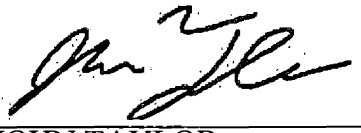
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All of which is contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

STEVEN B. WOLFSON
Clark County District Attorney

BY 

JOHN TAYLOR
Deputy District Attorney
Nevada Bar #016144

lb/L2
MPD EV# LLV240300101118

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CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, -vs- SEAN LUCERO, #1497011 Defendant.	CASE NO. C-24-387038-1 DEPT. NO. XII

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

On the 13th day of February, 2025, the Defendant appeared before the Court with counsel, CRAIG L. HENDRICKS, Esq., and entered a plea of guilty to the crimes of COUNT 1 – ATTEMPT THEFT (Category E Felony/Gross Misdemeanor) in violation of NRS 205.0832, 205.0835, 193.153, and COUNT 2 – OPPRESSION UNDER COLOR OF OFFICE (Gross Misdemeanor) in violation of NRS 197.200(2)(B); thereafter, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said Gross Misdemeanor offenses and, in addition to the $25.00 Administrative Assessment fee, $150.00 DNA Analysis fee, including testing to determine genetic markers, $6,790.00 Restitution, and $3.00 DNA Collection fee, the Defendant is sentenced on COUNT 1 to THREE HUNDRED SIXTY-FOUR (364) DAYS in the Clark County Detention Center (CCDC), and on COUNT 2 to THREE HUNDRED SIXTY-FOUR (364) DAYS in CCDC, COUNTS 1 and 2 SUSPENDED; placed on PROBATION for an indeterminate period not to exceed ONE (1) YEAR. SPECIAL CONDITIONS:

1. Pay restitution in the amount of $6,790.00.

COURT ADDITIONALLY ORDERED GENERAL PROBATION CONDITIONS

EXHIBIT H

Statistically closed: A. USJR - CR - Guilty Plea With Sentence (Before trial) (USGPB)

IMPOSED as follows:

1. Reporting: You are to report in person to the Division of Parole and Probation as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.

2. Residence: You shall not change your place of residence without first obtaining permission from the Division of Parole and Probation, in each instance.

3. Intoxicants: You shall not consume any alcoholic beverages in excess. Upon order of the Division of Parole and Probation or its agent, you shall submit to a medically recognized test for blood / breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.

4. Controlled Substances: You shall not use, purchase, or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify the Division of Parole and Probation of any prescription received. You shall submit to drug testing as required by the Division or its agent.

5. Weapons: You shall not possess, have access to, or have under your control any type of weapon.

6. Search: You shall submit your person, property, place of residence, vehicle, or areas under your control to search including electronic surveillance or monitoring of your location, at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the Division of Parole and Probation or its agent.

7. Associates: You must have prior approval by the Division of Parole and Probation to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined to a correctional institution unless specific written permission has been granted by the Division and the correctional institution.

8. Directives and Conduct: You shall follow the directives of the Division of Parole and

Probation and your conduct shall justify the opportunity granted to you by this community supervision.

9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.

10. Out of State Travel: You shall not leave the state without first obtaining written permission from the Division of Parole and Probation.

11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by the Division of Parole and Probation and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division.

12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by the Division of Parole and Probation. Any excess monies paid will be applied to any other outstanding fees, fines, and / or restitution, even if it is discovered after your discharge.

Dated this 26th day of February, 2025

/po

12E F71 DFCB D940
Michelle Leavitt
District Court Judge

March 5, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

State of Nevada	CASE NO: C-24-387038-1
vs	DEPT. NO. Department 12
Sean Lucero	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Judgment of Conviction was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 2/26/2025

Lisa Whalen	lwhalen@thedefenders.net
Cynthia Walker	cwalker@thedefenders.net
District Attorney	motions@clarkcountydanv.com

16. DISCUSSION AND FOR POSSIBLE ACTION.

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Christopher Pena's (formerly employed with the Nevada Department of Corrections) Category III basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction(s) that have led to this action are:

COUNT I: TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS (Category B Felony) in violation of NRS 453.3385(1)(a).

Action will be revocation of the Category III basic certificate.

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 20, 2025

Christopher Pena
[redacted]
North Las Vegas, NV 89030

POST PIN #: 37300

Dear Mr. Pena,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) will be revoked pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The conviction(s) which have led to this action are as follows:

Count I: TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS (Category B Felony) in violation of NRS 453.3385(1)
Case#: C-24-380197-1
Dept No: III
Jurisdiction: District Court, Clark County, Nevada

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NEVADA 89701

The hearing will cover the following: the revocation of your P.O.S.T certificate(s) pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
5587 Wa Pai Shone Avenue
CARSON CITY, NEVADA 89701
(775) 687-7678 FAX (775) 687-4911

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

DECLARATION OF SERVICE

I, Tenu Clark, served the foregoing **Notice of Intent to Revoke**
Print name of the person serving this document

To Individual's Name: **CHRISTOPHER PENA**

at [redacted] on this
(location)

20 day of March, 2025.
Day *Month* *Year*

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

Executed on this 20 day of March, 2025.
Day *Month* *Year*

Tenu Clark
Signature of person serving the Notice

Tenu Clark
Printed name of person serving the Notice

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

EXHIBIT B

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

Post ID Number: 37300

Last Name: Pena **First Name:** Christopher

MI: **Suffix:**

☐ **Name Change?**

Last Name: Pena First Name: Christopher

MI: Suffix:

☐ **Address Change?**

Street Address: [redacted]

City: N. Las Vegas State: NV Zip Code: 89030

County: Clark E-Mail:

Level Change? ○ Line ○ Supervisor ○ Management ○ Executive ○ Part Time ○ Full Time

Status Change? ○ Deceased ○ Retired ◉ Separated

NAC289.290 Notification (Cause For Commission Action)

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

Does the above NAC apply? ○ No ◉ Yes

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

Comments\Additional Information:

Misconduct of officer bringing contraband inside facility. Currently facing/charged with multiple felony counts.

Effective Date: 05/17/2023

Submitters Name: Gregory Carter

Submitters Phone: (725) 216-6418

Submitters E-Mail: gcarter@doc.nv.gov

EXHIBIT C

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category III Basic Certificate

To

Christopher Pena

For having fulfilled all the requirements for basic certification
As prescribed by Nevada Administrative Code.

Governor

Executive Director

37300
POST ID #

05/31/2019
Date

EXHIBIT D

Electronically Filed
1/25/2024 2:30 PM
Steven D. Grierson
CLERK OF THE COURT

IND
AARON D. FORD
Attorney General
MICHAEL R. CRUZ (Bar No. 15527)
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101-1068
P: (702) 486-3192
F: (702) 486-0660
mrcruz@ag.nv.gov
Attorneys for the State of Nevada

DISTRICT COURT

CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

v.

CHRISTOPHER PENA, ID# 3082726
ASHLEY CHRISTMAS, and
SAMANTHA TESKE, ID# 3017951

Defendant.

Case No.: C-24-380197-1

Dept. No.: III

INDICTMENT

The above-named Defendants, CHRISTOPHER PENA, ASHLEY CHRISTMAS, and SAMANTHA TESKE, are accused by the Clark County Grand Jury of the crime(s) of: TRAFFICKING IN A CONTROLLED SUBSTANCE, 400 GRAMS OR MORE, a category "A" felony, in violation of NRS 453.3385(1)(b) [NOC 62099]; POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO SELL, a category "D" felony, in violation of NRS 453.337(1), NRS 453.337(2)(a) [NOC 51141], PUBLIC OFFICER OR EMPLOYEE ASKING FOR OR RECEIVING BRIBE, a category "C" felony, in violation of NRS 197.040 [NOC 52329]; BRIBERY OF PUBLIC OFFICER, a category "C" felony, in violation of NRS 197.020 [NOC 52295]; CONSPIRACY TO VIOLATE THE UNIFORM CONTROLLED SUBSTANCES ACT, FIRST OFFENSE, a category "C" felony, in violation of NRS 453.401(1)(a) [NOC 51306] ; FURNISHING CONTROLLED SUBSTANCE TO A STATE PRISONER, a category "B" felony, in violation of NRS 212.160(1)(a) [NOC 53435]; FURNISHING PORTABLE

EXHIBIT E

TELECOMMUNICATIONS DEVICE TO A STATE PRISONER, a category "E" felony, in violation of NRS 212.165(1) [NOC 54775]; and POSSESSION OF A TELECOMMUNICATIONS DEVICE BY A PRISONER, a category "D" felony, in violation of NRS 212.165(3) [NOC 54984].

All of the acts alleged herein were committed or completed on or between February 13, 2022 through May 2023 in Clark County, Nevada, as follows:

COUNT I
TRAFFICKING IN A CONTROLLED SUBSTANCE - 400 GRAMS OR MORE
Category "A" Felony – NRS 453.3385(1)(b)

That on or about May 17, 2023, the Defendant, CHRISTOPHER PENA, did willfully, unlawfully, feloniously, and knowingly or intentionally possess, either actually or constructively, 400 grams or more of a schedule II controlled substance or any mixture of which contained a schedule II controlled substance, to wit: approximately 437.313 grams of methamphetamine, or any mixture of substance consisting of approximately 437.313 grams containing the controlled substance methamphetamine.

COUNT II
POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO SELL
Category "D" Felony – NRS 453.337(1) and 453.337(a)

That on or about May 17, 2023, the Defendant, CHRISTOPHER PENA, did unlawfully possess for the purpose of sale a Schedule 1 or II controlled substance, to wit: approximately 12.371 grams of heroin, contained and/or stored under circumstances indicating an intent to sell.

COUNT III
PUBLIC OFFICER OR EMPLOYEE ASKING FOR OR RECEIVING BRIBE
Category "C" Felony – NRS 197.040

That on or between June 2022 through May 2023, the Defendant, CHRISTOPHER PENA, did willfully, unlawfully and feloniously, while being a person who executes any functions of a public officer, asked for or received compensation to act in a way to violate an official duty, to wit: CHRISTOPHER PENA, through his employment as a correctional officer with the Nevada Department of Corrections, received compensation in the form of money and access to cars from Defendants ASHLEY CHRISTMAS and SAMANTHA TESKE for the purpose of smuggling controlled substances, portable telecommunications devices, and various other contraband into High Desert State Prison for ASHLEY CHRISTMAS while ASHLEY CHRISTMAS was incarcerated as a prisoner in High Desert State Prison.

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COUNT IV
BRIBERY OF PUBLIC OFFICER
Category "C" Felony – NRS 197.020

That on or between June 2022 through May 2023, the Defendants, ASHLEY CHRISTMAS and SAMANTHA TESKE, did willfully and feloniously give, offer or promise compensation to a person executing any of the functions of a public office with the intent to influence the person with respect to an act, decision, vote or other proceeding in the exercise of his or her powers or functions, to wit: Defendants ASHLEY CHRISTMAS and SAMANTHA TESKE compensated defendant CHRISTOPHER PENA, a correctional officer at High Desert State Prison, with money and access to cars for the purpose of smuggling controlled substances, portable telecommunications devices, and various other contraband into High Desert State Prison.

COUNT V
FURNISHING CONTROLLED SUBSTANCE TO A STATE PRISONER
Category "B" Felony – NRS 212.160(1)(a)

That on or between June 2022 through May 2023, the Defendants, CHRISTOPHER PENA, ASHLEY CHRISTMAS, and SAMANTHA TESKE, without authorization by law, did knowingly furnish, aid, or assist in furnishing, or attempting to furnish to a prisoner confined in an institution of the Nevada Department of Corrections, a controlled substance, the Defendants being criminally liable under one or more of the following principles of criminal liability, to wit: (1) by Defendant PENA directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit the crime, to wit: by Defendants entering a course of conduct and/or acting in concert whereby Defendant ASHLEY CHRISTMAS, while a prisoner at High Desert State Prison, did instruct Defendant SAMANTHA TESKE to obtain, package, and then deliver to Defendant CHRISTOPHER PENA methamphetamine, cocaine, and/or marijuana for Defendant CHRISTOPHER PENA to then smuggle into High Desert State Prison and deliver to Defendant ASHLEY CHRISTMAS; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this crime be committed, Defendants aiding or abetting and/or conspiring by Defendants acting in concert throughout.

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COUNT VI
CONSPIRACY TO VIOLATE THE UNIFORM CONTROLLED SUBSTANCES ACT, FIRST OFFENSE
Category "C" Felony – NRS 453.401(1)(a)

That on or between June 2022 through May 2023, the Defendants, CHRISTOPHER PENA, ASHLEY CHRISTMAS, and SAMANTHA TESKE, did unlawfully conspire with another to commit an offense which is a felony in violation of the Uniform Controlled Substances Act, by the Defendants committing the acts as set forth in Count V above, said acts being incorporated by this reference as though fully set forth herein.

COUNT VII
FURNISHING A PORTABLE TELECOMMUNICATIONS DEVICE TO A STATE PRISONER
Category "E" Felony – NRS 212.165(1)

That on or between June 2022 through May 2023, the Defendants, CHRISTOPHER PENA, ASHLEY CHRISTMAS, and SAMANTHA TESKE, without authorization by law, did knowingly furnish, aid, or assist in furnishing, or attempting to furnish to a prisoner confined in an institution of the Nevada Department of Corrections, a portable telecommunications device, the Defendants being criminally liable under one or more of the following principles of criminal liability, to wit: (1) by Defendant PENA directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit the crime, to wit: by Defendants entering a course of conduct and/or acting in concert whereby Defendant ASHLEY CHRISTMAS, while a prisoner at High Desert State Prison, did instruct Defendant SAMANTHA TESKE to obtain, package, and then deliver to Defendant CHRISTOPHER PENA portable telecommunications devices for Defendant CHRISTOPHER PENA to then smuggle into High Desert State Prison and deliver to Defendant ASHLEY CHRISTMAS; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this crime be committed, Defendants aiding or abetting and/or conspiring by Defendants acting in concert throughout.

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COUNT VIII
POSSESSION OF A PORTABLE TELECOMMUNICATION DEVICE BY A STATE PRISONER
Category "D" Felony – NRS 212.165(3)

That on or about February 13, 2022, the Defendant, ASHLEY CHRISTMAS, did, while lawfully confined in an institution of the Nevada Department of Corrections and without lawful authorization, possess or have in his custody or control a portable telecommunications device, to wit: Defendant ASHLEY CHRISTMAS had in his custody control a Samsung S10 smartphone while confined as a prisoner at High Desert State Prison, while being held in custody for a sentence amounting to a felony.

COUNT IX
POSSESSION OF A PORTABLE TELECOMMUNICATION DEVICE BY A STATE PRISONER
Category "D" Felony – NRS 212.165(3)

That on or about September 28, 2022, the Defendant, ASHLEY CHRISTMAS, did, while lawfully confined in an institution of the Nevada Department of Corrections and without lawful authorization, possess or have in his custody or control a portable telecommunications device, to wit: Defendant ASHLEY CHRISTMAS had in his custody or control a black Verizon smartphone while confined as a prisoner at High Desert State Prison, while being held in custody for a sentence amounting to a felony.

COUNT X
POSSESSION OF A PORTABLE TELECOMMUNICATION DEVICE BY A STATE PRISONER
Category "D" Felony – NRS 212.165(3)

That on or about November 2, 2022, the Defendant, ASHLEY CHRISTMAS, did, while lawfully confined in an institution of the Nevada Department of Corrections and without lawful authorization, possess or have in his custody or control a portable telecommunications device, to wit: Defendant ASHLEY CHRISTMAS had in his custody or control a Motorola smartphone while confined as a prisoner at High Desert State Prison, while being held in custody for a sentence amounting to a felony.

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All of which is contrary to the form, force and effect of the statutes in such cases made and provided, and against the peace and dignity of the state of Nevada.

DATED this 24th day of January, 2024.

SUBMITTED BY

AARON D. FORD
Attorney General

By: _____
MICHAEL R. CRUZ (Bar No. 15527)
Deputy Attorney General
Attorneys for the State of Nevada

ENDORSEMENT: A True Bill

By: _____
Foreperson, Clark County Grand Jury
GJ# 23BGJ099A-C

February 26, 2025

UNITED STATES OF AMERICA
DISTRICT COURT
OF THE
EIGHTH
JUDICIAL
DISTRICT
COUNTY OF CLARK
STATE OF NEVADA

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Steven D. Grierson
CLERK OF THE COURT

AIND
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mrcruz@ag.nv.gov
Attorneys for the State of Nevada

DISTRICT COURT

CLARK COUNTY, NEVADA

STATE OF NEVADA, Plaintiff, v. CHRISTOPHER PENA, ID# 3082726 Defendant.	Case No.: C-24-380197-1 Dept. No.: III

AMENDED INDICTMENT

The above-named Defendant, CHRISTOPHER PENA, is accused by the Clark County Grand Jury of the crime(s) of: TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS, a category "B" felony, in violation of NRS 453.3385(1)(a) [NOC 62097].

All of the acts alleged herein were committed or completed on or about May 17, 2023, in Clark County, Nevada, as follows:

COUNT I
TRAFFICKING IN A CONTROLLED SUBSTANCE
100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS
Category "B" Felony – NRS 453.3385(1)(a)

That on or about May 17, 2023, the Defendant, CHRISTOPHER PENA, did willfully, unlawfully, feloniously, and knowingly or intentionally possess, either actually or constructively, 100 grams or more, but less than 400 grams of a schedule II controlled substance or any mixture of which contained a schedule

EXHIBIT F

Case Number: C-24-380197-1

II controlled substance, to wit: approximately 437.313 grams of methamphetamine, or any mixture of substance consisting of approximately 437.313 grams containing the controlled substance methamphetamine.

All of which is contrary to the form, force and effect of the statutes in such cases made and provided, and against the peace and dignity of the state of Nevada.

DATED this 4th day of September, 2024.

SUBMITTED BY

AARON D. FORD
Attorney General

By: /s/ *Michael R. Cruz*
MICHAEL R. CRUZ (Bar No. 15527)
Deputy Attorney General
Attorneys for the State of Nevada

February 26, 2025

UNITED STATES OF AMERICA
DISTRICT COURT
OF THE
EIGHTH
JUDICIAL
DISTRICT
COUNTY OF CLARK
STATE OF NEVADA

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Steven D. Grierson
CLERK OF THE COURT

AIND
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Attorneys for the State of Nevada

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, v. CHRISTOPHER PENA, ID# 3082726 Defendant.	Case No.: C-24-380197-1 Dept. No.: III

SECOND AMENDED INDICTMENT

The above-named Defendant, CHRISTOPHER PENA, is accused by the Clark County Grand Jury of the crime(s) of: TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS, a category "B" felony, in violation of NRS 453.3385(1)(a) [NOC 62097].

All of the acts alleged herein were committed or completed on or about May 17, 2023, in Clark County, Nevada, as follows:

COUNT I
TRAFFICKING IN A CONTROLLED SUBSTANCE
100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS
Category "B" Felony – NRS 453.3385(1)(a)

That on or about May 17, 2023, the Defendant, CHRISTOPHER PENA, did willfully, unlawfully, feloniously, and knowingly or intentionally possess, either actually or constructively, 100 grams or more, but less than 400 grams of a schedule II controlled substance or any mixture of which contained a schedule

EXHIBIT G

Case Number: C-24-380197-1

II controlled substance, to wit: methamphetamine, or any mixture of substance containing the controlled substance methamphetamine.

All of which is contrary to the form, force and effect of the statutes in such cases made and provided, and against the peace and dignity of the state of Nevada.

DATED this 4th day of September, 2024.

SUBMITTED BY

AARON D. FORD
Attorney General

By: /s/ *Michael R. Cruz*
MICHAEL R. CRUZ (Bar No. 15527)
Deputy Attorney General
Attorneys for the State of Nevada

February 26, 2025



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DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, v. CHRISTOPHER PENA, ID #3082726, Defendant.	Case No.: C-24-380197-1 Dept. No.: III

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to one (1) count of TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS, a category "B" felony, in violation of NRS 453.3385(1)(a) [NOC 62097], as more fully alleged in the charging document attached hereto as Exhibit "1."

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

1. The parties stipulate that I shall be sentenced to 4 – 10 years (48 – 120 months) in the Nevada Department of Corrections;

2. As a part of my plea in this case, the State of Nevada agrees not to file any additional charges against me related to the criminal conduct contained within Nevada Inspector General Case No. IN-2023-0335;

EXHIBIT H

3. I agree to pay all fines, fees, and costs ordered by the Court; and

4. I agree to waive any defects or infirmities in the charging document attached as Exhibit "1".

I understand that, pursuant to NRS 176.015(3), victims so desiring will be allowed to make impact statements; I understand and agree that if I fail to interview with the Department of Parole and Probation, fail to appear at any subsequent hearings in this case, or an independent judge or magistrate, by affidavit review or other satisfactory proof, confirms probable cause against me for new criminal charges, including reckless driving or DUI, but excluding minor traffic violations, the State will have the unqualified right to argue for any legal sentence and term of confinement allowable for the crime(s) to which I am pleading guilty, including the use of any prior convictions I may have. Otherwise, I am entitled to receive the benefits of these negotiations as stated in the plea agreement.

CONSEQUENCES OF THE PLEA

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

I understand that as a consequence of my plea of guilty to TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS, a category "B" felony, in violation of NRS 453.3385(1)(a), I may be punished by imprisonment in the Nevada Department of Corrections for a minimum term of not less than two (2) year and a maximum term of not more than twenty (20) years and may be fined up to $100,000.00. I understand the law requires me to pay an Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim(s) of the offense(s) to which I am pleading guilty and to the victim(s) of any related offense(s) being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

I understand that I am eligible for probation for the offense(s) to which I am pleading guilty. I further understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I also understand that I must submit to blood and/or saliva tests under the direction of the Division of Parole and Probation to determine genetic markers and/or secretor status.

Subject to NRS 176.035(3), I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively.

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

I have not been promised or guaranteed any particular sentence by anyone. I know that my sentence is to be determined by the Court within the limits prescribed by statute. I understand that if my attorney or the State of Nevada or both recommend any specific punishment to the Court, the Court is not obligated to accept the recommendation.

I understand the Division of Parole and Probation will prepare a report for the sentencing judge prior to sentencing. This report will include matters relevant to the issue of sentencing, including my criminal history. This report may contain hearsay information regarding my background and criminal history. My attorney and I will each have the opportunity to comment on the information contained in the report at the time of sentencing. Unless the Attorney General has specifically agreed otherwise, the Attorney General may also comment on this report.

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

I understand that if I am not a United States citizen, this criminal conviction will likely result in serious negative immigration consequences including but not limited to: removal from the United States through deportation; an inability to reenter the United States; the inability to gain United States citizenship or legal residency; an inability to renew and/or retain any legal residency status; and/or an indeterminate term of confinement with the United States Federal Government based on my conviction and immigration status. Regardless of what I have been told by an attorney, no one can promise me that this conviction will not result in negative immigration consequences and/or impact my ability to become a United States citizen and/or legal resident.

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WAIVER OF RIGHTS

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

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify
4. against me.
5. The constitutional right to subpoena witnesses to testify on my behalf.
6. The constitutional right to testify in my own defense.
7. The right to appeal the conviction, with the assistance of an attorney, either appointed or retained, unless the appeal is based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings and except as otherwise provided in subsection 3 of NRS 174.035.

VOLUNTARINESS OF PLEA

I have discussed the elements of all the original charges against me with my attorney and I understand the nature of the charges against me.

I understand the State would have to prove each element of the charges against me at trial.

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

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

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

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

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

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

DATED this 6 day of September, 2024

CHRISTOPHER PENA, Defendant

AGREED TO BY:

/s/ Michael R. Cruz
Michael R. Cruz
Deputy Attorney General

CERTIFICATE OF DEFENSE COUNSEL

I, the undersigned, as the attorney for CHRISTOPHER PENA, the Defendant named herein, and as an officer of the court hereby certify that:

1. I have fully explained to Defendant the allegations contained in the charges to which guilty pleas are being entered.

2. I have advised Defendant of the penalties for each charge and the restitution that Defendant may be ordered to pay.

3. I have inquired of Defendant facts concerning Defendant's immigration status and explained to Defendant that if Defendant is not a United States citizen any criminal conviction will most likely result in serious negative immigration consequences including but not limited to:

   a. The removal from the United States through deportation;

   b. An inability to reenter the United States;

   c. The inability to gain United States citizenship or legal residency;

   d. An inability to renew and/or retain any legal residency status; and/or

   e. An indeterminate term of confinement with the United States Federal Government based on his/her conviction and immigration status.

   Moreover, I have explained that regardless of 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 Defendant pursuant to this agreement are consistent with all the facts known to me, and are made with my advice to Defendant and are in the best interest of Defendant:

5. To the best of my knowledge and belief Defendant:

   a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement;

   b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily; and

   c. Was not under the influence of intoxicating liquor, a controlled substance, or other drug at the time I consulted with the Defendant as certified in paragraph 1 and 2 above, or at the time of execution of this agreement.

DATED this 6 day of September, 2024

MICHAEL J. MICELI (BAR NO. 10151)
Attorney for CHRISTOPHER PENA

EXHIBIT 1

EXHIBIT 1

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AIND
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mrcruz@ag.nv.gov
Attorneys for the State of Nevada

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

CHRISTOPHER PENA, ID# 3082726

Defendant.

Case No.: C-24-380197-1

Dept. No.: III

SECOND AMENDED INDICTMENT

The above-named Defendant, CHRISTOPHER PENA, is accused by the Clark County Grand Jury of the crime(s) of: TRAFFICKING IN A CONTROLLED SUBSTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS, a category "B" felony, in violation of NRS 453.3385(1)(a) [NOC 62097].

All of the acts alleged herein were committed or completed on or about May 17, 2023, in Clark County, Nevada, as follows:

COUNT I
TRAFFICKING IN A CONTROLLED SUBSTANCE
100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS
Category "B" Felony – NRS 453.3385(1)(a)

That on or about May 17, 2023, the Defendant, CHRISTOPHER PENA, did willfully, unlawfully, feloniously, and knowingly or intentionally possess, either actually or constructively, 100 grams or more, but less than 400 grams of a schedule II controlled substance or any mixture of which contained a schedule

II controlled substance, to wit: methamphetamine, or any mixture of substance containing the controlled substance methamphetamine.

All of which is contrary to the form, force and effect of the statutes in such cases made and provided, and against the peace and dignity of the state of Nevada.

DATED this 4th day of September, 2024.

SUBMITTED BY

AARON D. FORD
Attorney General

By: */s/ Michael R. Cruz*
MICHAEL R. CRUZ (Bar No. 15527)
Deputy Attorney General
Attorneys for the State of Nevada

February 27, 2025



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JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHRISTOPHER PENA,
#3082726

Defendant.

CASE NO. C-24-380197-1

DEPT. NO. III

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of TRAFFICKING IN A CONTROLLED SUBTANCE, 100 GRAMS OR MORE, BUT LESS THAN 400 GRAMS (Category B Felony) in violation of NRS 453.3385(1) (a); thereafter, on the 6th day of January, 2025, the Defendant was present in court for sentencing with counsel, MICHAEL J. MICELI, Esq., and good cause appearing,

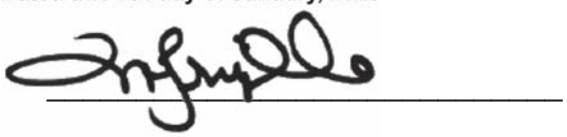
THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the $25.00 Administrative Assessment Fee, $60.00 Drug Analysis Fee, $5,000.00 Fine, and $150.00 DNA Analysis Fee including testing to determine genetic markers plus

EXHIBIT I

$3.00 DNA Collection Fee, the Defendant is sentenced as follows: a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS in the Nevada Department of Corrections (NDC); with ZERO (0) DAYS credit for time served.

OURT FURTHER ORDERED, Defendant REMANDED into custody. BOND, if any, EXONERATED.

Dated this 7th day of January, 2025



30A 48C A3B1 7A45
Monica Trujillo
District Court Judge

February 26, 2025



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CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

State of Nevada	CASE NO: C-24-380197-1
vs	DEPT. NO. Department 3
Christopher Pena	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Judgment of Conviction was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 1/7/2025

R Holm	rholm@ag.nv.gov
C Ross	CRoss@ag.nv.gov
Marcie Burris	mburris@ag.nv.gov
Tiffany DiBari	tdibari@ag.nv.gov
Michael Cruz	mrcruz@ag.nv.gov
Camila Reingruber	creingruber@ag.nv.gov

17. <u>DISCUSSION AND FOR POSSIBLE ACTION.</u>

Hearing pursuant to NAC 289.290(1)(g) on the revocation of Bryce K. Tokunaga's (formerly employed with the 8th Judicial District Court Marshals Division) Category II basic certificate based on a conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony. The conviction(s) that have led to this action are:

Count I: ATTEMPT PANDERING (Category D Felony/Gross Misdemeanor), in violation of NRS 201.300; NRS 193.153 – NOC 62184/62185).

Action will be revocation of the Category II basic certificate.

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

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

NOTICE OF INTENT TO REVOKE

March 20, 2025

Bryce K. Tokunaga
[redacted]
Las Vegas, NV 89169

POST PIN #: 40688

Dear Mr. Tokunaga,

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

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

The Commission's regulations provide that a person's peace officer certificate(s) will be revoked pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.** The conviction(s) which have led to this action are as follows:

Count I: ATTEMPT PANDERING (Category D Felony/Gross Misdemeanor), in violation of NRS 201.300;193.153
Case#: C-24-386423-1
Dept No: XXI
Jurisdiction: District Court, Clark County, Nevada

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

If you choose to appeal and answer the charges against you, the Commission may elect to sit as a whole or designate an independent hearing officer to hear the matter and make recommendations in writing to the Commission. You will be given the opportunity to present evidence and cross-examine witnesses as applicable. If you wish, you may be represented by an attorney; however, this would be at your own expense. **If you or your counsel have any written arguments you would like to present to the Commission, you can send that information to me no less than ten (10) days prior to the date of the hearing.**

EXHIBIT A

Written requests can be made to:

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

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

Date: MAY 1, 2025
Time: 10:00 A.M.
Location: POST ADMINISTRATION BUILDING, CLASSROOM 2, 5587 WA PAI SHONE AVE., CARSON CITY, NEVADA 89701

The hearing will cover the following: the revocation of your P.O.S.T certificate(s) pursuant to **NAC 289.290(1)(g) based on a Conviction of, or entry of a plea of guilty, guilty but mentally ill or nolo contendere to, a felony.**

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

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

Sincerely,

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

cc: Senior Deputy Attorney General Geordan Goebel
File

NAC 289.290 Denial, revocation or suspension of certificate; reinstatement of revoked certificate. (NRS 289.510)

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

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

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

(c) Chronic drinking or drunkenness on duty.

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

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

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

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

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

(i) Conviction of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33). Following the conviction of the employee for such a misdemeanor, suspension or revocation may be imposed regardless of whether the employing agency recommends suspension or revocation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R003-07, 4-17-2008; R051-14, 10-24-2014; R006-19, 12-30-2019)

OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION

NEVADA COMMISSION OF PEACE ●FFICERS	)	
	)	
PLAINTIFF	)	CASE No. POST PIN# 40688
Vs	)	SHERIFF CIVIL NO.: 25001435
BRYCE KENJI GAERLAN TOKUNAGA	)	
	)	
DEFENDANT	)	**AFFIDAVIT OF SERVICE**

STATE OF NEVADA }
} **ss:**
COUNTY OF CLARK }

ISRAEL CRUZ CAMACHO, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Sheriff in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on **3/20/2025**, at the hour of **2:15 PM**. affiant as such Deputy Sheriff served a copy/copies of **NOTICE OF INTENT TO REVOKE** issued in the above entitled action upon the defendant **BRYCE KENJI GAERLAN TOKUNAGA** named therein, by delivering to and leaving with said defendant **BRYCE KENJI GAERLAN TOKUNAGA**, personally, at [redacted] **LAS VEGAS, NV 89101** within the County of Clark, State of Nevada, copy/copies of **NOTICE OF INTENT TO REVOKE**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE ON NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: March 20, 2025.

Kevin McMahill, Sheriff

By: 18310
ISRAEL CRUZ CAMACHO P#18310
Deputy Sheriff

EXHIBIT B

State of Nevada – POST

Update – Personnel Action Report (PAR)

Agency ID *
0010

Agency Name *
8th Judicial District Court Marshals Div

Employee Details

POST ID *
40688

First Name *
BRYCE

Last Name *
TOKUNAGA

Middle Initial
K

Suffix

☐ Name Changed

☐ Address Changed

Level Change

Level Changed *
◉ Line ○ Supervisor ○ Management ○ Executive

*
○ Part Time ◉ Full Time

Status Changed
○ Deceased ○ Retired ◉ Separated

Effective Date *
03/26/2024

NAC 289.290 Notification (Cause for Commission Action)

EXHIBIT C

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

Does the above NAC apply?

○ No ◉ Yes

Is your agency requesting revocation?

○ Yes ◉ No

Comments\Additional Information:

Submitter Details

Submitter's Full Name *	Submitter's Phone #*	Submitter's E-Mail Address
Kendrick Eckhardt	702-671-4569	eckhardtk@clarkcountycourts.us

txtFormType

Update PAR

STATE OF NEVADA

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Hereby Awards the

Category II
Basic Certificate

To

Bryce K. Tokunaga

For having fulfilled all the requirements for basic certification
As prescribed by Nevada Administrative Code.

Commission Chairman

Executive Director

40688
POST ID #

06/08/2023
Date

EXHIBIT D

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

NOV 25 2024

BY, C. BRACAMONTEZ-MUNGUIA, DEPUTY

AINF
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JOHN TORRE
Chief Deputy District Attorney
Nevada Bar #014775
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

BRYCE KENJI GAERLAN TOKNNAGA, aka, Bryce Tokunaga, #6058176

Defendant.

CASE NO: C-24-386423-1

DEPT NO: XXI

AMENDED

INFORMATION

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

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 BRYCE KENJI GAERLAN TOKNNAGA, aka, Bryce Tokunaga, the Defendant(s) above named, having committed the crimes of ATTEMPT PANDERING (Category D Felony/Gross Misdemeanor - NRS 201.300; 193.153 - NOC 62184/62185), in the manner following, to wit: That the said Defendant, on or about the 19th day of February, 2024, at and 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,

//

//

//

C-24-386423-1
AINF
Amended Information
5109829



EXHIBIT "1"

EXHIBIT E

Defendant did willfully, unlawfully, and feloniously without physical force or the immediate threat of physical force, attempt to induce A.H. to unlawfully become a prostitute and/or to continue to engage in prostitution.

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

BY */s/ John Torre*
JOHN TORRE
Chief Deputy District Attorney
Nevada Bar #014775

24CR018524/sar/SVU
LVMPD/CCSDPD EV#LLV240200066277
(TK03)

March 6, 2025



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT
NOV 25 2024
BY, C. BRACAMONTEZ-MUNGUIA, DEPUTY

GPA
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JOHN TORRE
Chief Deputy District Attorney
Nevada Bar #0014775
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

BRYCE KENJI GAERLAN TOKNNAGA,
aka, Bryce Tokunaga, #6058176,
#

Defendant.

CASE NO: C-24-386423-1

DEPT NO: XXI

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: ATTEMPT PANDERING (Category D Felony/Gross Misdemeanor - NRS 201.300; 193.153 - NOC 62184/62185), as more fully alleged in the charging document attached hereto as Exhibit "1".

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

Both parties stipulate my being sentenced to a Gross Misdemeanor, with the State retaining the right to argue. I am to have no contact with the victim, A.H. whatsoever. All remaining counts contained in the Criminal Complaint which were bound over to District Court shall be dismissed when I am adjudged guilty and sentenced.

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.

//

C-24-386423-1
GPA
Guilty Plea Agreement
5109830

\\CCDA\CRM\USERS\RODRIGS\USERDATA\DESKTOP\GPA.DOCX

EXHIBIT F

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

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

CONSEQUENCES OF THE PLEA

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

I understand that as a consequence of my plea of guilty the Court may elect to treat this offense as a felony or as a gross misdemeanor. If the Court elects to treat this offense as a felony I may be imprisoned in the Nevada Department of Corrections for a minimum term of not less than one (1) year and a maximum term of not more than four (4) years. In addition, I may be fined up to $5,000.00. I further understand that the minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. If the Court elects to treat this offense as a gross misdemeanor, I may be imprisoned in the Clark County Detention Center for a period of not more than three hundred sixty-four (364) days. In addition, I may be fined up to $2,000.00. I understand that the law requires me to pay an Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense(s) to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

If the Court elects to treat this offense as a felony or as a gross misdemeanor, I understand that I am eligible for probation for the offense(s) to which I am pleading guilty. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I understand that I must submit to blood and/or saliva tests under the Direction of the Division of Parole and Probation to determine genetic markers and/or secretor status.

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

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

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

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

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

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

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

//

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

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

WAIVER OF RIGHTS

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

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction or resulting sentence with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this prosecution, conviction, or any aspect of the resulting sentence, including any challenge based upon reasonable constitutional, jurisdictional or other grounds. However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

//

VOLUNTARINESS OF PLEA

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

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

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

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

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

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

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

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

DATED this _____ day of November, 2024.

BRYCE KENJI GAERLAN TOKNNAGA,aka,
Bryce Tokunaga,
Defendant

AGREED TO BY:

JOHN TORRE
Chief Deputy District Attorney
Nevada Bar #0014775

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 the 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 25 day of November, 2024.

ATTORNEY FOR DEFENDANT

sar/SVU

March 6, 2025

UNITED STATES OF AMERICA DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT COUNTY OF CLARK STATE OF NEVADA

CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

Electronically Filed
03/04/2025 1:32 PM
CLERK OF THE COURT

JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

BRYCE KENJI GAERLAN TOKNNAGA, aka, Bryce Tokunaga, #6058176

Defendant.

CASE NO: C-24-386423-1

DEPT NO: XXI

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of ATTEMPT PANDERING (Category D Felony/ Gross Misdemeanor), in violation of NRS 201.300; 193.153; thereafter, on the 27th day of February, 2025, the defendant was present in court for sentencing with counsel, JESS R. MARCHESE,ESQ., and good cause appearing,

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EXHIBIT G

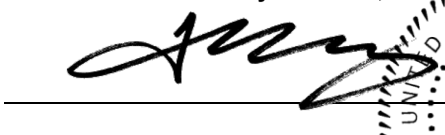
THE DEFENDANT WAS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the $25.00 Administrative Assessment fee, a $150.00 DNA Analysis fee including testing to determine genetic markers, and $3.00 DNA Collection fee, Deft. SENTENCED to the Clark County Detention Center (CCDC) for ONE HUNDRED EIGHTY (180) DAYS; with ELEVEN (11) DAYS credit for time served; Deft. REMANDED into custody.

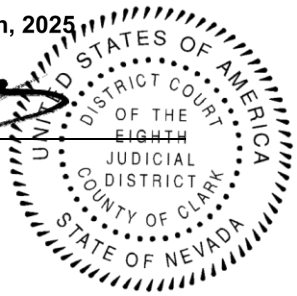
COURT FURTHER ORDERED Deft. to have no contact with victim, A.H.

BOND, if any, EXONERATED.

March 6, 2025

Dated this 4th day of March, 2025





AA8 889 B21A 814A
Tara Clark Newberry
District Court Judge

CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

State of Nevada	CASE NO: C-24-386423-1
vs	DEPT. NO. Department 21
Bryce Toknnaga	

AUTOMATED CERTIFICATE OF SERVICE

Electronic service was attempted through the Eighth Judicial District Court's electronic filing system, but there were no registered users on the case. The filer has been notified to serve all parties by traditional means.

18. <u>DISCUSSION AND FOR POSSIBLE ACTION.</u>

Commission to consider the development of language related to the ability of staff to suspend the certificate of a certified peace officer or suspend the privilege on one who has been arrested and/or charged under certain limited circumstances. Commission may decide to initiate the rule making to develop language for such action.

19. PUBLIC COMMENT

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

20. DISCUSSION AND FOR POSSIBLE ACTION.
Schedule upcoming Commission Meeting – July

21. DISCUSSION AND FOR POSSIBLE ACTION.
Adjournment.