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In The Matter Of:
STATE OF NEVADA
PRIVATE INVESTIGATORS LICENSING BOARD

Vol. II
June 15, 2022

Capitol Reporters
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STATE OF NEVADA
PRIVATE INVESTIGATORS LICENSING BOARD
TRANSCRIPT OF PROCEEDINGS
VIDEOCONFERENCED OPEN MEETING

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VOLUME 2
WEDNESDAY, JUNE 15, 2022
9:00 A.M.

CARSON CITY AND LAS VEGAS, NEVADA



Reported by: CAPITOL REPORTERS
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A P P E A R A N C E S

Board Members Present:

Tammy Nixon, Chair
Katherine Cortez
Robert Gronauer
Tim Bezick

Also Present:

Kevin Ingram
Executive Director

Chricy Harris
Deputy Attorney General
Board Counsel

Vincent Saladino
Supervisory Investigator

Zachary Swarthout
Investigator

David Hubbell
Investigator

Ricky Diaz
Investigator

Stephanie Barroso
Licensing Specialist

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WEDNESDAY, JUNE 15, 2022, 9:00 A.M.

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CHAIRPERSON NIXON: Good morning, everyone.
Welcome to the June 15th PILB meeting.

Christy, are you ready? I'm so sorry.

THE COURT REPORTER: Yes, I'm ready. Thank you.

CHAIRPERSON NIXON: Okay. Thank you. So we're
going to go ahead and get started. It is just after 9:00
a.m.

Executive Director, would you like to do roll
call, please.

MR. INGRAM: Thank you, Madam Chair. We'll start
with you, Chair Nixon.

CHAIRPERSON NIXON: Here.

MR. INGRAM: Board Member Bezick.

MEMBER BEZICK: Here.

MR. INGRAM: Board Member Brown will not be with
us today.

Board Member Cortez.

MEMBER CORTEZ: Present.

MR. INGRAM: Board Member Gronauer.

MEMBER GRONAUER: Here.

MR. INGRAM: And take a couple of minutes here to
introduce staff. To my left is legal counsel Chricy Harris.

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1 Up north on the left-hand side of the screen is Investigator
2 Ricky Diaz. On the right-hand side of the screen is
3 Investigator Dave Hubbel.

4 We have also Christy Joyce in the north. She's
5 our court reporter today. Thanks for being with us, Christy.

6 To my left and on the far right is our chief
7 investigator, Vincent Saladino. To his left is Investigator
8 Zachary Swarthout. And, the rest of the board here, we have
9 our name tags in front of us.

10 I would like to remind everybody, if you have
11 cell phones, please go ahead and set those to silent. And,
12 if you have to take a call, please go ahead and step out.

13 Thank you, Madam Chair. We do have a quorum.

14 CHAIRPERSON NIXON: Okay. Thank you.

15 This is the section where we will entertain
16 public comment. Members of the general public may comment on
17 matters appearing on the agenda. They may also bring matters
18 not appearing on the agenda to the attention of the board.
19 The board may discuss these matters but will not make any
20 decisions on those -- on these matters at this time. If the
21 board desires, the matters may be placed in to future agenda
22 for action. Public comment will be limited to five minutes.
23 Not due to content but just -- but in the interest of time.

24 Is there any public comment in the south? Okay.
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1 Hearing there's no public comment in the south, is there any
2 public comment in the north? Hearing there's no public
3 comment in neither the north or south, we'll go on to the
4 next agenda items.

5 Counsel Harris, could you please swear everybody
6 in.

7 MS. HARRIS: For anyone on the agenda or for
8 anyone who plans to provide testimony, can you please stand
9 and raise your right hand.

10 (The witnesses were sworn in)

11 MR. INGRAM: For the record, was there anybody in
12 the north who was sworn in?

13 MR. DIAZ: There was not.

14 CHAIRPERSON NIXON: Okay. So, for day two, we're
15 starting on Agenda Item Number 82. So is Deante Garrett
16 here? Thank you, sir. Please come forward. Good morning,
17 sir.

18 MR. GARRETT: Good morning.

19 CHAIRPERSON NIXON: Investigator Diaz, could you
20 please tell us why Mr. Garrett is here.

21 MR. DIAZ: This is Investigator Diaz. The
22 applicant was denied for a felony conviction in June of 2011
23 for the harm/death of an elder. The applicant received four
24 years of probation. This arrest was disclosed on the
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1 application. He was not made provisional and is here to
2 appeal today.

3 CHAIRPERSON NIXON: Board, are there any
4 questions for Mr. Garrett? Okay. Hearing there are no
5 questions, I'll entertain a motion.

6 MEMBER GRONAUER: This is Gronauer. I make a
7 motion to overturn the denial and grant Mr. Deante -- Is it
8 Deante?

9 MR. GARRETT: Yes, yes, sir.

10 MEMBER GRONAUER: -- Deante Garrett his work
11 card.

12 CHAIRPERSON NIXON: Okay.

13 MEMBER GRONAUER: Reasons are because he
14 disclosed everything, he did everything he was supposed to
15 do.

16 CHAIRPERSON NIXON: Okay. Thank you. I have a
17 motion. Do we have a second.

18 MEMBER BEZICK: Bezick. Second.

19 CHAIRPERSON NIXON: I have a motion and I have a
20 second. All in favor say aye.

21 (The vote was unanimously in favor of the motion)

22 CHAIRPERSON NIXON: Okay. Congratulations, sir.
23 The board will -- The office will contact you on the next
24 steps, okay.

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1 MR. GARRETT: Thank you.

2 MR. INGRAM: Just as a brief overview for those
3 of you, if you're denied, you are able to reapply after a
4 year. If you are approved, please don't stop and talk to
5 staff. We will definitely reach out and contact you with the
6 next steps, okay. Thank you.

7 CHAIRPERSON NIXON: And you do not have to stay
8 if you've already gone through the process. You're good to
9 go.

10 Agenda Item Number 83, Lannon Brown-Austin.
11 Okay. We'll go ahead and trail Agenda Item 83.

12 Agenda Item 84, Michelle Meraz has withdrawn.
13 Agenda Item Number 85, Mychael Kimber. Good
14 morning, sir. Please come forward.

15 Mr. Diaz or Investigator Diaz, could you please
16 tell us why Mr. Kimber is here.

17 MR. DIAZ: This is Investigator Diaz. The
18 applicant was denied for a felony conviction in September of
19 2012 for burglary. He received 32 months in prison. This
20 arrest was disclosed on the application.

21 In February of 2012, he was also charged with
22 assault with a deadly weapon and received three years of
23 probation. This was not disclosed on the application. And
24 the applicant was not made provisional and is here to appeal
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1 today.

2 CHAIRPERSON NIXON: Are there any questions for
3 Mr. Kimber from the board?

4 Okay. Mr. Kimber, I have a question. Why didn't
5 you disclose the assault?

6 MR. KIMBER: I thought I did put it on there. I
7 guess I didn't.

8 CHAIRPERSON NIXON: Okay. Are there any further
9 questions from the board?

10 MEMBER GRONAUER: This is Gronauer. I'm sorry.
11 I didn't hear your answer.

12 MR. KIMBER: I thought I did put it on there, but
13 I guess I didn't put it on the paper.

14 MEMBER GRONAUER: All right. Thank you.

15 MEMBER CORTEZ: Board's indulgence. My computer
16 is down, so I'm going to share my computer.

17 This is Board Member Cortez. Mr. Kimber, could
18 you summarize your letter of appeal? I don't know -- Like I
19 said, my computer is down. I can't reach my notes. But I
20 see that you submitted a letter of appeal.

21 MR. KIMBER: Yes. I don't really remember what I
22 had put, but it was actually saying, like, I'm grown up now,
23 like, I have a family I have to provide for. Well, I do
24 provide for. And I was just saying, like, at the time I was
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1 young, just doing whatever, not really thinking about my
2 actions, and it caused me to be here today.

3 MEMBER CORTEZ: What do you plan to do with your
4 work card?

5 MR. KIMBER: To get a second job.

6 MEMBER CORTEZ: Doing what?

7 MR. KIMBER: Security.

8 MEMBER CORTEZ: Where at?

9 MR. KIMBER: I'm not sure. I haven't looked,
10 because I don't have it. So I don't want to put the time in,
11 like, searching for a job when I don't have the means to get
12 the job.

13 MEMBER CORTEZ: Do you have an idea of where you
14 would be applying?

15 MR. KIMBER: No. Just, like, maybe the hotels or
16 one of them, something like that.

17 MEMBER CORTEZ: Okay. Thank you.

18 CHAIRPERSON NIXON: What do you currently do?

19 MEMBER CORTEZ: I work at Mountain View Hospital.

20 CHAIRPERSON NIXON: Okay. Board, is there any
21 other questions? Okay. Hearing there's no other questions,
22 I'll entertain a motion.

23 MEMBER BEZICK: This is Bezick. I move to
24 overturn the denial and approve the work card for Mr. Kimber.
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1 CHAIRPERSON NIXON: We have a motion. Do we have
2 a second?

3 MEMBER CORTEZ: This is Board Member Cortez.
4 I'll second the motion.

5 CHAIRPERSON NIXON: Okay. We have a motion and
6 we have a second. All in favor say aye.

7 (The vote was unanimously in favor of the motion)

8 CHAIRPERSON NIXON: Okay. Congratulations, sir.
9 The board will contact you or the office will contact you for
10 the next steps.

11 MR. KIMBER: Thank you.

12 CHAIRPERSON NIXON: You're welcome.

13 Agenda Item Number 86, Robert Casper. Is Robert
14 Casper in the audience? Jasper. Okay. We'll go ahead and
15 trail Agenda Item Number 86.

16 Agenda Item Number 87, Shauntovia James. I'm
17 sorry. It's James.

18 UNIDENTIFIED SPEAKER: Shauntovia James.

19 CHAIRPERSON NIXON: All right. We'll trail
20 Agenda Item Number 87.

21 Agenda Item Number 88, Stevie Jackson. Good
22 morning, sir.

23 Mr. Diaz, Investigator Diaz, could you please
24 tell us why Mr. Jackson is here.

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1 MR. DIAZ: This is Investigator Diaz. The
2 applicant was denied for a felony conviction in June of 2004
3 for a robbery. He received ten months in jail and three
4 years of probation. This arrest was disclosed.

5 In April of 2008, he was also charged with
6 carrying a loaded firearm in public and received 24 months of
7 probation. This arrest was not disclosed. And the applicant
8 was not made provisional and is here to appeal today.

9 CHAIRPERSON NIXON: Thank you.

10 Board, are there any questions for Mr. Jackson?

11 MEMBER CORTEZ: Good morning. This is Board
12 Member Cortez. Could you tell me why you failed to list the
13 2008 incident?

14 MR. JACKSON: The 2008 incident I was never
15 arrested for the firearm.

16 MEMBER CORTEZ: Let me ask a different question.

17 MR. JACKSON: Okay. Look --

18 MEMBER CORTEZ: Hang on, sir. Let me ask a
19 different question. In 2008 were you placed on 24 months of
20 probation?

21 MR. JACKSON: No, ma'am.

22 MEMBER CORTEZ: Okay. No further questions for
23 you.

24 Investigator Diaz, did Mr. Jackson -- was he
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1 placed on formal probation for 24 months in the charge of
2 carrying a loaded firearm in public, State of California?

3 MR. DIAZ: Yes, ma'am. I have in 2008 charged
4 with carrying a loaded firearm in public out of the police
5 department from Inglewood and sentenced to one day in jail
6 and 24 months of probation.

7 MEMBER CORTEZ: Okay. Thank you.

8 Mr. Jackson, I'm going to ask you one more time.
9 Did you obtain a charge of carrying a loaded firearm in
10 public in the State of California, City of Inglewood, in
11 2008, on or about April 18th, and given 24 months of
12 probation?

13 MR. JACKSON: No, ma'am.

14 MEMBER CORTEZ: You are telling the board today
15 that you did not serve 24 months of probation?

16 MR. JACKSON: No, ma'am.

17 MEMBER CORTEZ: So the investigator got this
18 information correct -- incorrect?

19 MR. JACKSON: The last time I was on probation
20 was 2009 for obstruction of justice.

21 MEMBER CORTEZ: Okay. So stop right there. Are
22 you now telling the board that there is an additional charge
23 that you failed to disclose?

24 MR. JACKSON: No. That's not what I'm saying.
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1 Look, I'm just being honest. I was charged -- I was in the
2 car with somebody else that had a gun in their car. They
3 took the case. They went to jail for the case. I got
4 released. It was me and my girlfriend, we was together at
5 that time, we got released at, like, 4:00 o'clock in the
6 morning. I was never on probation.

7 MEMBER CORTEZ: Okay. No further questions.

8 MEMBER GRONAUER: This is Gronauer. Good
9 morning, Mr. Jackson.

10 MR. JACKSON: Good morning.

11 MEMBER GRONAUER: What's your first name?

12 MR. JACKSON: Stevie.

13 MEMBER GRONAUER: How do you spell it?

14 MR. JACKSON: S-t-e-v-i-e.

15 MEMBER GRONAUER: Investigator, does Steven
16 Jackson, Stevie Jackson, Steve Jackson, there's so many,
17 right. But I'm trying to understand Mr. Jackson's part here.
18 And it came back with Stevie Jackson, Mr. Diaz?

19 MEMBER CORTEZ: This is the Board Member Cortez.
20 What's your date of birth?

21 MR. JACKSON: 8-25 1980.

22 MEMBER CORTEZ: Thank you.

23 MR. DIAZ: This is Investigator Diaz. I have
24 that confirmed birthday, Stevie Jackson, Stevie David
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1 Jackson. I'm currently looking at the fingerprint report
2 that states that he did receive the 24 months.

3 MEMBER GRONAUER: Okay. Thank you. This is
4 Gronauer again. You added on something there where you said
5 me and my girlfriend were in a car.

6 MR. JACKSON: Right.

7 MEMBER GRONAUER: We didn't get arrested but we
8 got released. Hold on. Let me finish. I'm trying to get
9 through the murky stuff, all right. And you got released at
10 4:00 o'clock in the morning.

11 MR. JACKSON: Yes, sir.

12 MEMBER GRONAUER: From where?

13 MR. JACKSON: Inglewood Police Station.

14 MEMBER GRONAUER: Okay. If they took you from
15 the vehicle and put you -- took you from your location and
16 put you in a vehicle and took you to a police station, that's
17 an arrest.

18 MR. JACKSON: Right. I never said it wasn't an
19 arrest. I said I was arrested and my girl was arrested with
20 a friend who was in his car which it was his gun.

21 MEMBER GRONAUER: I understand what you're saying
22 now. But the idea is -- Actually, when a police officer puts
23 his hands on you, that's an arrest, okay. So if a police
24 officer -- How did you get to the jail?

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1 MR. JACKSON: They drove us there. They took us
2 there in handcuffs. But I was never charged.

3 MEMBER GRONAUER: Okay. Now, you have to
4 understand that is an arrest.

5 MR. JACKSON: Yes, sir.

6 MEMBER GRONAUER: As long as you understand that.
7 I don't know where the probation came from and I don't know
8 if you're on probation for it or not. All I'm saying is I
9 want you to understand that is an arrest.

10 MR. JACKSON: Yes, sir.

11 MEMBER GRONAUER: And, in the future or anywhere
12 else, no matter what happens here today, please report it.

13 MR. JACKSON: Yes, sir. I thought I didn't have
14 to report it, because I was not charged, sir.

15 CHAIRPERSON NIXON: So if you look at the
16 application -- And we did -- It's on the podium right there,
17 if you look at it right there, the thing that's in a
18 laminate.

19 MR. JACKSON: Right here?

20 CHAIRPERSON NIXON: Right. If you look at that,
21 sir, it asks you for all of your arrests, list any of your
22 arrests, anytime, anywhere, it's very clear, and it says and
23 it lists, you know, any contact with law enforcement.

24 MR. JACKSON: They didn't tell me what I was
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1 charged for, what I was actually arrested for, and I put,
2 like, what I really went to jail for.

3 CHAIRPERSON NIXON: So you're mixing it up. I
4 understand. It says any contact with law enforcement,
5 arrests or otherwise; right?

6 MR. JACKSON: Yes, ma'am.

7 CHAIRPERSON NIXON: It doesn't say what you were
8 convicted of. It says any contact or arrest.

9 MR. JACKSON: Yes, ma'am.

10 CHAIRPERSON NIXON: So that's why we're trying to
11 clear it up with you because it's very specific that we want
12 to know any arrest.

13 MR. JACKSON: Yes, ma'am.

14 CHAIRPERSON NIXON: Okay. And when you said the
15 lady told you -- I'm sorry.

16 MR. JACKSON: When I went and did the thing, she
17 told me which one that I was charged for a felony for and I
18 told her about my robbery, and that's what I put on the paper
19 was my robbery. Anything else I didn't do nothing wrong. I
20 ain't never been on probation besides my robbery.

21 CHAIRPERSON NIXON: Okay. But you understand now
22 the difference of what that application is truly asking you?

23 MR. JACKSON: Yes, ma'am.

24 CHAIRPERSON NIXON: Okay.

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1 Bobby, did you have further questions?

2 MEMBER GRONAUER: Yeah. Mr. Jackson, don't get
3 confused, okay. The idea is police arrest. The district
4 attorney charges.

5 MR. JACKSON: Yes, sir.

6 MEMBER GRONAUER: The police don't charge you.
7 They just put probable cause on a piece of paper and put you
8 in jail. And then it's up to the district attorney whether
9 they want to, you know, charge you or not. So I'm just
10 trying to make sure you clear that up in your own mind.

11 MR. JACKSON: Yes, sir. I never even went to
12 court for that.

13 MEMBER GRONAUER: No, you didn't have to.

14 CHAIRPERSON NIXON: We're not asking for that.

15 MEMBER GRONAUER: They're not charged, but you
16 were arrested. You just had to separate two of them.

17 MR. JACKSON: Okay.

18 MEMBER GRONAUER: I'm just trying to make it
19 clear for you so you get it in the future, all right.
20 Because I can understand your confusion. But it's -- Once
21 somebody takes you somewhere, they took you, that's it.
22 That's an arrest. All right. Thank you.

23 CHAIRPERSON NIXON: So, if you fill out any of
24 our applications going forward, just make sure if you were
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1 arrested, you put it down. That's all we're asking for.
2 We'll figure out the rest of it, okay.

3 MR. JACKSON: Yes, ma'am.

4 MEMBER CORTEZ: This is Board Member Cortez. I
5 do have one last comment. Mr. Jackson, this is rather
6 concerning that you're telling us that you've never been
7 placed on probation for 24 months. I would like for you to
8 look in to that.

9 MR. JACKSON: I was never put --

10 CHAIRPERSON NIXON: Hang on one second. I don't
11 know what you need to do, but you need to look at it. Your
12 record reflects that you were placed on formal probation for
13 a period of 24 months. That's all I'm going to tell you.
14 That's all I want you to know. Now, you do what you need to
15 do with that information.

16 Investigator Diaz, can we make sure -- Can we
17 clarify is that done now? Is there anything pending on that
18 probation? Is it closed out?

19 MR. DIAZ: I believe it is closed out.

20 CHAIRPERSON NIXON: Okay. Any further questions?

21 MR. SALADINO: Madam Chair, Investigator Saladino
22 for the record. Mr. Jackson, we have a form that we can
23 provide you to contact DPS, so you can contact DPS and then
24 they can help you figure out why this arrest is on your
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1 fingerprint report stating the probation so we can follow up
2 in the office and get you that form for DPS, all right.

3 CHAIRPERSON NIXON: Okay. Good. Any further
4 questions from the board? Seeing there's no further
5 questions, I'll entertain a motion.

6 MEMBER CORTEZ: This is Board Member Cortez. At
7 this time I'm going to motion to uphold the denial based on
8 failure to disclose the incident we've been discussing and
9 also based on the fact that we heard another incident by
10 the -- by Mr. Jackson that was also not reported. And I'll
11 submit.

12 CHAIRPERSON NIXON: Okay. I have a motion. Do I
13 have a second?

14 MEMBER BEZICK: Bezick. Second.

15 CHAIRPERSON NIXON: I have a motion and I have a
16 second. All in favor say aye.

17 (Two members voted in favor of the motion)

18 CHAIRPERSON NIXON: All opposed no.

19 MEMBER GRONAUER: Gronauer. No.

20 CHAIRPERSON NIXON: So we have a tie, Counsel.

21 MS. HARRIS: If it's a tie, the motion does not
22 pass. The board can vote again or keep it at that.

23 CHAIRPERSON NIXON: Okay. So the motion did not
24 pass. I'll entertain another motion.

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1 MEMBER GRONAUER: This is Gronauer. I make a
2 motion that we reverse the denial of Mr. Jackson. And the
3 reason for that is he's totally confused about the whole
4 thing. And I think he's being straight-up honest about it.
5 I don't know what the other -- I make a motion to overturn --
6 overturn the denial.

7 CHAIRPERSON NIXON: I have a motion. Do I have a
8 second?

9 MEMBER BEZICK: Bezick seconds.

10 CHAIRPERSON NIXON: I have a motion and I have a
11 second. All in favor say aye.

12 (Three members voted favor of the motion)

13 CHAIRPERSON NIXON: All opposed.

14 MEMBER CORTEZ: Aye.

15 CHAIRPERSON NIXON: One opposed. So three --
16 Sorry.

17 MEMBER CORTEZ: Do you need a reason?

18 MS. HARRIS: Yes.

19 MEMBER CORTEZ: Again. I deny the motion to
20 overturn the denial based on failure to disclose, based on
21 the fingerprints. I would like a little more time. The
22 applicant has the opportunity to reapply. I don't know if
23 the one-year limitation applies based on the circumstances
24 we're hearing. But, at this time, I am going to deny and I
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1 would like more time.

2 CHAIRPERSON NIXON: Okay. So we have three yays
3 and one nay. The motion passes, sir. Please work with the
4 office. You will get your guard card. But please work with
5 them. And they are going to help you find out the more
6 information about the other stuff that's on your record,
7 okay. So work with them and get that cleaned up so that you
8 don't run in to this again, okay.

9 MR. JACKSON: Yes, ma'am. Okay. Thank you.

10 CHAIRPERSON NIXON: Thank you, sir. Have a good
11 day.

12 Okay. We'll move on to Agenda Item Number 89,
13 Syreeta Harris. Is there anybody in the north?

14 MR. DIAZ: There is no one in the north.

15 CHAIRPERSON NIXON: Okay. We'll go ahead and
16 trail Agenda Item Number 89.

17 Agenda Item Number 90, Tybell Brewer. Good
18 morning, sir. Please come forward.

19 Investigator Diaz, could you please tell us why
20 Mr. Brewer is here.

21 MR. DIAZ: This is Investigator Diaz. The
22 applicant was denied for a felony conviction in October of
23 2010 for carrying weapons/assault and causing bodily harm.
24 This was -- He was found guilty for carrying weapons. It was
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1 not disclosed and he was denied in 2016 for the same charge.

2 In March of 2019, he has a felony conviction for
3 carrying a concealed weapon without a permit. This was pled
4 down to a misdemeanor, issued a citation, and was also not
5 disclosed.

6 In January of 2007, the applicant also has a
7 felony conviction for unlawful use of a weapon. This was a
8 guilty sentence and received probation. This arrest was not
9 disclosed.

10 The applicant was not made provisional and is
11 here to appeal today.

12 CHAIRPERSON NIXON: Okay. Thank you.
13 Board, are there any questions for Mr. Brewer?

14 MEMBER CORTEZ: This is Board Member Cortez.
15 Good morning, Mr. Brewer. Question for you.

16 MR. BREWER: How are you doing?

17 MEMBER CORTEZ: Fine. Were you denied back in
18 2016?

19 MR. BREWER: Yes.

20 MEMBER CORTEZ: Why were you denied?

21 MR. BREWER: It was because I had a felony
22 conviction.

23 MEMBER CORTEZ: Did you disclose it at that time?

24 MR. BREWER: Yes.

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1 MEMBER CORTEZ: So why did you not disclose
2 anything at this time?

3 MR. BREWER: I thought I had it on there from the
4 last time, so I thought it would still pop up.

5 MEMBER CORTEZ: Hang on one second. Just so I
6 understand what you're saying. You said it would or would
7 not pop up?

8 MR. BREWER: No, I thought it would pop up
9 because I had already been through the process, through the
10 PILB.

11 MEMBER CORTEZ: So it was your understanding
12 because you already applied that you didn't need to list
13 again?

14 MR. BREWER: I haven't caught any more charges.

15 MEMBER CORTEZ: Since 2016?

16 MR. BREWER: I caught the one in 2019.

17 MEMBER CORTEZ: And that's what I'm getting at.
18 So, in 2019, you caught something and per this application
19 you started all over again, the rules indicated, and it's
20 also provided for you right in front of you.

21 MR. BREWER: Yes.

22 MEMBER CORTEZ: You have to list everything.

23 MR. BREWER: But I do -- I did reverse it. I did
24 have a reversal and vacate on that felony conviction.

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1 MEMBER CORTEZ: If you had law enforcement
2 contact --

3 MR. BREWER: Okay.

4 MEMBER CORTEZ: -- I need to know about it, okay.

5 MR. BREWER: Okay.

6 CHAIRPERSON NIXON: So, when you were denied in
7 2016, did you come before the board?

8 MR. BREWER: Yes.

9 CHAIRPERSON NIXON: Okay. And did you get
10 approved after that?

11 MR. BREWER: No.

12 CHAIRPERSON NIXON: And did they tell you why you
13 weren't approved?

14 MR. BREWER: It was for the -- It was for the
15 charge --

16 CHAIRPERSON NIXON: Was it for the charge or was
17 it for the fact that you didn't disclose it, that you didn't
18 tell us about it?

19 MR. BREWER: I disclosed it.

20 CHAIRPERSON NIXON: I'm looking at it here and it
21 says -- Oh, okay. Wait a minute. It might be too long ago.

22 Investigator Saladino, are we able to tell
23 whether or not he disclosed it the first time?

24 MR. SALADINO: I'm going to check on that right
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1 now.

2 CHAIRPERSON NIXON: Okay. Thank you. So it was
3 for the felony?

4 MR. BREWER: Yeah, it was for the felony, which I
5 vacated. It was deemed unconstitutional and I was able to
6 vacate it and it was able to be vacated and reversed. So
7 it's, like, really not there no more.

8 MEMBER CORTEZ: For which incident? This is
9 Member Cortez.

10 MR. BREWER: The aggravated ADW charge.

11 MEMBER CORTEZ: Okay. So, while we're waiting
12 for the investigator, let me ask a question. Talk to me
13 about the 2019 incident.

14 MR. BREWER: The 2019 I didn't have my weapon in
15 my holster and I was charged.

16 MEMBER CORTEZ: Where were you where contact was
17 made?

18 MR. BREWER: I was in my apartment. I was just
19 going to the garbage can and I was stopped by the police at
20 my building.

21 MEMBER CORTEZ: What agency?

22 MR. BREWER: Las Vegas.

23 MEMBER CORTEZ: North Las Vegas?

24 MR. BREWER: No. Just regular Las Vegas.
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1 MEMBER CORTEZ: Metro?

2 MR. BREWER: Metro.

3 MEMBER CORTEZ: They were patrolling your
4 apartment complex?

5 MR. BREWER: Yes.

6 MEMBER CORTEZ: And they saw your weapon without
7 a holster?

8 MR. BREWER: Yeah. I guess they say they seen a
9 bulge in my pocket. That's what they said. And they stopped
10 me.

11 MEMBER CORTEZ: Okay. So it was pled to a lesser
12 offense?

13 MR. BREWER: I paid a fine and they kept the
14 weapon.

15 MEMBER CORTEZ: Got it. All right. Thank you.

16 MR. SALADINO: Madam Chair, in 2016, the
17 applicant did disclose his weapons possession out of Iowa.

18 CHAIRPERSON NIXON: Okay. Any further questions
19 from the board?

20 MEMBER GRONAUER: This is Gronauer.

21 MR. BREWER: Okay, sir.

22 MEMBER GRONAUER: I'm going to ask you a
23 question. Do you have a CCW now?

24 MR. BREWER: No.

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1 MEMBER GRONAUER: Do you have a weapon on you
2 now?

3 MR. BREWER: No, of course not.

4 MEMBER GRONAUER: Well, you carry to go outside.
5 I don't know. I want to make sure. When you have charges
6 vacated and released by California state laws or Iowa state
7 laws or anybody else, it's still an arrest, and the arrest
8 has to be reported, okay.

9 MR. BREWER: Okay.

10 MEMBER GRONAUER: I'm finished. Thank you.

11 CHAIRPERSON NIXON: Are there any further
12 questions from the board? Okay. Hearing there are no
13 further questions, I'll entertain a motion.

14 MEMBER CORTEZ: This is Board Member Cortez.
15 Sadly, I am going to motion to uphold the denial based on
16 time and distance of the incident not reported in 2019. I'm
17 strongly recommending you list everything if things don't
18 work out.

19 CHAIRPERSON NIXON: I have a motion. Do I have a
20 second?

21 MEMBER GRONAUER: This is Gronauer. I'll second
22 it with a little comment. You have a history of weapons. So
23 you're going to have to learn how to handle that problem,
24 okay. Thank you. I second.

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1 CHAIRPERSON NIXON: I have a motion and I have a
2 second. All in favor say aye.

3 (The vote was unanimously in favor of the motion)

4 CHAIRPERSON NIXON: Your motion -- Your request
5 has been denied at this time. You have -- You can wait one
6 year and then reapply. And, again, when you reapply, don't
7 assume that anything is on there. Re-list everything, okay.
8 It's like a new application.

9 MR. BREWER: Okay. But when they had told me I
10 had applied -- When I had got the vacated reversed, they told
11 me I didn't have to disclose it because it was no longer on
12 my record because it was deemed unconstitutional.

13 MEMBER CORTEZ: I want you to report that. I
14 don't care what they said, please report that.

15 CHAIRPERSON NIXON: It's still showing up on your
16 criminal report.

17 MEMBER CORTEZ: Just report everything.

18 MR. BREWER: But, like, they actually let me buy
19 a weapon out of a store. So, obviously, I can pass a
20 background. I've done fingerprint backgrounds for my
21 marijuana card, North Las Vegas Police Department. I have --

22 CHAIRPERSON NIXON: Yeah. Understood. So I
23 think -- This is a little bit different because you're put in
24 a position of authority. So we need to know all the
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1 different things that you may have had issues with and that's
2 why our investigation is a little bit deeper. So just list
3 it. It doesn't -- It won't mean that you won't get it. We
4 just need to know about it, okay.

5 MR. BREWER: Okay.

6 CHAIRPERSON NIXON: All right. Thank you, sir.
7 Have a good day.

8 We're on Agenda Item Number 91, Alfonse Atkinson.
9 Good morning, sir.

10 I punched a hole right in it. I think it's
11 Investigator Swarthout.

12 MR. SWARTHOUT: Investigator Swarthout. The
13 applicant was denied for felony conviction for failure to
14 disclose his arrest history on his application. The
15 applicant has a 2016 felony conviction for domestic battery
16 by strangulation. And it was a domestic battery, another
17 count, misdemeanor. The applicant was found guilty on both
18 counts out of Nevada. He was sentenced to 24 to 60 months in
19 Nevada Department of Corrections and five years probation.

20 In 2022, out of Nevada, the applicant has an
21 ongoing case for open alcohol container in a vehicle, which
22 currently has an active warrant as of Monday. He has a 2017
23 out of California, false representing ID to police officer.
24 He was found guilty of that and sentenced to 36 months

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1 summary probation and 32 days in jail.

2 A 2006 California arrest for robbery.
3 Disposition outcome is unknown. He would have been 14 at the
4 time and a minor. The results don't show what the outcome
5 was. And currently he still does have that active warrant.

6 CHAIRPERSON NIXON: Okay. Thank you.

7 Are there any questions from the board?

8 MEMBER BEZICK: Mr. Atkinson, are you aware that
9 you have an active warrant?

10 MR. ATKINSON: No, I did not know until right
11 now.

12 MEMBER BEZICK: Probably something you should get
13 taken care of.

14 MR. ATKINSON: Yeah. I was driving my wife's
15 car, so I got to take care of that.

16 CHAIRPERSON NIXON: Okay. Any further questions
17 from the board? Okay. Hearing there are no further
18 questions, I'll entertain a motion.

19 MEMBER CORTEZ: This is Board Member Cortez. I'm
20 going to motion to uphold the denial based on the failure to
21 disclose all incidents and the fact that we have an active
22 warrant on the applicant at this time.

23 CHAIRPERSON NIXON: I have a motion. Do I have a
24 second?

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1 MEMBER BEZICK: Bezick. Second.

2 CHAIRPERSON NIXON: I have a motion and I have a
3 second. All in favor say aye.

4 (The vote was unanimously in favor of the motion)

5 CHAIRPERSON NIXON: So take care of your active
6 issue right now and then you can apply in one year. Once you
7 reapply, please make sure you list everything. Again, we're
8 not going to deny you because of it, we just need to know
9 about it so that we can figure it out.

10 MR. ATKINSON: Yeah. I just didn't know half of
11 that either. So if it's okay if I get like a report of that.

12 CHAIRPERSON NIXON: Yeah. Work with the office
13 when you get done with us here. We need to get through the
14 meeting. But work with the office and they'll certainly help
15 you get through that.

16 MR. ATKINSON: Thank you. I appreciate it.

17 CHAIRPERSON NIXON: You're welcome. Have a good
18 day.

19 Okay. We're on Agenda Item Number 92, Angelina
20 James. That has been postponed.

21 Agenda Item Number 93, Ashley -- Am I ahead of
22 the time frame or are we good?

23 MR. INGRAM: Madam Chair, the Items Number 92
24 through 99 were informed to be here at ten. So, you know, we
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1 have some people in the audience.

2 CHAIRPERSON NIXON: Okay. So, because you guys
3 were walking in individually, I don't know if you guys have
4 been sworn in. Can I just take a poll? Have you guys been
5 sworn in by counsel? Sir, you have not? You have? Okay.
6 We're going to go ahead and if you have not been sworn in, go
7 ahead and stand up with Ms. Harris and -- Counsel Harris.

8 MS. HARRIS: Please raise your right hand.

9 (Witnesses were sworn in)

10 CHAIRPERSON NIXON: And, sir, I think you've
11 probably been here the longest. What's your name? Suttles?
12 Sir, why don't you go ahead and come on up. We're going to
13 jump through the actual agenda a little bit because we don't
14 have a lot of people here and we are ahead of schedule for
15 the next group coming in. So we're going to ask folks their
16 names and go to that agenda item.

17 Right now we have Mr. James Suttles here. He's
18 Agenda Item Number 96. Investigator Swarthout, can you tell
19 us why Mr. Suttles is here.

20 MR. SWARTHOUT: Investigator Swarthout. The
21 applicant was denied for a felony conviction for failure to
22 disclose his arrest history. The applicant has a 2013 out of
23 Nevada arrest for attempted battery by strangulation, battery
24 and battery constituting GB and robbery. On the first count,
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1 the attempted battery by strangulation, the applicant was
2 convicted. The other two counts weren't addressed in court.
3 The applicant was sentenced to 19 to 48 months in the Nevada
4 Department of Corrections with a suspended sentence and four
5 years probation.

6 On 6-21 of 2017, the applicant was dishonorably
7 discharged from probation for that.

8 The applicant has a 2010 out of Nevada arrest for
9 violation of an extended protection order and second charge
10 of obstructing a public officer. Both charges were denied by
11 the DA.

12 Another 2010, this one in September, out of
13 Nevada for battery and assault. He was convicted on both and
14 sentenced to impulse control counseling.

15 Another 2010, August, out of Nevada for one count
16 of burglary, resisting a public officer, escape by prisoner,
17 charged with a gross misdemeanor or misdemeanor and battery
18 DV. Counts 1 and 3, the burglary and escape by a prisoner,
19 were dismissed and he was convicted on the resisting a police
20 officer and battery DV. Was given one year probation,
21 suspended jail sentence of six months in both counts, and
22 also had to do 98 hours of community service and six months
23 of DV counseling.

24 The applicant also has a 2006 out of Nevada for
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1 trespassing. That case was dismissed.

2 2004 out of Nevada for obstructing a public
3 officer, possession of drugs not introed in to state commerce
4 and a traffic case. The obstructing and the traffic case
5 were both dismissed, but he was convicted of possession of
6 drugs not introduced in to state commerce.

7 2003 out of Nevada, a domestic battery. He was
8 convicted and sentenced to 90 days jail. That was suspended
9 and a fine for \$315 and 48 hours of community service.

10 2000 out of Nevada for loitering about a school.
11 It shows up on his SCOPE, but there's knowing that shows up
12 for his prints or any listing in SCOPE on whether the charges
13 went any further than the arrest.

14 Another 2000, September, out of Nevada for no
15 work CD. It was for sheriffs card on that day he was
16 arrested for. It looks like it might -- it was dismissed.
17 And he wasn't made provisional because it was all found on
18 his SCOPE.

19 CHAIRPERSON NIXON: Board, are there any
20 questions for Mr. Suttles?

21 MEMBER BEZICK: Mr. Suttles, good morning. You
22 have a number of arrests. You listed none of them on your
23 application. Why is that?

24 MR. SUTTLES: I got dyslexia and sometimes it's
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1 hard for me to read and write things down. And, really, I
2 didn't have nobody to help me, so that's my thing.

3 CHAIRPERSON NIXON: Okay.

4 MEMBER GRONAUER: This is Gronauer. Mr. Suttles.

5 MR. SUTTLES: Yes, sir.

6 MEMBER GRONAUER: You say that you did this on
7 line? You did the application on line?

8 MR. SUTTLES: No. I did my application at --
9 trying to get my sheriff card.

10 CHAIRPERSON NIXON: Did you do it over the
11 computer or did you go in the office?

12 MR. SUTTLES: Yes. On the computer, yes.

13 MEMBER GRONAUER: Okay. That's what I meant by
14 on line. I'm sorry. Did anyone help you?

15 MR. SUTTLES: They tried but they were so busy --
16 people in the office, they were so busy, and I couldn't get
17 nobody to really help me.

18 MEMBER GRONAUER: People where?

19 MR. SUTTLES: In the office. It was doing
20 interviews, taking people.

21 CHAIRPERSON NIXON: Did you go to a security
22 company office?

23 MR. SUTTLES: Yes, yes. Risk -- Risk --

24 CHAIRPERSON NIXON: Saint Marisk --
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1 MR. SUTTLES: Yes.

2 CHAIRPERSON NIXON: So you went to their office
3 and they were trying to help you do the application but they
4 were really busy?

5 MR. SUTTLES: They were really busy.

6 MEMBER CORTEZ: This is Board Member Cortez. Did
7 you reach out to our office by any chance?

8 MR. SUTTLES: No.

9 MEMBER CORTEZ: No? Okay. Understood. Thank
10 you.

11 MR. SUTTLES: This is my first time, like, even
12 doing it.

13 CHAIRPERSON NIXON: You're doing good. No
14 worries.

15 Are there any further questions? Okay.

16 So, I'm going to make a comment, sir. I
17 understand dyslexia is tough and you need help. If you go to
18 the licensing office off of Durango, they will help you get
19 through that, okay. They're a really good group of folks and
20 they're very patient and have time to help you fill that out,
21 okay. So, if it doesn't work out here today, when you're
22 able to go reapply, go see those guys and have them help you
23 out. That guy over there with the beard, he's great. He'll
24 help you.

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1 If there's no further questions, I'll entertain a
2 motion.

3 MEMBER BEZICK: This is Bezick. I make a motion
4 to uphold the denial based on lack of disclosure.

5 CHAIRPERSON NIXON: I have a motion. Do I have a
6 second?

7 MEMBER GRONAUER: Gronauer. Second.

8 CHAIRPERSON NIXON: I have a motion and I have a
9 second. All in favor say aye.

10 (The vote was unanimously in favor of the motion)

11 CHAIRPERSON NIXON: So, you have a lot of stuff
12 on there, right. We won't turn you down because of it, but
13 we need to know about it in advance, okay. So work with
14 these guys here. These guys will help you out a lot. But
15 you have to wait some time and then you'll come back and
16 you'll fill it out and they'll help you, okay. All right.
17 Thank you. Good luck to you, sir.

18 So I'm going to go back in to the schedule and
19 try to work out that way. Have we had anybody show up north
20 yet?

21 MR. DIAZ: We still have no one in the north.

22 CHAIRPERSON NIXON: Okay. And then we've had
23 some folks come in. So when you come up -- Do we want to
24 just swear everybody in again? Okay. So, if you have not
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1 been sworn in, you walked in late, you have not been sworn in
2 yet, please stand up and raise your right hand with Counsel
3 Harris here.

4 MS. HARRIS: This will also go for anyone who
5 would intend on providing testimony as well, would you please
6 also stand up.

7 (Witnesses were sworn in)

8 MS. HARRIS: Thank you.

9 CHAIRPERSON NIXON: Okay. So we're on Agenda
10 Item Number 93, Ashley Peters-Neilson. Are you here? Thank
11 you, ma'am. Come up.

12 Okay. Investigator Swarthout, could you please
13 let us know why Ms. Peters-Neilson is here.

14 MR. SWARTHOUT: The applicant was denied for
15 failure to disclose arrest history. The applicant has a 2019
16 out of Minnesota arrest and conviction for assault,
17 disorderly conduct, disorderly conduct, offensive abusive.
18 The first two counts were dismissed. Disorderly conduct,
19 offensive abusive, she was found guilty. Six months
20 probation and had to pay a hundred dollar fine. The
21 applicant did disclose the arrest history after she was
22 denied when she was given a second chance to disclose her
23 arrest history.

24 A 2015 out of Minnesota also for theft, take,
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1 use, transfer moveable property. She was convicted and
2 sentenced to 90 days jail. She did also disclose this one
3 after she was denied.

4 2015 out of Minnesota, this one in October, for
5 theft, take, use, transfer removable property. She was also
6 convicted of 90 days jail for this one and this one she also
7 did disclose that one and she appealed.

8 CHAIRPERSON NIXON: Can I ask were both the 2015
9 one incident or they were two separate arrests?

10 MR. SWARTHOUT: They show as two separate cases
11 on her fingerprints and out of the Minnesota courts.

12 MS. PETERS-NEILSON: Can I say I actually
13 never --

14 CHAIRPERSON NIXON: No. Hang on. We'll ask you
15 questions. Thank you.

16 Are there any questions from the board?

17 MEMBER CORTEZ: This is Board Member Cortez.
18 Good morning. Question. Why did you disclose after you were
19 asked -- after you were asked by an investigator?

20 MS. PETERS-NEILSON: Because for the theft I only
21 received citations. I never actually went to jail for any of
22 that.

23 MEMBER CORTEZ: Okay. Hang on. So you know you
24 received a citation.

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1 MS. PETERS-NEILSON: Yeah.

2 MEMBER CORTEZ: Why did you not list it?

3 MS. PETERS-NEILSON: Because on there I thought
4 it said that citations -- it asked about jail time and
5 arrests. So I guess I --

6 MEMBER CORTEZ: Okay. Do me a favor. There is a
7 laminated copy on reasons why you would be denied. It's
8 highlighted at the very end with asterisk signs, failure to
9 disclose any citation --

10 MS. PETERS-NEILSON: Yeah.

11 MEMBER CORTEZ: Yeah. And I also have an issue
12 when it clearly states on the application to list your
13 criminal history, regardless of disposition, outcome,
14 whatever the case may be. I don't like it when you get --
15 when it gets disclosed after you're getting called out on it.

16 MS. PETERS-NEILSON: Right.

17 MEMBER CORTEZ: So you understand where I'm
18 coming from?

19 MS. PETERS-NEILSON: Yeah.

20 MEMBER CORTEZ: Okay. That's all I needed.
21 Thank you.

22 MEMBER GRONAUER: This is Gronauer. For your
23 information and benefit of everyone else, the citation says
24 on the citation itself it says in lieu of an arrest. An
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1 arrest means physical taking you in. The citation says you
2 must appear in court.

3 MS. PETERS-NEILSON: Right.

4 MEMBER GRONAUER: It's still an arrest.

5 MS. PETERS-NEILSON: Okay.

6 MEMBER GRONAUER: So that's for everybody's
7 knowledge. That's all I have. Thank you.

8 I have one more. I'm sorry. It says on here
9 2015 in November and 2015 in October. It says same charges,
10 same disposition. And I'm not sure how that's not the same
11 charge. That's for my investigator.

12 MS. PETERS-NEILSON: They were combined in court.
13 So I had -- It was all one case overall.

14 MEMBER GRONAUER: They were combined from where?
15 One did happen and then again it happened?

16 MS. PETERS-NEILSON: So one happened and then
17 they wanted to charge me with a different one. And then so
18 they had it all -- the public defender I had, he had it all
19 combined into one.

20 MEMBER GRONAUER: Okay. So it's actually two
21 separate charges?

22 MS. PETERS-NEILSON: Yeah.

23 MEMBER GRONAUER: And they combined them. Okay.
24 Thank you.

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1 CHAIRPERSON NIXON: Any further questions from
2 the board? Okay. Hearing there's no further questions, I'll
3 entertain a motion.

4 MEMBER CORTEZ: Board Member Cortez. I'm
5 motioning to uphold the denial based on time and distance in
6 the incident of 2019 and failure to disclose.

7 CHAIRPERSON NIXON: I have a motion. Do I have a
8 second?

9 MEMBER GRONAUER: This is Gronauer. I'll second.

10 CHAIRPERSON NIXON: I have a motion and I have a
11 second. All in favor say aye.

12 (The vote was unanimously in favor of the motion)

13 CHAIRPERSON NIXON: You can apply again in one
14 year. Thank you.

15 MEMBER CORTEZ: Ms. Peters, you know what's
16 needed.

17 CHAIRPERSON NIXON: So the next agenda -- Agenda
18 Item Number 94 has been postponed, Dion Lowery, has been
19 postponed.

20 Agenda Item Number 95, Glendon Murray.

21 Please come up, sir. I'm sorry. Mr. Lowery,
22 please come forward. So I just stated that Agenda Item
23 Number 94 was postponed. However, Mr. Lowery is here, so
24 we're going to go ahead and go through that process.

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1 Investigator Swarthout, could you please let us
2 know why Mr. Lowery is here.

3 MR. SWARTHOUT: The applicant was denied for a
4 felony conviction for illegal use and possession of a
5 dangerous weapon and failure to disclose all of his arrest
6 history.

7 We have a 2016 out of Nevada for carrying a
8 concealed weapon that the applicant was found, found -- was
9 convicted of. This arrest was not disclosed.

10 A 2011 out of Nevada for carrying a concealed
11 weapon. Convicted. Had to do 50 hours of community service.
12 That one was disclosed.

13 A 2009 out of Nevada, carrying a concealed
14 weapon. He was convicted of that and had 50 hours of
15 community service. That one wasn't disclosed.

16 A 2007 out of Nevada, conspiracy to commit
17 robbery. That was a felony conviction. He did disclose
18 that. He was convicted and sentenced to 12 to 36 months in
19 the Nevada State Prison and had to pay restitution of
20 \$2,708.80. He was released from NDOC on 05-03 of 2009 for
21 that.

22 A 2007 out of Nevada, misdemeanor CCW. The
23 applicant was convicted of that and sentenced to Lakes
24 Crossing.

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1 And then we have the 2021 out of Nevada. This
2 one wasn't disclosed. The first count was carrying a
3 concealed weapon. The second count was failure -- fail by
4 convicted persons to comply with NRS 179C. This case was
5 dismissed and the second charge was a DA denial.

6 2020 out of Nevada for domestic battery. That
7 one was a DA denial, was not disclosed.

8 A 2018 out of Nevada. Petty larceny. He was
9 convicted of that one. Sentenced to 45 days in jail and nine
10 months probation and a fine. That one was not disclosed by
11 the applicant.

12 2016 out of Nevada, contempt of municipal court.
13 He was found convicted of that one. That one also was not
14 disclosed.

15 A 2014 out of Nevada for petty larceny. That one
16 was disclosed. He was also convicted of that one.

17 And a 2007 out of Nevada for burglary and petty
18 theft. That one was not disclosed. The burglary was
19 dismissed. He was convicted on the petty theft and sentenced
20 to 30 days jail and a fine of \$400.

21 CHAIRPERSON NIXON: Thank you. Board, any
22 questions for Mr. Lowery?

23 MEMBER CORTEZ: Good morning. This is Board
24 Member Cortez.

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1 MR. LOWERY: Good morning.

2 MEMBER CORTEZ: Why are you sighing?

3 MR. LOWERY: Because I'm nervous.

4 MEMBER CORTEZ: Understood.

5 MR. LOWERY: This is my first time coming in to
6 doing this. I didn't really want to do it because I thought
7 I was going to get denied. But the lady up there told me go
8 ahead and do it, try, you're getting your life together and,
9 you know, at least give it a try. And I seen how you guys
10 handle some of them other people and now it's my time. I'm
11 new to this, this whole process. And, you know, I heard what
12 he said. It was a lot of stuff on there that I didn't
13 remember, so I put what I can. And I'm nervous. I'm not
14 going to lie to you. I wasn't ready this morning to come up
15 here.

16 CHAIRPERSON NIXON: Okay. Well, we appreciate
17 you being here. Let us get through the process and then
18 we'll go from there.

19 MEMBER CORTEZ: So am I hearing that you failed
20 to disclose because you were nervous and it was a little too
21 much or --

22 MR. LOWERY: There was a lot of stuff that I
23 didn't remember either by verbatim. I have certain of my
24 background on my phone and so I went off of that.

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1 MEMBER CORTEZ: Okay. So let me ask you a
2 question. Do you remember something that occurred on January
3 29th of 2021, a year and a half ago?

4 MR. LOWERY: The only reason why I didn't put
5 that one on there, and my lawyer told me, he said, you should
6 have put that on there. But it was too late. We already had
7 submitted it because the case was closed.

8 MEMBER CORTEZ: So let me give you -- let me ask
9 you a question. Did our investigators reach out to you after
10 to let you know you were denied or there was issues with
11 your --

12 MR. LOWERY: E-mail. Yeah, letter, they gave me
13 a letter.

14 MEMBER CORTEZ: Okay. So you did have some kind
15 of contact?

16 MR. LOWERY: Yeah.

17 MEMBER CORTEZ: Do you recall what that letter
18 said?

19 MR. LOWERY: No, not verbatim. It just told me
20 why I was denied for the felony and I believe not disclosing
21 something, if I'm not mistaken.

22 MEMBER CORTEZ: Okay. And that's actually why
23 you were denied and why you're here in front of the board
24 because you failed to disclose. So, here's my thing. I have
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1 notes that even when you were given a second chance you still
2 denied that there was an incident in 2021, so --

3 MR. LOWERY: On the papers you gave me? You guys
4 sent me another paper.

5 MEMBER CORTEZ: And I don't know what that paper
6 says. I'm not going to go in to the complexities of it. But
7 we have a number of incidents. And I can appreciate you
8 don't remember that. But you -- Incidents occurred.

9 MR. LOWERY: Right.

10 MEMBER CORTEZ: Had you just listed it and said
11 approximate date or don't know, at least you listed it. I
12 absolutely love that you're getting in the game. Great job
13 filling out the application. This is a very intimidating
14 system and process. So I appreciate that.

15 CHAIRPERSON NIXON: Are there any further
16 questions from the board?

17 MEMBER GRONAUER: This is Gronauer. Good
18 morning, sir.

19 MR. LOWERY: Good morning.

20 MEMBER GRONAUER: You stated that the lady told
21 you after you talked to her about your background, she told
22 you, well, go ahead and apply anyhow. Who was that lady?
23 Where was that?

24 MR. LOWERY: That was at the -- I did my -- I was
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1 set to -- Wherever I did to get my guard card at. It was on
2 Buffalo and -- somewhere on Buffalo.

3 MEMBER GRONAUER: Was it at the office on
4 Durango?

5 MR. LOWERY: Yeah, it was at the office. I
6 called -- I was calling for two years actually to find out
7 what was going on with the -- the police department. No one
8 ever gave me the answers to the question. It's bad enough
9 that I have a record already, you know, saying going back and
10 forth from jobs. So you got to pay all of that money just to
11 get the card and not knowing if you're going to get denied.
12 She told me to come on and go ahead.

13 MEMBER GRONAUER: I understand. But, when you go
14 to the office, you can explain your situation. Just because
15 you have -- you know, you did the crime, you did the time.
16 That's all cool, all right.

17 MR. LOWERY: All right.

18 MEMBER GRONAUER: It is what it is. You don't
19 have to be ashamed of it. It is what it is. You have to be
20 truthful and you have to just report it all. And that's the
21 situation here, okay. You know, they were trying to give
22 you -- somebody was trying to give you a hand-up, not a
23 hand-out. And I don't think you were looking for a hand-out.
24 You're looking for a hand-up, you're trying to get your life

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1 together. I think it's a heck of a man just to come here and
2 say, look, here's where I'm at. But you have to follow all
3 the rules like everybody else. If whatever happens here and
4 if you have to apply again for anything, whether it's this
5 work card here or anywhere else, just man it up like you do,
6 okay. But report it. Because you've been around enough.
7 There's no doubt in my mind you're a man, okay. I get that.
8 But you got to start saying I can't hide it. I have to just
9 do it. And you would be surprised. You'll get a lot more
10 help. Because right now we would rather see people work than
11 not work and we would rather help you.

12 And I'm going to get off that soap box and just
13 let you know that the non-disclosure and the many weapons
14 charges is huge. And it would look huge to any employer.
15 But, if you stand up and do it, you would be surprised how
16 much help is out there to help you, okay. So if you ever
17 have to fill out an application again, go to the people who
18 are wanting the application filled out, no matter what
19 position that is, and ask them for help, all right. That's
20 all. Thank you.

21 CHAIRPERSON NIXON: And, you know, depending on
22 what happens here, you are able to reapply. Like I told the
23 other gentleman, work with the office. They will help you.
24 They have your stuff now. They'll help you work through that
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1 process. Okay. So I don't want you to get discouraged.
2 We're here to help you. Just work through the process.

3 Are there any further questions from the board?

4 MEMBER GRONAUER: I have another comment. I'm
5 sorry. This is Gronauer. Don't contact people by phone. Go
6 there and look them in the eye, okay. You know how that
7 works. Thank you.

8 CHAIRPERSON NIXON: Any further questions from
9 the board? Okay. Hearing there's no further questions, I'll
10 entertain a motion.

11 MEMBER GRONAUER: Which number? 94, right?

12 CHAIRPERSON NIXON: Yes.

13 MEMBER GRONAUER: I make a motion. This is
14 Gronauer. I make a motion to uphold the denial. And, my
15 heart is with you, but I have to go by the rules here. And
16 we have to treat everybody the same and that's what we're
17 trying to do. And certain situations there are exceptions
18 and all of that. But, because of the weapons charge and not
19 reporting, uphold the denial.

20 CHAIRPERSON NIXON: Okay. We have a motion. Do
21 we have a second?

22 MEMBER BEZICK: Bezick seconds.

23 CHAIRPERSON NIXON: I have a motion and I have a
24 second. All in favor say aye.

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1 (The vote was unanimously in favor of the motion)

2 CHAIRPERSON NIXON: So I think you can tell it's
3 a hard decision for us because we like you. We think you
4 really are trying. Please come back in a year. We would
5 love to see you. Please make sure that everything is listed
6 on your actual application. And don't have any more contact
7 with law enforcement and I think you'll be okay.

8 MR. LOWERY: Thank you.

9 CHAIRPERSON NIXON: So come see us again. Okay.
10 Thank you.

11 Agenda Item Number 95, Glendon Murray. Okay.
12 Let's trail 95.

13 We spoke with Suttles.

14 Agenda Item Number 97 has been postponed. But,
15 just in case, Khalif Golphin. Okay. So Agenda Item Number
16 97 has been postponed.

17 Agenda Item Number 98, Lonnie Miller. Good
18 morning, sir.

19 Investigator Swarthout, could you let us know why
20 Mr. Miller is here.

21 MR. SWARTHOUT: The applicant was denied for a
22 conviction of illegal use or possession of a dangerous
23 weapon. The applicant has a 1992 out of Nevada, CCW
24 conviction. It was a gross misdemeanor. He had to pay a
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1 \$300 fine. He did disclose that.

2 He has a 2019 out of Nevada, misdemeanor, for
3 battery. He was convicted of that one. Sentenced to 90 days
4 jail suspended, six months of DV classes, and 48 hours of
5 community service. That one was disclosed.

6 A 2018 out of Nevada, misdemeanor for reckless
7 driving with disregard safety of persons or property.
8 Convicted. He did disclose that one.

9 A 2010 out of Nevada, DUI of alcohol,
10 misdemeanor. Convicted and sentenced to 59 hours of
11 community service and a fine of \$585. He did disclose that
12 one also.

13 And then a 1996 out of Nevada, DUI second,
14 misdemeanor. He did disclose this one and this one was
15 dismissed.

16 CHAIRPERSON NIXON: Any questions from the board?

17 MEMBER CORTEZ: Good morning.

18 MR. MILLER: Good morning.

19 MEMBER CORTEZ: This is Board Member Cortez.

20 Talk to me about the 2019 battery charge.

21 MR. MILLER: Battery charge. A misunderstanding
22 with me and my girlfriend had an argument, a
23 misunderstanding.

24 MEMBER CORTEZ: Are you still with your
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1 girlfriend?

2 MR. MILLER: No.

3 MEMBER CORTEZ: The 2018 DUI pled down to
4 reckless driving, what was the substance?

5 MR. MILLER: Alcohol.

6 MEMBER CORTEZ: In 1996, same thing?

7 MR. MILLER: Same, alcohol.

8 MEMBER CORTEZ: No more questions. But I
9 absolutely appreciate you disclosing all of your criminal
10 history.

11 CHAIRPERSON NIXON: Any further questions from
12 the board? Hearing no further questions, I'll entertain a
13 motion.

14 MEMBER BEZICK: This is Bezick. I make a motion
15 to uphold -- to -- I make a motion to approve the work card
16 for Mr. Miller.

17 CHAIRPERSON NIXON: There we go.

18 MR. MILLER: Thank you.

19 CHAIRPERSON NIXON: We have a motion. Do we have
20 a second?

21 MEMBER GRONAUER: This is Gronauer. I'll second
22 it.

23 CHAIRPERSON NIXON: We have a motion and we have
24 a second. All in favor say aye.

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1 (The vote was unanimously in favor of the motion)

2 CHAIRPERSON NIXON: Thank you, sir.

3 Congratulations. The board will contact you for next steps,
4 okay.

5 MR. MILLER: Okay.

6 CHAIRPERSON NIXON: All right. Thank you.

7 MR. INGRAM: Madam Chair, just to clarify the
8 record, could we get the reason behind the motion, please?

9 MEMBER BEZICK: Based on the disclosure of all
10 the information.

11 CHAIRPERSON NIXON: Thank you.

12 MR. INGRAM: Thank you.

13 CHAIRPERSON NIXON: Thank you. You're good. We
14 just got to clean up the record. That's all. Thank you.

15 MR. MILLER: You have a great day.

16 CHAIRPERSON NIXON: Agenda Item Number 99,
17 Michael Hence. Good morning, sir.

18 MR. HENCE: Good morning.

19 CHAIRPERSON NIXON: Investigator Swarthout, could
20 you please let us know why Mr. Hence is here.

21 MR. SWARTHOUT: The applicant was denied for
22 failure to disclose arrest history on his application. The
23 applicant has a 2020 out of Minnesota arrest and conviction
24 for DWI, concentration 0.08 within two hours, gross

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1 misdemeanor. The applicant was sentenced to ten days jail,
2 ten to 365 days jail suspended, two years probation, and a
3 \$900 fine. This was disclosed after the applicant was
4 denied. He did disclose it when he was given a second
5 chance. He was discharged from probation on 3-21 of 2022 in
6 this case.

7 He has a 2018 out of Minnesota, misdemeanor, for
8 domestic assault by strangulation, stalking to injure,
9 domestic assault committing acts, domestic assault intent
10 injury. He was convicted on the domestic assault by
11 strangulation. This case does appear to originally start out
12 as a felony. But, once he completed everything for the
13 program, it was reduced to a misdemeanor. He had three
14 years -- three days jail in this case, three years probation,
15 and had to pay a \$500 fine. He did complete probation on
16 08-19 of 2020. And he did disclose this one after given the
17 second chance.

18 2016 out of Minnesota, misdemeanor for DWI,
19 Concentration of 0.08 within two hours. The second charge
20 was DWI, Driving while impaired. Third charge was underage
21 drinking. He was convicted on the first charge. The second
22 and third charges were dismissed. He was sentenced to 12
23 months probation. Discharged from probation on 11-8 of 2017.
24 It was disclosed after he was given a second chance.

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1 2016 out of Minnesota, this one in January, was a
2 theft, take, use, transfer, removal of property. Second
3 charge was aiding an offender to avoid arrest, harbor. He
4 was convicted of the first count. The second count was
5 dismissed. He was sentenced to 90 days jail with 90 days
6 suspended sentence, one years probation, and a fine,
7 restitution of \$1,700 and ten -- 1,710.66. He was discharged
8 on probation on 09-19 of 2017. The arrest was disclosed when
9 he appealed.

10 2015 out of Minnesota, a misdemeanor for
11 receiving stolen property valued \$500 or less. Convicted.
12 Sentenced to 90 days jail, one year probation. Was
13 discharged from probation on 09-19 of 2017. This one was
14 also disclosed when he appealed.

15 CHAIRPERSON NIXON: So can I ask a clarifying
16 question, Investigator? None of these were disclosed until
17 the appeal?

18 MR. SWARTHOUT: That is correct.

19 CHAIRPERSON NIXON: Okay. Board, are there any
20 questions for Mr. Hence?

21 MEMBER CORTEZ: Good morning. This is Board
22 Member Cortez. Tell me why, why did you fail to disclose
23 until after you were called out on it?

24 MR. HENCE: I guess I just didn't pay attention.
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1 I thought you guys wanted felonies and I didn't have any
2 felonies on my record. And, when I got the paper back, they
3 said that one of the charges that was originally a felony is
4 what they were upset about.

5 MEMBER CORTEZ: But we have more. And the
6 application indicated arrests. There's a copy up there that
7 I actually personally made because I want you guys to be very
8 clear on why you guys get denied.

9 MR. HENCE: Yeah.

10 MEMBER CORTEZ: So you understand our position
11 and I think you heard me earlier. I don't like it when it
12 gets disclosed after an investigator tells you -- gives you
13 an opportunity when you were asked the first time in the
14 application. I'll submit.

15 CHAIRPERSON NIXON: Okay. Any further questions
16 from the board? Okay. Hearing no further questions, I'll
17 entertain a motion.

18 MEMBER CORTEZ: This is Board Member Cortez. I
19 am going to motion to uphold the denial based on the failure
20 to disclose until after asked a second time, in addition to
21 time and distance. We have a case from 2021. I'm sorry.
22 2020. Time and distance.

23 CHAIRPERSON NIXON: Okay. I have a motion. Do I
24 have a second?

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1 MEMBER BEZICK: This is Bezick. I second.

2 CHAIRPERSON NIXON: I have a motion and I have a
3 second. All in favor say aye.

4 (The vote was unanimously in favor of the motion)

5 CHAIRPERSON NIXON: So you can apply again in a
6 year. Please make sure you just list all of your actual
7 incidents, your arrests. It doesn't need to be a felony.
8 Just any arrest. Okay. And the office is here to help you,
9 so please make sure you utilize them.

10 MR. HENCE: Okay.

11 CHAIRPERSON NIXON: Thank you, sir.

12 MEMBER CORTEZ: They have the list, so reach out
13 to them.

14 CHAIRPERSON NIXON: Thank you, sir.

15 Agenda Item Number 100, Patricia Reeves.

16 Patricia Reeves. Okay. We'll trail Agenda Item Number 100.

17 Agenda Item 101, Oliver Thibodeaux.

18 MR. INGRAM: Madam Chair, starting at Item Number
19 100, they were instructed to be here at 10:30.

20 CHAIRPERSON NIXON: Okay.

21 MR. INGRAM: So may I suggest we go back to the
22 items that were previously trailed that were supposed to be
23 heard earlier?

24 CHAIRPERSON NIXON: Okay. As long as we can work
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1 in a five-minute break.

2 MR. INGRAM: Whatever you want to do.

3 CHAIRPERSON NIXON: And we started at 82? So we
4 trailed Agenda Item 83, Lannon Brown-Austin. Is he in the
5 audience? Okay. Sir, are you Lannon Brown-Austin? No.
6 Okay. Hearing that Mr. Austin -- Brown-Austin is not in the
7 audience, I'll accept a motion.

8 MEMBER CORTEZ: Madam Chair, what time
9 clarification were they told to be here?

10 CHAIRPERSON NIXON: Nine.

11 MR. INGRAM: 9:00 a.m.

12 MEMBER CORTEZ: This is Board Member Cortez. I'm
13 going to motion to uphold the denial based on the no call no
14 show. It is now 45 minutes after their assigned time for
15 today's scheduled meeting.

16 CHAIRPERSON NIXON: Okay. I have a motion. Do I
17 have a second?

18 MEMBER BEZICK: Bezick. Second.

19 CHAIRPERSON NIXON: I have a motion and I have a
20 second. All in favor say aye.

21 (The vote was unanimously in favor of the motion)

22 CHAIRPERSON NIXON: Next Agenda Item that I think
23 we trailed is 86. Agenda Item 86, Robert Jasper. Is Robert
24 Jasper here? Okay. Seeing no Robert Jasper, I'll entertain
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1 a motion.

2 MEMBER CORTEZ: Board Member Cortez motioning to
3 uphold the denial based on the no call no show for the 9:30
4 appointment. It is 10:15 at this time.

5 CHAIRPERSON NIXON: I have a motion and I have a
6 second. I have a motion. Do I have a second?

7 MEMBER BEZICK: Bezick. Second.

8 CHAIRPERSON NIXON: I have a motion and I have a
9 second. All in favor say aye.

10 (The vote was unanimously in favor of the motion)

11 CHAIRPERSON NIXON: Motion passes.

12 The next agenda item is Agenda Item Number 87,
13 Shauntovia James. Do we have a Shauntovia James? Okay.
14 Seeing no one in the audience with that name, I'll entertain
15 a motion.

16 MEMBER CORTEZ: Board Member Cortez motioning to
17 uphold the denial based on the no call no show of Mrs. James
18 at 9:30. It is now 10:20.

19 CHAIRPERSON NIXON: Okay. We have a motion. Do
20 we have a second?

21 MEMBER BEZICK: Bezick. Second.

22 CHAIRPERSON NIXON: I have a motion and I have a
23 second. All in favor say aye.

24 (The vote was unanimously in favor of the motion)

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1 CHAIRPERSON NIXON: Motion passes.

2 Next agenda item is Agenda Item Number 89,
3 Syreeta Harris. No Syreeta Harris. I'll entertain a motion.

4 MEMBER CORTEZ: Board Member Cortez motioning to
5 uphold the denial based on the no call no show for today's
6 scheduled meeting at 9:30. It is now 10:20.

7 CHAIRPERSON NIXON: Okay. We have a motion. Do
8 we have a second?

9 MEMBER BEZICK: Bezick. Second.

10 CHAIRPERSON NIXON: I have a motion and I have a
11 second. All in favor say aye.

12 (The vote was unanimously in favor of the motion)

13 CHAIRPERSON NIXON: Okay. The motion passes.

14 Agenda Item Number 95.

15 MR. INGRAM: That's correct. Agenda Item Number
16 95 was instructed to be here at 10:00 a.m.

17 CHAIRPERSON NIXON: Oh, I'm sorry. Are you --

18 MR. MURRAY: Sorry.

19 CHAIRPERSON NIXON: Okay, Mr. Murray.

20 Investigator Swarthout, could you let us know why
21 Mr. Murray is here.

22 MR. SWARTHOUT: All right. The applicant was
23 denied for a felony conviction. The applicant disclosed a
24 2006 out of Texas felony conviction for a possession of a
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1 controlled substance, PG, less than one gram, convicted. He
2 was sentenced to two years state jail, suspended, and four
3 years probation. The applicant was released from probation
4 on November 4th of 2011. The applicant also has a 2021
5 arrest out of Arizona, misdemeanor, for DUI liquor, drugs,
6 vapors, first. Second charge of DUI, liquor, BAC .08 or
7 more. And third charge of DUI, extreme BAC .15 to .19,
8 first. This case is ongoing. The Arizona court doesn't show
9 the next meeting date in this case. This arrest was not
10 disclosed. The one out of Texas was.

11 CHAIRPERSON NIXON: Board, any questions for
12 Mr. Murray?

13 MEMBER BEZICK: This is Bezick. Mr. Murray,
14 what's the status of that ongoing case in Arizona?

15 MR. MURRAY: It's still ongoing. I was scheduled
16 to show up three days ago telephonically. No. It would be
17 two days ago telephonically and it will be scheduled. I'll
18 hear from my lawyer later this week probably for the next
19 one.

20 MEMBER BEZICK: And why did you not list that on
21 your application?

22 MR. MURRAY: I didn't realize that if court
23 wasn't finished and it didn't have a finality that it was
24 supposed to be listed. I really didn't. And I -- Yeah, that
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1 would be the reason for that. At first I was going to say a
2 felony, but I know it asked for those things as well.

3 CHAIRPERSON NIXON: Okay. Any further questions
4 for Mr. Murray? Okay. Hearing there's no further questions,
5 I'll entertain a motion.

6 MEMBER CORTEZ: Board Member Cortez. I'm
7 motioning to uphold the denial. We have an active case out
8 of Arizona County -- or Arizona. Sorry.

9 CHAIRPERSON NIXON: We have a motion. Do we have
10 a second?

11 MEMBER BEZICK: Bezick. Second.

12 CHAIRPERSON NIXON: I have a motion and a second.
13 All in favor say aye.

14 (The vote was unanimously in favor of the motion)

15 CHAIRPERSON NIXON: Once that is closed out, you
16 have the opportunity, I think it's a year, to apply again.
17 Work with the office. Thank you.

18 I'm going to go ahead and do a break and we'll
19 finish the rest afterwards. Ten minutes.

20 (Recess was taken)

21 CHAIRPERSON NIXON: It looks like we ended at
22 Agenda Item Number 96 with Mr. James Suttles.

23 So I'm going to go through Agenda Item Number 97,
24 Khalif Golphin. Postponed? Oh, yeah.

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1 Okay. So we will now, because there's some new
2 people that came in, if you have not been sworn in yet,
3 please stand up and we'll have Counsel Harris swear you in.
4 So please stand up.

5 MS. HARRIS: Please raise your right hand.

6 (Witnesses were sworn in)

7 CHAIRPERSON NIXON: So we have Agenda Item Number
8 100. It does look like it's been trailed. Is there a
9 Patricia Reeves here? Thank you, ma'am. Please come up
10 forward to the podium.

11 Investigator Swarthout, can you tell us why
12 Mrs. Reeves is here?

13 MR. SWARTHOUT: The applicant was denied for a
14 felony conviction. The applicant has a 1998 out of Nevada,
15 felony conviction, for attempted actions constituting theft.
16 She was convicted and sentenced to 12 to 34 months in Nevada
17 State Prison. This wasn't disclosed.

18 The applicant has numerous arrests totalling --
19 36 arrests in SCOPE, ten citations, and one summons. She
20 did, on her application, provide and list multiple arrests,
21 but she didn't disclose all of them.

22 CHAIRPERSON NIXON: Board, are there any
23 questions for Ms. Reeves?

24 MEMBER CORTEZ: Good morning. This is Board
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1 Member Cortez. Ms. Reeves, why did you fail to disclose some
2 and not all?

3 MS. REEVES: What you mean?

4 MEMBER CORTEZ: So the investigator reported that
5 some incidents with the law or convictions you reported and
6 then others you did not.

7 MS. REEVES: They say they go back ten years.
8 That's what I was told.

9 MEMBER CORTEZ: Who told you?

10 MS. REEVES: Just hearsay.

11 MEMBER CORTEZ: Not anyone in our office by any
12 chance?

13 MS. REEVES: No.

14 MEMBER CORTEZ: Okay. Okay. No worries. Thank
15 you.

16 CHAIRPERSON NIXON: Any further board questions?

17 Investigator, on -- it seems like the most recent
18 one -- I'm trying to -- The most recent one was 2011. No.
19 Oh, I'm on six. Sorry. Okay, yeah. 2021. And this was
20 disclosed?

21 MR. SWARTHOUT: Yes, that one was disclosed.

22 CHAIRPERSON NIXON: So it may be a difficult
23 question. But, everything ten years and younger, or older
24 has been reported?

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1 MR. SWARTHOUT: She's got the 2019 and the 2016
2 that weren't disclosed. But she disclosed the 2012, 2011,
3 another one in 2011, 2010, another one in 2010. And then,
4 from there, is a 2009 that she didn't disclose, 2008 she
5 disclosed, 2007 she disclosed. The 1999 wasn't disclosed.
6 Another 1999 wasn't disclosed.

7 CHAIRPERSON NIXON: Okay. And then the actual
8 felony was not disclosed?

9 MR. SWARTHOUT: Correct. It looks like after the
10 year 2000 then there's no more disclosures.

11 MR. SALADINO: Madam Chair, Investigator
12 Saladino, if I could. The applicant, she definitely tried
13 her best. We have the arrest history page completely filled
14 out and she also did a blank page as well to get, you know,
15 the majority of her arrest history down.

16 CHAIRPERSON NIXON: Okay. That's what I figured,
17 okay.

18 Any further questions from the board?

19 MEMBER CORTEZ: This is Board Member Cortez.
20 Ms. Reeves, what do you plan to do if you get your guard
21 card?

22 MS. REEVES: Work.

23 MEMBER CORTEZ: Where at?

24 MS. REEVES: I forgot the company. But they was
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1 going to hire me.

2 MEMBER CORTEZ: Doing what?

3 MS. REEVES: Just patrolling the premises.

4 MEMBER CORTEZ: Patrolling the perimeters?

5 MS. REEVES: Yes.

6 MEMBER CORTEZ: So as a security guard?

7 MS. REEVES: Yes.

8 CHAIRPERSON NIXON: Okay. What do you do now?

9 MS. REEVES: I work at 7-Eleven store on Maryland
10 Parkway, Stewart and 13th.

11 CHAIRPERSON NIXON: I may see you some time.

12 MEMBER CORTEZ: This is Board Member Cortez
13 again. Can you tell me a little bit about the battery
14 conviction out of 2021. What was that about?

15 MS. REEVES: 2021?

16 MEMBER CORTEZ: A year ago. December 26th-ish.
17 You disclosed it.

18 MS. REEVES: Yeah. That was when my sister she,
19 you know, she was drunk and stuff and we had been out over at
20 my brother's and visiting our family and stuff. And I went
21 home and I was going to bed and she came and I asked her to
22 leave and she didn't want to get out, so I just pushed her.
23 That's it.

24 MEMBER CORTEZ: And the charge was a battery
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1 charge, not domestic violence?

2 MS. REEVES: Just -- Yes.

3 MEMBER CORTEZ: Okay.

4 CHAIRPERSON NIXON: Has that been closed out,
5 Investigator?

6 MR. SWARTHOUT: Yes, that is listed as a finished
7 and it's listed as a battery.

8 CHAIRPERSON NIXON: Did it start out as a
9 battery?

10 MR. SWARTHOUT: On SCOPE they list it as a
11 battery.

12 MEMBER CORTEZ: Where are we at today,
13 Mrs. Reeves, as far as any kind of engagement in criminal
14 activity? You have a lengthy record that you're aware of.

15 MS. REEVES: I know. I made some mistakes in my
16 life and I'm changing my life. I go to church and I'm just
17 trying to do right. That's it. Just go to work.

18 MEMBER CORTEZ: Thank you. No further questions.
19 No, ma'am. We're not done yet. Sorry. Any further
20 questions from the board?

21 MEMBER GRONAUER: Good morning, ma'am. This is
22 Gronauer. The first one before. Can you explain to me the
23 2019 arrest in January for 2019 for contributing to the
24 delinquency of a minor and it was dismissed.

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1 MS. REEVES: I don't --

2 MEMBER GRONAUER: What was the contributing or
3 delinquency or neglect of a minor?

4 MS. REEVES: I guess it was a seat belt or
5 something. I don't remember that.

6 MEMBER CORTEZ: Was CPS called?

7 MS. REEVES: I don't think so.

8 MEMBER CORTEZ: Because usually when it's
9 contributing to neglect of a minor, it's either
10 educational -- Did you have a minor in your custody in 2019
11 living with you by any chance?

12 MS. REEVES: I haven't had a -- I just now
13 recently have minors staying with me because of my niece and
14 my great nephew. He stays with me. He went to summer school
15 and he's out right now. So I don't remember that.

16 MEMBER CORTEZ: The matter was dismissed. But we
17 were just kind of curious as to what the situation was. Was
18 there a call to CPS and they came out and investigated or do
19 you recall? It's a contribute to delinquency, neglect, or
20 negligence of a minor.

21 MEMBER GRONAUER: It's neglect.

22 MEMBER CORTEZ: Neglect of a minor.

23 MS. REEVES: I don't remember that, because I
24 never mistreated my nieces and nephews.

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1 MEMBER CORTEZ: And how old are they now?

2 MS. REEVES: He's 16.

3 MEMBER CORTEZ: So that would have made him?

4 MEMBER GRONAUER: 13.

5 MEMBER CORTEZ: 13. All right. Thank you.

6 MEMBER GRONAUER: I'll ask you one more. This is
7 Gronauer. The maintaining and permitting a nuisance at the
8 house in 2016, that wasn't disclosed. You were sentenced to
9 two days in jail.

10 MS. REEVES: That was from my sister. Because, I
11 don't mean to put her business out, but my sister, she's on
12 drugs and she likes to come over to my house and do, you
13 know, do weird things like try to smoke and stuff in my house
14 and I don't allow that. Because I have the kids around there
15 and stuff and I don't do that. So I don't participate in
16 that and I just don't want that around me.

17 MEMBER GRONAUER: Where did you live in 2016?

18 MS. REEVES: I stayed on -- in a house.

19 MEMBER GRONAUER: Not through the housing
20 authority or anything? Just a house?

21 MS. REEVES: Yeah.

22 MEMBER GRONAUER: Okay. I'm trying to get to
23 maintaining and permitting a nuisance. A lot of times people
24 get because their grandkids or somebody else is using the
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1 house to sell drugs even though it's not their house.

2 MS. REEVES: Right.

3 MEMBER GRONAUER: So you got sentenced to two
4 days in jail. I'm just trying to figure out why.

5 MS. REEVES: I don't know. I guess it's always
6 everything falls on me. I just -- I don't know.

7 MEMBER GRONAUER: Okay. Also. Did you -- You
8 said you want to work as a security guard, security anyhow.
9 I call them security professionals. But you want to work as
10 a security professional on a perimeter. Are you talking
11 about armed or unarmed?

12 MS. REEVES: Unarmed.

13 MEMBER GRONAUER: Okay. Thank you.

14 CHAIRPERSON NIXON: Are there any further
15 questions? Okay. Hearing there are no further questions,
16 I'll entertain a motion.

17 MEMBER GRONAUER: This is Gronauer. I make a
18 motion to reverse the denial of Patricia Reeves. She really
19 disclosed many, many and most of them are all the serious
20 ones, arrests, and that's it.

21 CHAIRPERSON NIXON: I have a motion. Do I have a
22 second?

23 MEMBER BEZICK: Bezick seconds.

24 CHAIRPERSON NIXON: I have a motion and I have a
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1 second. All in favor say aye.

2 (The vote was unanimously in favor of the motion)

3 CHAIRPERSON NIXON: Okay. So it's been granted.
4 You'll get your work card, okay. So the office will contact
5 you for the next steps, okay.

6 MS. REEVES: Okay. Thank you so much.

7 CHAIRPERSON NIXON: You're very welcome. Good
8 luck to you.

9 MS. REEVES: You all have a nice day.

10 CHAIRPERSON NIXON: We have Agenda Item Number
11 101, Oliver Thibodeaux. Is Mr. Thibodeaux here? Okay.
12 We'll trail Item Number 101.

13 We have Item Number 102, Raymond Artwell. Good
14 afternoon, sir. Good morning.

15 MR. ARTWELL: Good morning.

16 CHAIRPERSON NIXON: Thank you, sir.

17 Investigator Swarthout, why is Mr. Artwell here
18 to see us?

19 MR. SWARTHOUT: The applicant was denied for
20 felony conviction. The applicant has a 2003 out of Delaware
21 felony conviction for possession with intent to distribute
22 more than 50 grams of cocaine. Second charge, possession
23 with intent to distribute more than 500 grams of cocaine.

24 This was disclosed. He was sentenced to 60 months federal
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1 prison, five years supervised release. The arrest was done
2 through the DEA.

3 The applicant also has a 1990 out of Delaware for
4 first charge was trafficking illicit drugs. Second charge was
5 possession with the intent to deal, manufacture, narcotics,
6 schedule one or schedule two. Third charge, possession of
7 drug paraphernalia. Fourth charge of criminal impersonation.
8 This one was not disclosed. The applicant was convicted on
9 the second charge at the felony level. The first, third, and
10 fourth charges were all dismissed.

11 Another 1990 out of Delaware, another felony
12 case, trespassing, which is a misdemeanor. The second charge
13 was conspiracy, second degree. Third charge was possession
14 of burglary tools. Fourth charge, theft of more than \$500.
15 And fifth charge is criminal mischief less than \$300. On two
16 and three, they chose not to prosecute. But on charge one,
17 four, and five, he was convicted.

18 2016 out of Delaware. This one also wasn't
19 disclosed. Receiving stolen property under \$1,500.
20 Convicted.

21 2011 out of Delaware. All it says is cocaine.
22 It doesn't list an outcome. It appears to be an arrest only
23 from the DEA. No charges show in Pacer in that for the case.

24 2009 out of Delaware. This one also wasn't
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1 disclosed. Terroristic threats and harassment. This case
2 was dismissed.

3 2000 out of Delaware, terroristic threats,
4 criminal mischief, harassment and stalking. Also dismissed.

5 1991 out of Delaware, assault, third degree.
6 They didn't prosecute him on.

7 1990 out of Delaware. Receiving stolen property
8 over \$500. Second charge of conspiracy, third degree.
9 Agreement misdemeanor criminal conduct. The second charge he
10 was convicted of.

11 And 1990, also out of Delaware, this one in
12 February, theft of greater than \$500, theft greater than
13 \$500, and theft greater than \$500, three counts of it. They
14 did not prosecute. And that one wasn't disclosed either.

15 And then 1998 out of Delaware, criminal mischief.
16 They didn't prosecute him on that one. It wasn't disclosed.
17 1998, September, second out of Delaware, another criminal
18 mischief they did not prosecute him on.

19 1988. Sorry if I said 1998. It's 1988. Another
20 1988 Delaware, misdemeanor trespass. He would have been a
21 minor at this time. They didn't prosecute him on that one.

22 CHAIRPERSON NIXON: The rest from '89 down
23 basically he was a minor.

24 MR. SWARTHOUT: Yep. And he was not made
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1 provisional because he did list the one felony charge, the
2 federal felony.

3 CHAIRPERSON NIXON: Thank you. Mr. Artwell, were
4 you sworn in?

5 MR. ARTWELL: Yes.

6 CHAIRPERSON NIXON: Any questions for Mr. Artwell
7 from the board?

8 MEMBER CORTEZ: This is Board Member Cortez.
9 Mr. Artwell, tell me why you didn't disclose all of them.
10 And it's pretty lengthy.

11 MR. ARTWELL: And that's one of the reasons why.
12 Given the time frame to which I had the 30 days to respond to
13 me being where I was at, I went to the office and I tried to
14 get my due diligence to get everything that I could get to
15 put in to the paper that sent back within the 30-day time
16 frame. I just wasn't able to get it all.

17 But, I mean, on a good note, I'm in the process
18 of getting all of that pardoned as of February 2023. It's
19 currently sitting on the governor's desk as we speak.

20 CHAIRPERSON NIXON: Are you saying you had 30
21 days to get the information, was that because of the appeal?

22 MR. ARTWELL: Yeah. Yeah.

23 CHAIRPERSON NIXON: Okay. So I think the
24 question may have been, and correct me if I'm wrong, why

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1 didn't you write down what you -- the arrest that you had
2 initially because the application asked for this?

3 MR. ARTWELL: Okay. Understood. Honestly, I
4 didn't mentally remember everything, every detail verbatim,
5 exactly everything that it all entailed. Some of that stuff
6 I was, like, I mean, I'm kind of like, wow, he brought it
7 back.

8 So, the drug charges from '90 and then the one
9 from '03 were the two main that I remember, because those are
10 the two that I actually did time on. Criminal mischief
11 stuff, I couldn't even remember the dates, times, whatever.
12 So I did not do my due diligence on that to put it in to the
13 paperwork necessary when I first applied for the guard card.

14 CHAIRPERSON NIXON: Okay. Any further questions
15 from the board?

16 What are you doing now, sir.

17 MR. ARTWELL: I'm working -- I currently still
18 reside in Delaware. I work for a company called Devareaux
19 Mental Health out of Westchester. I've been in the mental
20 health field for the last 12 years. Yeah, since 2010. For
21 the last 12 years. Working mental health and working -- I'm
22 currently RBT certified, so I work with kids one on one,
23 based on autism, one on one in the classroom, and just making
24 sure they got what they need and from a learning standpoint

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1 and working one on one with more of their difficult kids,
2 mostly males.

3 CHAIRPERSON NIXON: Okay. What's your intention
4 with the license?

5 MR. ARTWELL: It's a company out here called
6 Vegas Plus that wants to bring me on, provided I'm able to
7 get a guard card. If I'm not able to get a guard card, then
8 they can't pay me because they're not going to pay me under
9 the table. But I would work primarily through them in the
10 State of Nevada probably once a month, maybe once to two
11 times out of the month. So which would be -- I would be out
12 here for one week definitely a month, sometimes two weeks out
13 of the month.

14 CHAIRPERSON NIXON: Okay. Any further questions
15 from the board? Okay. Hearing there's no further questions,
16 I'll entertain a motion.

17 MEMBER CORTEZ: This is Board Member Cortez.
18 You're killing me.

19 MR. ARTWELL: I'm sorry. I don't mean to, but
20 I'm definitely --

21 MEMBER CORTEZ: I heard you. You have a lengthy
22 record. I know for a fact our office works diligently with
23 trying to help. You have everything now. You need to
24 contact our office, whatever happens today, and make sure you
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1 list everything, okay.

2 With that said, I am going to motion that we
3 uphold the denial based on the numerous failed to disclose
4 information.

5 CHAIRPERSON NIXON: I have a motion. Do I have a
6 second?

7 MEMBER BEZICK: Bezick seconds.

8 CHAIRPERSON NIXON: I have a motion and I have a
9 second. All in favor say aye.

10 (The vote was unanimously in favor of the motion)

11 CHAIRPERSON NIXON: And, you know, again, it's
12 hard for us, because it sounds like you've turned everything
13 around and you're on a right path. So please work with those
14 guys to get your information fixed and put in to the record
15 properly on the next application and then you should be okay.

16 MR. ARTWELL: Okay.

17 CHAIRPERSON NIXON: All right. Thank you.

18 MR. ARTWELL: Thank you.

19 CHAIRPERSON NIXON: Good luck to you.

20 Agenda Item Number 103, Stephen Perkins. Is
21 Mr. Perkins here? Okay. We'll trail 103.

22 Agenda Item Number 104. Yeah, sure it is. Thank
23 you, sir. Can you pronounce your last name for the record?

24 MR. FONOTISATELE: Yes. Fonotisatele.
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1 CHAIRPERSON NIXON: Okay. Do you need that
2 spelled?

3 THE COURT REPORTER: I have it on the agenda.
4 Thank you.

5 CHAIRPERSON NIXON: Mr. Swarthout, could you let
6 us know why Mr. F is here.

7 MR. SWARTHOUT: The applicant was denied for
8 conviction of illegal use or possession of a dangerous
9 weapon. The applicant has a 1993 arrest out of California
10 for the willful discharge of a firearm in a negligent manner.
11 He was convicted of this. He's sentenced to 36 months
12 probation. The applicant, this is his second time coming
13 before the board. He originally was denied in 2020 for
14 failure to disclose this arrest. He did disclose this on
15 this application.

16 He also disclosed a 2007 out of Nevada for
17 possession of an unregistered firearm. This case was
18 dismissed per negotiations.

19 And then a 2007, also out of Nevada, in January,
20 for a DUI, which was also disclosed. He was convicted of
21 that one and sentenced to community service and DUI school.

22 CHAIRPERSON NIXON: Any questions?

23 Just a statement. Thank you for coming back. I
24 appreciate it. We always are happy to see these stories.

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1 So, if there's no further questions, I'll
2 entertain a motion.

3 MEMBER CORTEZ: Board Member Cortez motioning to
4 overturn the denial based on Mr. Fonotisatele doing exactly
5 what was requested at the last board meeting.

6 CHAIRPERSON NIXON: I have a motion. Do I have a
7 second?

8 MEMBER BEZICK: Bezick seconds.

9 CHAIRPERSON NIXON: I have a motion and I have a
10 second. All in favor say aye.

11 (The vote was unanimously in favor of the motion)

12 CHAIRPERSON NIXON: Thank you. Congratulations.
13 You'll get your work card. Work with the office or they'll
14 contact you, okay.

15 MR. FONOTISATELE: I would like to say something.
16 Thank you very much. And I have letters of support as well
17 and I look forward to working with you guys.

18 CHAIRPERSON NIXON: Thank you. Congratulations.

19 Okay. We'll go on to Agenda Item Number 95 --
20 105, Jamal Cooper. Good morning, sir.

21 Investigator Hubbel, could we please discuss why
22 Mr. Cooper is here to see us.

23 MR. HUBBEL: The applicant was denied for a 1993
24 felony conviction out of California for obstruction, resist
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1 executive officer. The disposition was convicted, 36 months
2 probation and 45 days in jail. This was listed on the actual
3 application.

4 Also listed on the application was a probation
5 violation from 1996 that he disclosed on the application but
6 was not listed on the fingerprint report. The applicant was
7 not made provisional and is here today to appeal.

8 CHAIRPERSON NIXON: Thank you. Are there any
9 questions for Mr. Cooper?

10 MEMBER GRONAUER: It's up there. I was looking
11 around. This is Gronauer. Mr. Cooper, what do you plan on
12 doing if you receive a work card?

13 MR. COOPER: I'm trying to do security work. I'm
14 new to Vegas. I've been here a few months. I'm trying to
15 find a job. I had a guard card in Los Angeles, California,
16 and I was working security there.

17 MEMBER GRONAUER: What type of security?

18 MR. COOPER: It was for, like, mental patients.

19 MEMBER GRONAUER: Are you hoping to work armed or
20 unarmed?

21 MR. COOPER: Unarmed.

22 MEMBER GRONAUER: Thank you.

23 CHAIRPERSON NIXON: Any further questions for

24 Mr. Cooper? Hearing there's no further questions, I'll
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1 entertain a motion.

2 MEMBER GRONAUER: This is Gronauer. I have a
3 motion to reverse the denial on Mr. Jamal Cooper. He
4 reported all of his 492's and time and distance.

5 CHAIRPERSON NIXON: Okay. We have a motion. Do
6 we have a second?

7 MEMBER GRONAUER: His arrests. I'm sorry. I
8 said 492. Police jargon.

9 MEMBER BEZICK: This is Bezick. I will second
10 the motion.

11 CHAIRPERSON NIXON: We have a motion and we have
12 a second. All in favor say aye.

13 (The vote was unanimously in favor of the motion)

14 CHAIRPERSON NIXON: So you will get your work
15 card. Thank you very much for putting everything on your
16 application. That's exactly what we wanted to see, okay.

17 MR. COOPER: Okay.

18 CHAIRPERSON NIXON: So the office will call you
19 and get you the next steps.

20 MR. COOPER: Okay. Thank you.

21 CHAIRPERSON NIXON: Thank you very much, sir.
22 Good luck to you.

23 We'll move on to Agenda Item Number 106, Robert
24 Sheeran. Good morning, Mr. Sheeran. Has everybody here been
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1 sworn in? Yes.

2 MR. SHEERAN: Yes.

3 CHAIRPERSON NIXON: Okay. Mr. -- Investigator
4 Saladino.

5 MR. SALADINO: Investigator Saladino for the
6 record. The applicant was denied for a 1997 misdemeanor
7 conviction out of California for use of controlled substance,
8 possession of controlled substance, and possession of a
9 switch blade. The applicant received 80 days in jail that
10 was suspended. Being that the applicant wasn't -- didn't
11 disclose, he was made provisional and had been working for
12 Preventive Measures from 3-2-22 until he was terminated on
13 3-28-22 and now he's here for the appeal.

14 CHAIRPERSON NIXON: Okay. Any questions for
15 Mr. Sheeran?

16 MEMBER BEZICK: So, Mr. Sheeran, why did you not
17 disclose the arrest?

18 MR. SHEERAN: Because it was, like, 30-something
19 years ago and I was working out of California and it never
20 came up. And I was working for the State of California out
21 of Santa Anna. I was working with CHP. So I figured here it
22 wasn't going to come up. So that's the reason I didn't put
23 it down.

24 MEMBER CORTEZ: Mr. Sheeran, do you have a
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1 character witness here with you?

2 MR. SHEERAN: Yes, I do. He's my former
3 employer.

4 MEMBER CORTEZ: Could I have him approach the
5 podium. You're a character witness, sir? Could I have you
6 approach the podium. If you could introduce yourself for the
7 record.

8 MR. MOHAMMED: Roger Mohammed.

9 MEMBER CORTEZ: And you are here --

10 MR. MOHAMMED: To be a character witness if need
11 be.

12 MEMBER CORTEZ: Can we get some information?

13 MR. MOHAMMED: Sure. So I met Mr. Sheeran
14 through a program we worked with the Salvation Army. Jawan
15 Mullins had reached out to me and said, hey, I got a nice guy
16 that I think you should interview. Brought him in and I did
17 the interview. And I liked him. I really did.

18 The reason why I, you know, wanted to come here
19 because he worked for us for a little while, just over three
20 weeks. And, bar none, just wanted to show up on time, leave
21 on time, respect the client, client was -- they were hurting
22 when he left. And to me what's that we wanted.

23 I operate -- My business is in five states. And,
24 you know, I put him in a line of how I place our guards in
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1 Florida. Best of the best.

2 You know, and so I just wanted to make sure that
3 at least that part could be said, one of the best guards I've
4 dealt with in reference to respect for authority and respect
5 for time, do your job and go home. You don't get that
6 anymore. And, you know, I mean --

7 MEMBER CORTEZ: Well, he was born in the '70s.

8 MR. MOHAMMED: And that's true. But it's -- The
9 Nevada market is a work in progress in reference to security
10 officers. And, again, you know, when I've traveled to the
11 different areas that we operate in, I put him in the line of
12 how we operate in Florida. The guards are the best of the
13 best in Florida.

14 MEMBER CORTEZ: Thank you for coming. I
15 appreciate it.

16 Last question for Mr. Sheeran. So it's my
17 understanding that the 1997 30-plus year incident was not
18 reported because of the time?

19 MR. SHEERAN: Yes. And, like I said, I worked
20 for the State of California at the state building, which I
21 was working side by side with the Highway Patrol. And if
22 they're going to run anybody's name, they're the ones that do
23 it.

24 MEMBER CORTEZ: Okay. And you do understand that
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1 every state is different?

2 MR. SHEERAN: Yes.

3 MEMBER CORTEZ: And the application clearly
4 states what's required?

5 MR. SHEERAN: I do now.

6 MEMBER CORTEZ: Got it. Thank you. No further
7 questions.

8 CHAIRPERSON NIXON: Any further questions from
9 the board? Hearing there's no further questions, I'll
10 entertain a motion.

11 MEMBER BEZICK: This is Bezick. I move to
12 overturn the denial and approve the work card for Mr. Sheeran
13 based on time and distance and the fact that he had a
14 character witness that spoke favorably of him.

15 CHAIRPERSON NIXON: Okay. I have a motion. Do I
16 have a second?

17 MEMBER CORTEZ: This is Board Member Cortez.
18 I'll second that motion.

19 CHAIRPERSON NIXON: We have a motion and we have
20 a second. All in favor say aye.

21 (The vote was unanimously in favor of the motion)

22 CHAIRPERSON NIXON: Congratulations, sir. Good
23 luck to you.

24 MR. SHEERAN: I appreciate it.
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1 CHAIRPERSON NIXON: The office will contact you.

2 Okay. Agenda Item Number 107, Dion Stanley.

3 Dion Stanley. Okay. We'll trail that.

4 Agenda Item Number 108, Sarah Carter. Good
5 morning, ma'am. Good morning.

6 MS. CARTER: Good morning.

7 CHAIRPERSON NIXON: Investigator Swarthout, why
8 is Ms. Carter here?

9 MR. SWARTHOUT: The applicant was denied for a
10 felony conviction. The applicant has a 2007 out of
11 California, felony conviction, for possession of marijuana
12 for sale. She was convicted of it. She had her probation
13 revoked in this case and was sentenced to 16 months to three
14 years in prison. She did state on her application, because
15 she did list this one on her app, that she was released early
16 for good behavior after serving eight months.

17 She also has a 2008 out of California for
18 misdemeanor for battery, spouse, ex-spouse, date, et cetera.
19 This one wasn't disclosed. This case was dismissed. On the
20 fingerprints it shows that it was detention only.

21 And then a 2007 also out of California,
22 misdemeanor for loiter, attempted prostitution, and
23 disorderly conduct prostitution. The first count was
24 dismissed. The disorderly conduct prostitution she was

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1 convicted of. Sentenced to one day jail, 12 months
2 probation, and had to do a work program. This arrest wasn't
3 disclosed.

4 CHAIRPERSON NIXON: Okay. Are there any
5 questions for Ms. Carter?

6 MEMBER CORTEZ: This is Board Member Cortez.
7 Ms. Carter, good morning. Yes, good morning. Why did we not
8 disclose the other two?

9 MS. CARTER: Because the one out of Van Nuys I
10 thought that they dismissed it because that's what I was told
11 from the judge because I completed my program and everything
12 that they required me to do. And they said that they
13 dismissed the case.

14 MEMBER CORTEZ: I just want to let you know that
15 there were two charges. Loitering in the 2007, the 2007
16 case. So one of the charges was dismissed. That was loiter
17 attempt prostitution. The second one the disorderly conduct
18 prostitution, that is the charge you were convicted on. So
19 why didn't you list that one?

20 MS. CARTER: I didn't -- I thought it was the
21 same thing.

22 MEMBER CORTEZ: Got it. And what about the 2007?
23 Oh, I'm sorry. The 2008, the battery spouse, that was also
24 dismissed, but why did you not list that?

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1 MS. CARTER: Because I didn't know that I was
2 charged with that at that time. I was in, like, a very bad
3 situation.

4 MEMBER CORTEZ: Understood. Understood. Thank
5 you.

6 CHAIRPERSON NIXON: Any further questions from
7 the board?

8 MEMBER CORTEZ: This is Board Member Cortez. I
9 do have a question. Are you going to be residing in Nevada
10 or do you reside now Nevada?

11 MS. CARTER: Yes.

12 MEMBER CORTEZ: How long have you been here?

13 MS. CARTER: For the last four years.

14 MEMBER CORTEZ: What do you intend to do?

15 MS. CARTER: Security.

16 MEMBER CORTEZ: Do you have a company already
17 willing to hire you?

18 MS. CARTER: No. So I haven't applied for
19 anything yet because I didn't know how today was going to go.
20 So, I didn't want to, like, start applying for stuff and then
21 they call me and they're, like, where's your work card at and
22 I'm, like, okay, I'm waiting for it. Because a lot of places
23 are hiring right now. So it's a real big demand. So I
24 didn't want to waste anybody's time.

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1 CHAIRPERSON NIXON: I appreciate that. Are you
2 currently working?

3 MS. CARTER: Yes. I work as an Amazon Flex
4 driver.

5 CHAIRPERSON NIXON: Are there any further
6 questions from the board? Okay. Hearing there's no further
7 questions, I'll entertain a motion.

8 MEMBER CORTEZ: This is Board Member Cortez. I'm
9 going to motion to overturn the denial based on time and
10 distance of the incidents.

11 CHAIRPERSON NIXON: Okay. We have a motion. Do
12 we have a second?

13 MEMBER BEZICK: Bezick seconds.

14 CHAIRPERSON NIXON: Okay. I have a motion and I
15 have a second. All in favor say aye.

16 (The vote was unanimously in favor of the motion)

17 CHAIRPERSON NIXON: Okay. So you'll get your
18 work card, okay, so work with the office. They'll give you a
19 call and they'll get that set up for you, okay.

20 MS. CARTER: Okay.

21 MEMBER CORTEZ: Start applying.

22 CHAIRPERSON NIXON: Okay. Robert Richardson.
23 Okay. Investigator Swarthout.

24 Good morning, sir.

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1 MR. RICHARDSON: Good morning.

2 MR. SWARTHOUT: The applicant was denied for the
3 illegal use or possession of a dangerous weapon for
4 conviction. The applicant has a 2004 out of California
5 conviction, misdemeanor conviction, for having a firearm,
6 while the original charges were having a firearm at public at
7 ETC school and a CCW on a person. The first count was
8 dismissed. He was convicted of the CCW on a person. He was
9 sentenced. His suspended sentence for this and sentenced to
10 24 months probation and 90 -- 45 days work program and a
11 fine. He did disclose this arrest.

12 The applicant also disclosed a 2020 out of
13 California, misdemeanor arrest for CCW in a vehicle. This
14 case was dismissed.

15 The applicant also disclosed a 2019 arrest out of
16 Nevada for a misdemeanor for carrying a concealed weapon.
17 This was dismissed after a diversion program.

18 The applicant wasn't made provisional because he
19 did disclose all of his arrests and convictions. The
20 applicant does have a Nevada CCW.

21 CHAIRPERSON NIXON: Okay. One clarifying
22 question for myself. One of the arrests was in California.
23 I don't know if it's the equivalent of a CCW in California.
24 Did he have that at the time of the arrest, is that why it
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1 was dismissed in 2020?

2 MR. SWARTHOUT: Our SCOPE and fingerprints don't
3 show if he has a California CCW. All it shows was that the
4 case was dismissed.

5 CHAIRPERSON NIXON: Did you have a CCW?

6 MR. RICHARDSON: No, at that particular time, I
7 didn't. But, I mean, I can give you the explanation.

8 CHAIRPERSON NIXON: Let's see if the board has
9 some questions.

10 MR. RICHARDSON: Okay.

11 CHAIRPERSON NIXON: Do you have any questions?

12 MEMBER GRONAUER: This is Member Gronauer. It is
13 morning. Good morning, Mr. Richardson.

14 MR. RICHARDSON: Good morning.

15 MEMBER GRONAUER: Can you explain to me the 2004
16 arrest of weapon at a school?

17 MR. RICHARDSON: Well, it wasn't at a school. It
18 was an apartment. My family and friends was having a house
19 party. The police came, thought it was going to be more than
20 what it was. My gun was already broke down, put up in a safe
21 area, no kids. But by it being my gun and they couldn't
22 charge nobody with nothing else, they just said, okay, well,
23 we're fixing to stick you.

24 So when they put the possession on me with -- I
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1 mean, I'm not going to deny. Yes, it was my gun. It wasn't
2 on my person. But I was a half a block away from a park. It
3 wasn't a school. It was at 9:30, 10:00 o'clock at night. So
4 they just put that on there because it was in the distance
5 from the apartment to the school or to the -- apartment to
6 the park. So, if it's a park or a school, they're going to
7 still say school. But this was, like I say, 9:30, 10:00
8 o'clock at night. House party. They came inside. Searched
9 for everything. Didn't find nothing but my firearm. That's
10 what they stuck me with.

11 MEMBER GRONAUER: So I guess you're trying to say
12 it was a no firearm zone around a school or park?

13 MR. RICHARDSON: Well, I mean, if it's houses
14 around a park or a school and if you get charged with
15 anything like within a certain amount of yards, which I
16 didn't know at the time, they're going to automatically put
17 that on you. So, by it being a residential area with a park
18 close to the residential area, they just put that charge on
19 there. Because, prior to that, I had no record, no nothing.
20 So it was just one of them, you know --

21 MEMBER GRONAUER: It must have been a heck of a
22 party.

23 MR. RICHARDSON: Well, I mean, realistically, the
24 party didn't even start yet. So it was just that particular

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1 area they had the gang unit patrol. So, if they felt like
2 running up in your area, that's what they were going to do.

3 CHAIRPERSON NIXON: Was this your house?

4 MR. RICHARDSON: No. It was my auntie's house.

5 MEMBER GRONAUER: Which city was this?

6 MR. RICHARDSON: Los Angeles, California.

7 MEMBER GRONAUER: What part of Los Angeles?

8 MR. RICHARDSON: Oh. Western and 94th. So it
9 was Jesse Lawrence Park. I played football for that
10 particular park. So it wasn't a school. I went to Lock High
11 School.

12 MEMBER GRONAUER: Okay. I worked a unit down
13 there on drugs in that same area.

14 MR. RICHARDSON: You understand?

15 MEMBER GRONAUER: Yeah. I was placed there from
16 Metro to there. All right. You have a CCW now?

17 MR. RICHARDSON: Correct.

18 MEMBER GRONAUER: You do?

19 MR. RICHARDSON: Yes.

20 MEMBER GRONAUER: Do you have the card on you?

21 MR. RICHARDSON: Yes.

22 MEMBER GRONAUER: Do you have a gun on you?

23 MR. RICHARDSON: No.

24 MEMBER GRONAUER: Any weapon on you?
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1 MR. RICHARDSON: No. I mean, I'm a little
2 sweaty, but permission to pat me down.

3 MEMBER GRONAUER: I don't have to on assignment.
4 Because they, you know, they say you were 26 years old. And
5 I think the only thing that threw me off was public, et
6 cetera, school. So it must be Park School or whatever, that
7 kind of zone. And I don't understand in the house.

8 MR. RICHARDSON: Well, from my understanding from
9 another officer, just off the record from him to me, by me
10 being belligerent and saying what I was saying at the time,
11 because I was in my right to say what I was saying, they
12 couldn't put nothing else on me, so they just start taxing
13 charges.

14 MEMBER GRONAUER: Well, you were 26 years old.
15 Maybe you're a little more brighter now.

16 MR. RICHARDSON: I'm a lot more brighter. I
17 still have moments, but not in that nature.

18 MEMBER GRONAUER: Okay. Thank you.

19 CHAIRPERSON NIXON: Any further questions? No
20 further questions, I'll entertain a motion.

21 MEMBER BEZICK: This is Bezick. I motion that we
22 overturn the denial and approve the work card for
23 Mr. Richardson based on time and distance.

24 CHAIRPERSON NIXON: Okay. We have a motion. Do
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1 we have a second?

2 MEMBER CORTEZ: This is Board Member Cortez. Can
3 I get clarification prior to?

4 CHAIRPERSON NIXON: Sure.

5 MEMBER CORTEZ: You're overturning based on time
6 and distance of which case? We have a 2020 and a 2019.

7 MEMBER BEZICK: The 2004.

8 MEMBER CORTEZ: Got it. Thank you.

9 CHAIRPERSON NIXON: We have a motion. Do we have
10 a second?

11 This is Board Member Nixon. I'll second. We
12 have a motion and we have a second. I'm seconding based off
13 of disclosure. We have a motion and we have a second. All
14 in favor.

15 (The vote was unanimously in favor of the motion)

16 CHAIRPERSON NIXON: Okay. So you will get your
17 guard card.

18 MR. RICHARDSON: Thank you very much.

19 CHAIRPERSON NIXON: The team will work with you,
20 okay. Thank you, sir. Good luck to you.

21 MR. RICHARDSON: Thank you.

22 CHAIRPERSON NIXON: The next item on the agenda,
23 which will then close out the day, I believe --

24 MR. INGRAM: We still have quite a few trailed.
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1 CHAIRPERSON NIXON: Let's go ahead and take a
2 five -- Let's do a ten-minute break and then we will come
3 back and close out the appeals and move on to the petition.
4 Thank you.

5 (Recess was taken)

6 CHAIRPERSON NIXON: Okay. So we are going to go
7 ahead and close out the appeals. We have three that are
8 left. Agenda Item Number 101, Oliver Thibodeaux. It does
9 not look like anybody is in the audience in the south. Do we
10 have anybody in the audience up north?

11 MR. DIAZ: We do not.

12 CHAIRPERSON NIXON: All right. With no one in
13 the audience, I'll take a motion on Oliver Thibodeaux, Agenda
14 Item Number 101.

15 MEMBER CORTEZ: Board Member Cortez motioning to
16 uphold the denial based on the no call no show. It is now
17 11:29.

18 CHAIRPERSON NIXON: Okay. We have a motion. Do
19 we have a second?

20 MEMBER BEZICK: Bezick. Second.

21 CHAIRPERSON NIXON: We have a motion and we have
22 a second. All in favor say aye.

23 (The vote was unanimously in favor of the motion)

24 CHAIRPERSON NIXON: Okay. Agenda Item Number
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1 108, Stephen Perkins. I'm sorry. 103. Okay. Sorry. Just
2 to clarify, Agenda Item Number 103, Stephen Perkins. Again,
3 no one is in the north nor the south. I'll entertain a
4 motion on 103.

5 MEMBER CORTEZ: Board Member Cortez motioning to
6 uphold the denial based on the no call no show. It is now
7 11:30 a.m.

8 MEMBER BEZICK: Bezick. Second.

9 CHAIRPERSON NIXON: We have a motion and we have
10 a second. All in favor say aye.

11 (The vote was unanimously in favor of the motion)

12 CHAIRPERSON NIXON: Okay. Motion passes.

13 Now Agenda Item Number 107, Dion Stanley. No one
14 in the north, no one in the south.

15 MR. SALADINO: Madam Chair, Dion Stanley
16 postponed.

17 CHAIRPERSON NIXON: Postponed. Okay. So Agenda
18 Item Number 107, Dion Stanley, has postponed. So we'll see
19 him at a further date.

20 I just wanted to clarify, Executive Director,
21 does that close everything out?

22 MR. INGRAM: It sure does.

23 CHAIRPERSON NIXON: Okay. The next Agenda Item
24 is a petition, it's Agenda Item Number 110. Pursuant to NAC
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1 648.430, Zane Investigations Inc., license number 830, has
2 filed a petition on behalf of Nevada Association of Licensed
3 Repossessors for a declaratory order or advisory opinion
4 concerning the interpretation or applicability of any
5 provision of a statute or regulation which directly affects
6 license repossessors in conducting activities in the State of
7 Nevada.

8 Good morning.

9 MR. ZANE: Good morning, Madam Chair, Board. My
10 name is Mark Zane, Z-a-n-e. And, as the agenda reflects, we
11 had sent a specific request, which I'm pretty sure that you
12 have, but I appreciate the fact that you made the agenda item
13 a little bit broader so that we can talk about whatever might
14 come our way. That is helpful.

15 The petition that we filed had three points.
16 One, does a licensee have the right to assess reasonable fees
17 and charges for inventory and storage of personal effects
18 located in or about a repossessed piece of collateral.

19 And, number two, may a licensee dispose of the
20 personal property effects after the 60 days of -- after 60
21 days of storage? The problem that you run in to in this
22 situation is the law varies in Nevada. And that is if you go
23 to an auto dealer, an auto dealer is required to use a single
24 common contract. If you buy a car from Findley, it's the

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1 same exact contract as you're going to buy it from XYZ
2 Motors. It's specified in NAC 97.

3 And in NAC 97, which hasn't been changed since
4 2012, there's a provision in the contract itself that
5 indicates that if there's personal property left behind in
6 the vehicle that it has to be held for 90 days, which is the
7 longest single period in the nation. Nevada has got it an
8 only us matter there.

9 But, as you can imagine, that creates a real
10 serious problem, because you're holding everything that's in
11 that car for a period up to 90 days, except for that which is
12 hazardous materials, hazardous waste, or perishable. And so
13 you can come in to a storage situation that becomes
14 overwhelming.

15 The next item -- And that only applies if you buy
16 a contract from a Nevada dealer. If you buy a car in
17 California and we repossess it in Nevada, then there is no
18 law about what we hold.

19 The other aspect of the Nevada contract is the
20 fact that it doesn't mandate that we hold that property. It
21 says we may do that. So that runs in to a problem with -- We
22 have to refer back to contract language with our clients to
23 say, okay, since there is no guiding, binding language here
24 that we're aware of, what do you require us to do?

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1 The other issue is whether or not we have the
2 ability to charge for that storage or the inventory of it and
3 whether or not there's some guidance from the Consumer
4 Financial Protection Bureau, which is a 700 million dollar
5 federal dinosaur that protects debtors from unfair practices.

6 They indicate that there are charges available
7 but they can only be assessed by the lender. So, if the
8 lender says we're going to give you ten dollars to hold all
9 of that property for 90 days, then that's their position.

10 Now, the State of California, for example, in
11 their Collateral Recovery Act itself says that the personal
12 property located in a piece of collateral is none of the
13 lender's business if it wasn't part of the sale of the
14 automobile at the time. So that's outside the scope. And
15 California allows for us to charge for the inventory and to
16 clean out the storage and all of that kind of stuff.

17 So, here in Nevada we're lacking some guidance
18 on -- And we're not asking the State of Nevada in any
19 governmental fashion to jump in everybody's business, because
20 the less regulation, the better for everybody. Let insurance
21 companies and contracts fight it out in a civil arena. But,
22 without the guidance, we lack a little bit of stamina.

23 In NRS 604A that covers title loans, there's a
24 provision that only deals with title loans and repossession
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1 of vehicles for title loans. And there there's additionally
2 a different determination. Some title loan companies say you
3 don't touch the personal property in the vehicle and it just
4 simply gets sent to auction. It's more of a contractual
5 relationship on what the client wants you to do.

6 So, if the reposessor has no obligation to hold
7 the stuff, then we're not really even talking about anything
8 that matters. It's just simply not our problem. We don't
9 have to store it. We don't have to inventory it. We don't
10 care about it. And we're not ultimately responsible for it.
11 You're always going to have the situation where they're going
12 to claim that something was stolen from the point in time
13 that you got a hold of it until the time they got it back or
14 it went to auction, whatever the case might be.

15 But, the biggest thing for us that we would like
16 to address and the problem that we ran in to with trying to
17 deal with this with financial institutions division, who is
18 responsible for enforcement of NRS -- NAC 97. They defer to
19 the Auto Dealer Franchise Association for revisions to the
20 sales contract. Because, apparently, the Auto Dealer
21 Franchise Association pays for the updates in the contract
22 that goes to all of the dealers or the software program or
23 whatever the case might be.

24 We reached out to them. They pretty much told us
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1 it's not their problem. And, it kind of isn't, because none
2 of their repossessions go back to the dealerships. So it's
3 kind of, like, well, no problem here.

4 There's several areas in contract law have
5 changed over time. But you're not getting anybody over at
6 the financial institutions division jumping up and down
7 saying, oh, it's time to have a regulation change and change
8 this contract and open up a can of worms.

9 So what we're trying to do is make a
10 determination on, one, whether or not the board has the
11 jurisdiction and the authority to answer that question,
12 whether or not there has -- it has some ability to charge for
13 it. And, if we do charge for it and if we're not aware of
14 whether or not it was sold through a Nevada contract, if we
15 don't have that knowledge, that we can change it to a 60-day
16 holding period, which is the national average, to a 90-day,
17 because that keeps it in balance.

18 In Nevada, we repossess a sizeable amount of
19 vehicles that are purchased elsewhere, because it's such a
20 transient state. But we usually don't know where that
21 purchase ultimately -- or originally happened.

22 The repossession business has been inundated with
23 a forward model. So you don't really deal with the bank that
24 did the loan anymore. You're dealing with management

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1 companies that do repossession, recovery, retitling,
2 remarketing. It's just a middle man in the system.

3 So you lost touch with actually getting -- where
4 we used to be able to get actually the finance documents, the
5 credit report. That's how you went out and found that stuff.
6 And now it's so far removed it's unbelievable.

7 But anyway, that's our two points on that
8 particular issue is changing -- if we don't have any direct
9 knowledge about whether or not the vehicle is purchased in
10 Nevada, that we hold the property only for 60 days and
11 whether or not we have the ability to make a reasonable
12 charge. We're not asking for anybody to set a fee rate.
13 Just make it reasonable so if somebody gets sued for being
14 unreasonable that's not a problem.

15 So any questions on those two?

16 CHAIRPERSON NIXON: So I don't know. Do we want
17 to stop at those two and answer that and then go to the next
18 one or --

19 MS. HARRIS: Well, my advice for the board will
20 encompass all three points. So if we want to let him finish
21 and then you can go ahead.

22 MR. ZANE: Thank you. The other item in the
23 language that we included in our petition -- And I know that
24 this is a bad thing to say -- but it comes from California.

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1 But it's vetted. It's tested. It seems to work. And, if
2 anybody is going to get sued, you're going to get sued in
3 California first. You know, so it's kind of like, well, all
4 right, if California figures it's good enough, it's good
5 enough.

6 This comes in to effect and it's particularly
7 important because it has a determination on public safety
8 direct. And that is when does the repossession take effect
9 and when does it conclude. And the problem that you run in
10 to is, like, take, for example, if we pick up a car and we're
11 interrupted but we have it in the air and let's say Metro is
12 called, they show up, a lot of agencies will defer and, like,
13 if Metro says drop the car, we're done here, a lot of
14 companies will defer. Our company does not, unless we have a
15 direct important public safety emergency. But, once we have
16 a hold of it, even with the threat that we're going to be
17 arrested because we're not following a lawful order or
18 whatever the case might be, we just say, well, we've got
19 lawyers for that, tow everything in combination, don't hurt
20 it, don't do anything. But, I mean, if somebody has got a
21 knife, got a gun, we're not going to put anybody in jeopardy.
22 It just, it got so hard to the point that local law
23 enforcement just show up and don't want to spend any time on
24 it and just say drop the car. And now it's a civil matter,

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1 so I'm not dropping the car.

2 You know, so, if we could get a response from the
3 entity, this entity, absent a regulation or a statutory
4 change that says in this board's viewpoint, the repossession
5 happens when these things occur. At that point in time at
6 least we have a piece of paper. And, ultimately, the public
7 safety emergency is right there at the scene. But you would
8 have something to rely upon to say, hey, we're all done, you
9 know, you can go this way.

10 The other thing is it's a substantial liability
11 issue, because you could be done with the repossession, and
12 all of a sudden the neighbors come out and jump on the car as
13 it's leaving, interfere with everything. And none of these
14 people have anything whatsoever to do with the principal
15 contract issue. And then, all of a sudden, you have a
16 liability issue, because there is no defined -- no definition
17 when that is over. So if you drive down the block and
18 somebody is chasing you and you're already a football field
19 away, how is it that we should have to become liable for
20 something that occurs after we've already done what we came
21 to do and have already left.

22 So these seem to be not so oppressive, what we've
23 offered here as a guide to say when these things happen, a
24 repossession is done. And that gives us the ability to go to
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1 our insurance company or go to our attorneys and say, here's
2 the video from that occasion, here's when all of these things
3 happened. Now, it's the advisory opinion or the declaratory
4 order of the PILB that when those things happen they
5 determine through their own process that this is a done deal.

6 And we have to -- We can always still get sued.
7 We can always still have to answer law suits. We can always
8 go to court because somebody claimed we did something. But
9 that's between us and our insurance companies and, you know,
10 that's a bigger problem because there's five underwriters in
11 the entire country that write repossession insurance. My
12 policy premium this year -- And I've got one client in years
13 and years and years, my policy premium for repossession alone
14 is \$177,000 just because the market is that tight and you
15 can't go out and get it cheaper and faster and easier and
16 better.

17 And I'm not saying that that's the average. I'm
18 just saying if you're going to work for everybody that
19 requires you to have this level of protection and this level
20 of coverage and three different umbrella policies, that's the
21 type of money that you're going to have to pay in order to
22 play.

23 So, if we can limit the exposure, it's easier to
24 explain to the insurance company that, hey, we were already

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1 past that point, so it shouldn't be a liability issue, so
2 have the lawyers take care of it.

3 But those are the three items. And, hopefully,
4 I've given you a little bit to understand what the three of
5 them are.

6 CHAIRPERSON NIXON: So can I ask, on the third
7 one, the California law that you said works, does that in
8 that law does it define when it's considered a done deal?

9 MR. ZANE: Yeah. It's in the petition that we
10 sent. That's out of the California --

11 CHAIRPERSON NIXON: It's out of that, okay. I
12 just wanted to make sure that that also included that. Okay.
13 Thank you.

14 MR. ZANE: And it's similar to Illinois, similar
15 to Florida. So we don't have to say it's California only.

16 CHAIRPERSON NIXON: Okay. Got it.

17 MR. ZANE: There's a lot of states that are still
18 not regulated whatsoever. So, you know, you can only go to
19 the states that have some regulation or some statutory
20 authority and say that's what we pull from to take a look at.

21 And another thing that prompts this is the fact
22 that a lot of states are organizing because we get a lot of
23 pressure nationally off of federal regulation, off of

24 different things, the banks were in trouble, COVID came

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1 along, there was a lot of -- put all of the defaulted
2 contracts, put everything in default on the back end of the
3 contract, shut down repossession, don't take advantage of all
4 of the people that are in a bad way, all of these different
5 things.

6 So, nationally, a lot of these different
7 states -- The reposseors in this state, there's only 17 or
8 18 of us, we barely get along good enough to even tolerate
9 each other. So you can imagine how difficult it was to come
10 together and at least form an organization. And, if it
11 wouldn't have been for external pressure, COVID coming along
12 and things changing at the federal level we would all just
13 still be enemies. We -- You know, I don't see all of my
14 cohorts here.

15 But we did organize. And many states are doing
16 that now, because we have other issues that we have to deal
17 and that's the downward pressure from the middle, even, and
18 you can't do it individually because they just look at and
19 you and say, well, we'll take the contracts away from you and
20 give them to somebody that will do it cheaper.

21 So, ultimately, they're trying to price fix on
22 the way down by just simply lining it up as it comes to you.
23 And we're trying to price fix on the way up by establishing a
24 benchmark. So, if either one of us gets taught, it's an FTC
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1 violation. So, you know, it's just a matter of a dance.

2 But, ultimately, I'm here in Nevada and there are
3 other counterparts in different states and we've elected at a
4 national level to all take our own stands within our own
5 state and keep the politics here so that if we've got to
6 lobby the legislature, it's cheaper to do it state by state
7 by state, rather than it is -- We've hired a national
8 lobbyist firm and we're paying them \$136,000 a year to sit in
9 Washington and say we're doing great things for you, believe
10 us. You know, if it wouldn't have been for us, this would
11 have went through. Well, it didn't go through for the last
12 20 years. Why would it now?

13 But, you know, it's a democratic process, and I
14 personally don't -- I'm not a supporter of it, but my members
15 are, so we have to go be. But, different groups in different
16 states are doing the same thing I'm doing now and it's coming
17 to local entities and saying we would like to get these
18 changes. Because, if we get nuance changes everywhere, it's
19 harder for the middlemen to control all of the moving parts.

20 CHAIRPERSON NIXON: Okay.

21 MR. ZANE: So that's being an honest as possible
22 for part of the reason that we're here addressing these
23 particular issues. There's a lot of different issues. These
24 are the only ones that we identified that we believe the

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1 board has jurisdiction over and statutory authority to act
2 on.

3 CHAIRPERSON NIXON: Okay.

4 MR. ZANE: I mean, there's several things that we
5 need to go to the legislature and actually change.

6 CHAIRPERSON NIXON: That was my question.

7 MR. ZANE: But these are three that we said we
8 can go in today -- I mean, you might turn around and just say
9 we disagree with you, we don't have the authority to do this
10 and we're not going to do it, end of story.

11 Well, then the next step is then, well,
12 legislature. I need three or four sponsors, I need to do
13 this, I need to do this, and I need to do this, because this
14 is what the board said. So I mean this is just a step in the
15 process.

16 CHAIRPERSON NIXON: This is part of the process.

17 MR. ZANE: And, so, if you come up and say so
18 sorry, we lose here -- Not like I'm not anticipating it.

19 CHAIRPERSON NIXON: Okay. Because I was going to
20 refer to board counsel.

21 MS. HARRIS: Board Counsel Chricy Harris for the
22 record. The authority vested in NAC 648.430 allows the board
23 to issue out a declaratory order or advisory opinion
24 interpreting either the provision of a statute or regulation
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1 within either NAC 648 or NRS 648.

2 The problem that I have with the petition as
3 written is that there aren't any statutory provisions
4 referenced. Understand, as he already mentioned, there is
5 not much guidance presented available under our existing
6 regulations or statutes.

7 This does give a good opportunity for any
8 regulation maybe down the road, follow-up rule making down
9 the road. But, at this juncture, it is premature and
10 potentially inappropriate to issue out any order addressing
11 the concerns listed out in the petition, strictly because the
12 petition is deficient on those represented authorities that
13 is needed.

14 Upon reading NAC 648.430(1), there has to be
15 something included, references, in these statutes or
16 provisions under the board for us to interpret and then kind
17 of give that opinion.

18 The other separate concern is, as he's already
19 mentioned, there's a lot of other areas of law that come in
20 to play. A lot of them tend to be grounded on contract
21 interpretation, which it is best for him to retain
22 independent counsel to get that independent advice. I know
23 that he would like an answer on that. But, it is until there
24 is some type of legislative change down the road, which also
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1 permits any regulation being down the road for this board,
2 that is the best decision right now at this point.

3 Pursuant to Subsection 5 of the reference of NAC
4 648.430, I'll still draft an order just verifying that the
5 petition is deficient as written. But it is going to have to
6 go to the legislature.

7 CHAIRPERSON NIXON: Are there any questions from
8 the board for either Mr. Zane or counsel?

9 MEMBER CORTEZ: This is Board Member Cortez. I
10 don't have any questions, but I did want to comment that was
11 my main concern legislatively how far can we, based off
12 current laws. And that was pretty much what my concern was
13 and I had a feeling that we were going to have to start at
14 the top and then make the changes and then we can make our
15 input.

16 MR. ZANE: Thank you.

17 MEMBER GRONAUER: This is Gronauer for the
18 record. I don't really have any questions. To me, Mr. Zane,
19 you brought us your association's problems, okay. And I
20 don't see solutions. I like the questions. I like them a
21 lot, because I think they make sense and they should be
22 answered. I don't believe, you know -- I did stuff in the
23 legislature myself in previous years and in a previous life
24 and I had to find sponsors, even when I was elected. Just

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1 like the county does, the city does, and everybody else. And
2 I had to find sponsors to take up my concerns.

3 I think your concerns are valid. You can read
4 them. I think they're very valid. I don't know the answers
5 because I don't know what you're even proposing, what your
6 ideas are, what is equitable or fair. I don't like the word
7 fair too much, because what's fair to you may not be fair to
8 me. But as equitable when you ask for different fees for
9 disposing of property, I'm familiar with some laws of that,
10 but not repossession. The laws I'm familiar with, of course,
11 is 118A, which is residential stuff, all right. And they
12 have distinguished what you can do with property, how long
13 you can keep. I think you're familiar with that also.

14 MR. ZANE: Yes.

15 MEMBER GRONAUER: And, you know, their's is,
16 like, 30 days, that's it, and then you can dispose of it.
17 And I'm making some comments here and I'm sorry. And you can
18 dispose of it in any way you wish. You can sell it, earn it,
19 give it away, whatever you want to do. And I can understand
20 and appreciate your association's -- I don't want to put it
21 on you -- your association's difficulties, because, yeah,
22 what do I do in 90 days with something. If I have a
23 business, how do I keep this? Okay. What do we do with
24 certain properties and all the stuff you all get blamed for

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1 anyhow, stealing, which 99 percent of the time it's false.
2 And, you know, because I had that interaction before in the
3 police department as a cop.

4 But, I really believe, you know, when is it
5 collateral. I mean, I have my own feelings on all of that.
6 What is the collateral of yours? You look it up. It's
7 yours. The way I would feel about it. But that's not my
8 decision to make. I really believe it just has to be
9 somebody that has to take this to the legislature, let the
10 LCB look at it and let it go through the proper channels.

11 And, again, I sympathize with these problems
12 because they're really more problems that are really good,
13 but I don't see answers from them from your own association.
14 You know, you request a certain fee. Well, what's the fee?
15 When you say reasonable, because you know what the law does
16 with that, okay, reasonable is not a very good answer in any
17 type of thing we do. Because, again, what's reasonable to
18 you is not reasonable to me. And not me personally. I'm
19 talking about -- or you personally.

20 So my problem is -- I have no problem. The thing
21 is though I really believe, as a seat at this dais and this
22 position, I believe we have to go through proper channels,
23 which would be your association going out and finding
24 sponsors and a couple of senators, a couple of who ever,
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1 assembly people, and explain to them your problems.

2 Because, you look at NAC and you look at NRS 648,
3 you're right in the middle of no where. And, so it has to be
4 defined, and the way it gets defined is by law. And, as far
5 as I'm concerned, I would have no say here as far as what we
6 can or can't do, except give that direction.

7 CHAIRPERSON NIXON: Thank you. Any other board
8 comments or questions?

9 MR. INGRAM: Madam Chair, if I may. Kevin Ingram
10 for the record. From what I'm hearing, I want to make sure I
11 understand and am very clear moving forward. Should the
12 association wish to move forward with finding a sponsor and
13 drafting a bill and moving forward, obviously since it
14 pertains to Chapter 648, repossession, if Mr. Zane was to
15 keep me informed so that I could keep the board informed on
16 movement moving forward, would the board be willing to help
17 support this bill before the legislature? Because, as you
18 know, when bills go forward, normally the executive director
19 goes and speaks on behalf of the board.

20 So I just want to, for the record, make sure that
21 if they're willing to move forward with a bill draft that my
22 communication with you and then your direction to either
23 support or support with proposed changes would be imposed.

24 CHAIRPERSON NIXON: This is Board Member Nixon.
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1 I think I agree with you, Kevin. I do think that, you know,
2 to everybody's point here, these are, you know, things that I
3 would have never thought of having an issue, but it makes
4 complete sense that it's an issue, especially the level of
5 stuff that you see in people's cars, just for example. So I
6 can understand where storage would become an issue.

7 So, I agree, I think that we should keep tabs of
8 what's going on and understanding. I think we, you know, on
9 my part, I feel comfortable with supporting it with, you
10 know, either requested changes or -- But that's me. I don't
11 know. Board?

12 MEMBER GRONAUER: This is Gronauer again. I
13 completely echo your whole statement there. And the
14 executive director and myself several years ago testified in
15 front of the legislature on different types of things. Not
16 yours, but different types of things, and we needed a change
17 in NRS and NAC. And it worked out good. So I really believe
18 I like the idea that we can keep informed through our
19 executive director, that I would have no problem supporting
20 these here except with some -- The only thing I would like is
21 direct answers as to fees, how much, whatever, how much time
22 you're requesting, your association. I keep going to you and
23 I don't mean that. Your association is requesting. You
24 know, when you're requesting time, let's be specific. When

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1 you're requesting money, what is the fees? Let's be
2 specific.

3 And, once we do that and we get this, I have no
4 problem supporting any one of these things, because, as a
5 business person and not related to your business but as a
6 business person, these are questions that have to be answered
7 even in my own businesses. So I have no problem with that at
8 all. But, unfortunately, I don't believe -- or fortunately,
9 I don't believe that we can make that decision except say
10 please go forward and keep us informed.

11 MR. ZANE: If I may. The difference is how we
12 move forward. And that's whether or not there is enough in
13 NRS 648 that needs to be addressed, that it needs to be
14 addressed by the different disciplines in a collaborative
15 fashion. Because, if we're going to go to the legislature,
16 it very well might be that the approach is going to be from
17 private patrol, from private investigators, from
18 repossessioners, as a collective unit, because that group brings
19 our strength and a voice. And, I mean, anybody can get
20 drowned out at the legislative session depending upon the
21 politics occurring at the time.

22 So, if there needs to be a wholesale change, then
23 you would probably see it. And we're trying to gauge some of
24 the interest in the different disciplines to determine

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1 whether or not that's palatable. And, so far, we haven't
2 reached a negative answer.

3 So, you know, we're working on different angles
4 to try to get something accomplished because we do believe
5 that 648 needs to be addressed comprehensively. We don't
6 want to do it so comprehensively that it lands in business
7 and industry. That's for sure. Because that's a whole
8 different animal there. You might as well have a California
9 bureaucracy.

10 But, there is a lot that can be done with 648 to
11 make it better, work smarter, and make it better so that
12 regulation can be more easily formulated to accommodate
13 statutory authority.

14 So, I can't say that I'm not surprised by the
15 answer. And I appreciate it because it does give us an
16 opportunity, even if we do it singly, to say we went to the
17 board, they don't think they have the authority to answer our
18 question because there isn't any statute I can point to, can
19 you try to get an answer.

20 CHAIRPERSON NIXON: Right.

21 MR. ZANE: So that by itself is almost the
22 answer. So if you have any other questions for me.

23 CHAIRPERSON NIXON: Are there any other
24 questions? Okay.

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1 Well, thank you very much. It was education. So
2 I appreciate it.

3 MR. ZANE: Thank you.

4 MR. INGRAM: Great seeing you, Mark.

5 MR. ZANE: Thank you.

6 CHAIRPERSON NIXON: Okay. So the next Agenda
7 Item is Agenda Item Number 111, board comment for future
8 agenda items. Is there any board comment or any request for
9 future agenda items from board members or executive director?

10 Okay. Hearing no comments, we'll move on to the
11 next section, which is public comment. Obviously there's no
12 public in the south. Is there any public up north?

13 Okay. Hearing there's no public comment, move to
14 adjourn. Thank you.

15 (Hearing concluded at 12:03 p.m.)

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1 STATE OF NEVADA)
)ss.
2 COUNTY OF WASHOE)

3

4 I, CHRISTY Y. JOYCE, Official Court Reporter for
5 the State of Nevada, Private Investigators Licensing Board,
6 do hereby certify:

7 That on Wednesday, the 15th day of June, 2022, I
8 was present at the offices of the Nevada Gaming Control
9 Board, Carson City, Nevada, for the purpose of reporting in
10 verbatim stenotype notes the within-entitled public meeting;

11 That the foregoing transcript, consisting of pages
12 198 through 317, inclusive, includes a full, true, and
13 correct transcription of my stenotype notes of said public
14 meeting.

15

16 Dated at Reno, Nevada, this 18th day of July, 2022.

17

18

19

20

CHRISTY Y. JOYCE, CCR
Nevada CCR #625

21

22

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