



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Nichole Baldwin**, Clerk,
White Pine County,
State of Nevada,

Ethics Complaint
Case No. **19-035C**

Subject. /

REVIEW PANEL DETERMINATION NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics (“Commission”) received Ethics Complaint No. 19-035C (“Complaint”) on May 6, 2019, regarding the alleged conduct of Nichole Baldwin (“Baldwin”) the White Pine County Clerk. The Commission issued its *Order on Jurisdiction and Investigation* on June 20, 2019, which instructed the Executive Director to conduct an investigation regarding Baldwin’s alleged violations of NRS 281A.4000(2), (5) and (7).

Baldwin is a public officer as defined in NRS 281A.160, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to the Baldwin’s conduct as a public officer and have associated implications under the Ethics Law.

On August 19, 2020, a Review Panel consisting of Chair Kim Wallin, CPA, CMA, CFM (Presiding Officer) and Commissioners Teresa Lowry, Esq. and Philip K. O’Neill reviewed the following: 1) Ethics Complaint No. 19-035C; 2) Order on Jurisdiction and Investigation; 3) Baldwin’s Response to the Complaint; 4) Investigatory Exhibits; and 5) Executive Director’s Recommendation to the Review Panel.¹

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the allegations pertaining to NRS 281A.400(2), (5) and (7).

Specifically, the investigation did not produce evidence that Baldwin misused her official position or government time, information or property to affect private legal matters. Nevertheless, given Baldwin’s role as the County Clerk and the possibility that private legal matters will be filed with or addressed by the agency she was elected to govern, the Review Panel directs the issuance of a confidential letter of instruction to educate Baldwin regarding the proper separation between her public duties and private interests. In particular, the Review Panel will offer guidance regarding the circumstances in which her public position and/or duties may affect her private legal affairs, misuse of government resources and her duty to disclose and abstain from acting on matters in her official capacity that are related to her private legal disputes in the Court.

¹ All materials provided to the Review Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

No further proceedings will be held with regard to this complaint and the allegations related to NRS 281A.400(2), (5) and (7) are dismissed.

Dated this 19th day of August, 2020.

THE REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Kim Wallin
Kim Wallin, CPA, CMA, CFM.
Chair and
Presiding Officer

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner

By: /s/ Philip K. O'Neill
Philip K. O'Neill
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Nichole Baldwin
c/o Mike Wheable
District Attorney
White Pine County
801 Clark Street, Suite 3
Ely, NV 89301

Certified Mail No.: 9171 9690 0935 0037 6387 78

Email: DAOffice@whitepinecountynv.gov

Dated: 8/19/20



Employee, Nevada Commission on Ethics