



**STATE OF NEVADA  
COMMISSION ON ETHICS**  
<http://ethics.nv.gov>

**NOTICE OF PUBLIC MEETING**

**NAME OF ORGANIZATION:** NEVADA COMMISSION ON ETHICS  
**DATE & TIME OF MEETING:** Wednesday, November 18, 2020 at 9:30 a.m.  
**PLACE OF MEETING:** This meeting will be held at the following location:

**State of Nevada  
Commission on Ethics Office  
704 W. Nye Lane  
Suite 204  
Carson City, NV 89703**

**Zoom Meeting Information:**  
<https://zoom.us/j/95684165410?pwd=dTVsUmJVLzVxdTVqZmJTZDRlK0o3dz09>  
**Zoom Meeting Telephone Number: 669-900-9128\***  
**Meeting ID: 956 8416 5410**  
**Passcode: 942411**

\*Please Note: If you choose to participate via telephone, your telephone number may be displayed in the Zoom public platform.

**Commissioners may appear telephonically.**

**EMERGENCY COVID-19 NOTICE:**

**COMMISSION MEETING WILL BE CANCELLED AND RESCHEDULED IF TOO MANY MEMBERS OF THE PUBLIC ATTEND IN PERSON AND THE COMMISSION IS UNABLE TO ENSURE PROPER COVID-19 PROTOCOLS INCLUDING SOCIAL DISTANCING REQUIREMENTS (6 FEET DISTANCE) IMPOSED BY NEVADA GOVERNOR.**

**MEMBERS OF THE PUBLIC ARE INVITED TO SUBMIT WRITTEN PUBLIC COMMENT WHICH WILL BE SUBMITTED INTO THE RECORD OF THE PUBLIC MEETING.**

**AGENDA**

**NOTES:**

- Two or more agenda items may be combined for consideration.
- At any time, an agenda item may be taken out of order, removed, or delayed.
- Public comment will be accepted at the beginning of the open session and again before the conclusion of the open session of the meeting. Comment and/or testimony by the public may be limited to three (3) minutes. No action may be taken on any matter referred to in remarks made as public comment. Members of the public may also submit written public comment to the Commission at [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov).

	1. Call to Order, Roll Call, and Pledge of Allegiance to the Flag.
	2. Public Comment. Comment and/or testimony by any member of the public will be limited to three (3) minutes. No action will be taken under this agenda item.

For Possible Action	3. Discussion and approval of Commission Proclamation honoring Commissioner Philip 'P.K' O'Neill's years of service to the Commission.
For Possible Action	4. Approval of Minutes of the October 21, 2020 Commission Meeting.
For Possible Action	5. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 18-060C regarding John Brig Lawson, Former Senior Director of Business Partnerships, Las Vegas Convention and Visitors Authority, State of Nevada.
For Possible Action	6. Consideration and approval of the Fiscal Year 2020 Annual Report presented by the Executive Director pursuant to NAC 281A.180(2).
For Possible Action	7. Consideration and approval of the Commission's procedures for reviewing and approving staff recommendations and proposed orders/documents related to ethics complaints and requests for advisory opinions during confidential phases of proceedings, including, without limitation: (1) jurisdictional, evidentiary and investigatory recommendations, proposed orders and proposed confidential letters of caution or instruction related to ethics complaints; and (2) jurisdictional recommendations, recommendations regarding the Commission's review and consideration of requests for advisory opinions via hearing or written submission, and proposed opinions related to requests for advisory opinions.
For Possible Action	8. Report and recommendations by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation: <ul style="list-style-type: none"> <li>• Commissioner Appointments/Vacancies</li> <li>• FY21 Budget Status</li> <li>• Upcoming Biennial Budget Reductions</li> <li>• 2021 BDR Status</li> <li>• Case Status Update</li> <li>• Commission Meeting Schedule</li> <li>• Media Outreach Status; Twitter Profile</li> <li>• Update on COVID-19 Emergency Protocols</li> <li>• Education and Outreach</li> </ul>
	9. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.
	10. Public Comment. Comment and/or testimony by any member of the public may be limited to three (3) minutes. No action will be taken under this agenda item.
For Possible Action	11. Adjournment.

**NOTES:**

- ❖ The Commission is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada Commission on Ethics, in writing at 704 W. Nye Lane, Ste. 204, Carson City, Nevada 89703; via email at [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) or call 775-687-5469 as far in advance as possible.
- ❖ To request an advance copy of the supporting materials for any open session of this meeting, contact Executive Director Yvonne M. Nevarez-Goodson, Esq. at [ncoe@ethics.nv.gov](mailto:ncoe@ethics.nv.gov) or call 775-687-5469.
- ❖ This Agenda and supporting materials are posted and are available not later than the 3<sup>rd</sup> working day before the meeting at the Commission's office, 704 W. Nye Lane, Ste. 204, Carson City, Nevada, or on the Commission's website at [www.ethics.nv.gov](http://www.ethics.nv.gov). A copy also will be available at the meeting location on the meeting day.

- ❖ Any meeting or hearing held by the Commission pursuant to NRS 281A.760 to receive information or evidence regarding the conduct of a public officer or employee and deliberations of the Commission concerning an ethics complaint are exempt from the provisions of NRS Chapter 241, Nevada's Open Meeting Law. As a result, these agenda items, or any portion of them, may be heard in closed session.

**This Notice of Public Meeting and Agenda was posted in compliance with NRS 241.020, as amended by the Governor's COVID-19 Declaration of Emergency, Directive 006<sup>1</sup>, before 9:00 a.m. on the third working day before the meeting at the following locations:**

- Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City
- Nevada Commission on Ethics' website: <http://ethics.nv.gov>
- Nevada Public Notice Website: <http://notice.nv.gov>

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<sup>1</sup> Sections 4 and 5 of Directive 006 of the Governor's COVID-19 Declaration of Emergency suspends the requirements of NRS 241.020(4)(a) requiring a public notice to be posted at physical locations within the State of Nevada and maintains continued compliance with NRS 241.020(4)(b) and 241.020(4)(c) for public notices and agendas to be posted to Nevada's notice website and the public body's website, along with providing a copy to any person who has requested one via U.S. mail or electronic mail.

# **Agenda Item 3**



# Proclamation

**WHEREAS**, Philip “P.K.” O’Neill was appointed to the Nevada Commission on Ethics by the Governor and has served with great distinction as a valued member from January 2017 to November 2020; and

**WHEREAS**, P.K. was born in Washington D.C., receiving a Bachelor of Science in Business Management from Southern Nevada College, an Associate of Arts in Business Management from Miami Dade Community College and numerous Advanced Certificates for Peace Officers and Law Enforcement; and

**WHEREAS**, a public servant through and through, P.K. was recently elected to the Nevada State Assembly, District 40, a seat he previously held from 2014 to 2016. P.K. has served various organizations, including the International Association Chiefs of Police, Nevada Sheriff’s and Chief’s Association, California Homicide Investigators Association, International Homicide Investigators Association, Native American Law Enforcement Association and the Federal Bureau of Investigations Law Enforcement Executive Development Association. Among his many career accomplishments, P.K. served Nevada as the Division Chief for the Records and Technology Division of the Nevada Department of Public Safety from 2005 to 2009; and

**WHEREAS**, P.K.’s community service endeavors are recently exemplified by his voluntary service on the Carson Tahoe Hospital Board of Directors and Chairman of the Salvation Army of Carson City and Douglas County Advisory Board; and

**WHEREAS**, P.K. served for nearly 4 years on the Commission during a time of momentous growth wherein the Commission fulfilled its mission to ensure the public’s trust in government through outreach and education, including State-wide training presentations, issuance of detailed opinions in contested cases and advisory matters, and through the development of substantive statutory provisions and procedural regulations to enhance ethical responsibilities of public officers and employees while ensuring fairness and due process; and

**WHEREAS**, as a Commissioner, P.K.’s leadership, investigatory and budget expertise, public policy experience and accountability strengths empowered the Commission and were instrumental in steering the Commission’s programs for outreach and education and investigations. P.K. demanded the utmost ethical integrity of Nevada’s public officers and employees, having served in various public roles throughout his career, and appreciating the public’s trust in government free from conflicts of interest. P.K.’s tenacity for outreach and accountability will forever showcase his integrity with his most memorable personal attributes being his ability to unify opposing positions, accept dissenting views, counter the over-lawyering with practical insights, his terrific sense of humor, and most importantly, P.K. taught staff and colleagues that his donations of donuts to Commission meetings were neither gifts nor bribes(!); and

**THEREFORE**, be it resolved that the Members and Staff of the Nevada Commission on Ethics hereby commend P.K. for his contribution and express their extensive gratitude and respect to P.K. for his dedicated service to the State of Nevada and the Constitution of the United States.

Resolved this \_\_\_\_ day of \_\_\_\_\_, 2020.

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**KIM WALLIN, Chair**  
**NEVADA COMMISSION ON ETHICS**

# **Agenda Item 4**



**STATE OF NEVADA  
COMMISSION ON ETHICS**

<http://ethics.nv.gov>

**MINUTES  
of the meeting of the  
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on  
Wednesday, October 21, 2020, at 9:30 a.m.  
at the following location:

**Ethics Commission Office  
704 W. Nye Lane  
Suite 204  
Carson City, NV 89703**

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM appeared via videoconference and called the meeting to order at 9:36 a.m. Also appearing via videoconference were Vice-Chair Brian Duffrin and Commissioners Barbara Gruenewald, Esq., Cheryl Lau, Esq., Teresa Lowry, Esq. and Philip K. (P.K.) O'Neill. Commissioner Damian R. Sheets, Esq. and Amanda Yen, Esq were excused. Present for Commission staff in Carson City and via videoconference was Executive Assistant Kari Pedroza. Executive Director Yvonne M. Nevarez-Goodson, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Ann Wilkinson, Esq., Investigator Erron Terry and Senior Legal Researcher Darci Hayden appeared via videoconference.

The pledge of allegiance was conducted.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the August 19, 2020 Commission Meeting.

Chair Wallin stated that all Commissioners were present for the August Commission meeting and therefore all Commissioners present today could participate in this Item.

Commissioner Lau moved to approve the August 19, 2020 Commission Meeting Minutes as presented. Commissioner O'Neill seconded the motion. The Motion was put to a vote and carried unanimously.

4. Consideration and approval of the Fiscal Year 2020 Annual Report presented by the Executive Director pursuant to NAC 281A.180(2).

Executive Director Nevarez-Goodson presented the Fiscal Year 2020 Annual Report to the Commission and summarized each section of the report. She noted that the FY20 case statistics charts and graphs were approved to be incorporated into the Annual Report by the Commission at the August Commission meeting.

Executive Director Nevarez-Goodson highlighted that all Advisory Opinion requests received in FY20 were completed in the same fiscal year and thanked Commission staff for their efforts and hard work. Executive Director Nevarez-Goodson pointed out while the number of Complaint cases received in FY20 was less than those received in FY19, the number of Complaint cases resolved in FY20 were almost double the amount resolved in FY18 and FY19.

Vice-Chair Duffrin moved that Commissioner feedback on the Annual Report be submitted to the Executive Director within 2 weeks so that the Commission could approve the final report at the next Commission meeting. Commissioner Lowry seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lau:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.

5. Consideration and approval of the Commission's procedures for reviewing and approving staff recommendations and proposed orders/documents related to ethics complaints and requests for advisory opinions during confidential phases of proceedings, including, without limitation: (1) jurisdictional, evidentiary and investigatory recommendations, proposed orders and proposed confidential letters of caution or instruction related to ethics complaints; and (2) jurisdictional recommendations, recommendations regarding the Commission's review and consideration of requests for advisory opinions via hearing or written submission, and proposed opinions related to requests for advisory opinions.

Chair Wallin recommended this Item be tabled until the next Commission meeting as some Commissioners were excused from this meeting.

Vice-Chair Duffrin posed three questions to Commission Staff to be addressed under this Item at the next meeting:

- (1) Approximately how long has the Commission been following these processes?
- (2) Are there any concerns from Commission staff about the processes?
- (3) Are the processes in compliance with the NAC and NRS 281A?

Commissioner O'Neill asked when the next Commission meeting would be held and if there could be an assurance that all Commissioners would be in attendance for that meeting. Chair Wallin replied that there is a need for a November meeting and that the recording of the meeting could be shared with any Commissioners excused from the meeting.

Commissioner Lowry moved to table the Agenda Item until the next Commission Meeting. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

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6. Report by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:
- FY21 Budget Status
  - 2021 BDR Status
  - Commission Meeting Schedule
  - Media Outreach Status
  - Update on Coronavirus Protocols
  - Education and Outreach

FY21 Budget Status: Executive Director Nevarez-Goodson reiterated that during the Special Session of the Nevada Legislature held in July, the Commission's proposed budget cuts were approved for the FY21 budget to address the budget shortfalls as a result of the COVID-19 pandemic. She reminded the Commission that the cuts included the closure of the Commission's Las Vegas office in the Grant Sawyer Building, court reporting reductions and travel reductions to accomplish the necessary budget cuts. Executive Director Nevarez-Goodson thanked Chair Wallin for her assistance in transporting the Commission's equipment and supplies from the Las Vegas office to the Carson City office.

2021 BDR Status: Executive Director Nevarez-Goodson reiterated that the Commission's proposed BDR submission was approved by the Governor and was forwarded by the Governor to the Legislative Counsel Bureau. She informed the Commission that the BDR has received an identification number and expects to hear back from the drafters within a month.

Commission Meeting Schedule: Executive Director Nevarez-Goodson stated that the November and December Commission meetings were previously scheduled for the second Wednesday of the month instead of the typical third Wednesday of the month to accommodate holiday schedules, however the second Wednesday of November is Veteran's Day, a State holiday. She requested that the Commission consider November 18 for its next Commission Meeting and December 16 for the December Commission Meeting. Executive Director Nevarez-Goodson indicated that if a Commissioner was not available for either of these meeting dates, they could send an email to her attention.

Media Outreach Status: Executive Director Nevarez-Goodson informed the Commission that this item was included on the Agenda at the request of the Chair and Vice-Chair. She acknowledged that this topic would be discussed at length in the next Agenda item and offered that the current method for media outreach utilized by the Commission is Twitter and responsiveness to media inquiries. Based on the Commission's direction in the next agenda item, the Commission may consider additional media outreach.

Update on Coronavirus Protocols: Executive Director Nevarez-Goodson stated that there has been no further direction from the Governor's office regarding when offices must be reopened to the public or when state employees will be required to work from the physical workplace. She informed the Commission that Commission staff are continuing to work remotely for the most part, however she has implemented a rotating schedule for staff to work from the office to ensure that there is a staff member in the office each business day, Monday – Thursday. Executive Director Nevarez-Goodson provided that safety procedures in the office have been imposed, such as social distancing, masks and a temperature log.

Education and Outreach: Executive Director Nevarez-Goodson told the Commission that the number of requests for virtual training has increased and shared that she has provided virtual training to state and local government agencies. She further shared that she intends to produce a more formal recording of her training to be posted on the Commission's website.

Vice-Chair Duffrin moved to accept the Executive Director's agency status report as presented. Commissioner Lau seconded the motion. The motion was put to a vote and carried unanimously.

7. Approval and establishment of Commission vision for Fiscal Year 2021 and beyond, including possible direction on the Commission's mission statement, guiding principles, media and public outreach, education and training, and 2021 Legislative Session and participation therein by Commission Members and Staff, with confirmation of authority for Executive Director to represent the Commission in budgetary and legislative matters.

Chair Wallin informed the Commission that she and Vice-Chair Duffrin requested this Item be placed on the Agenda so that the Commission may have an opportunity to discuss its vision and direction for the future.

Commissioner O'Neill suggested that the Commission's existing Mission Statement be added to the Annual Report and the other Commissioners agreed.

Vice-Chair Duffrin moved that the Commission retain its current Mission Statement. Commissioner Lau seconded the motion. The Motion was put to a vote and carried unanimously.

Vice-Chair Duffrin presented his proposed Guiding Principles to his fellow Commissioners which could accompany the Commission's existing Mission Statement.

Commissioners Lowry and O'Neill thanked Vice-Chair Duffrin for his effort in compiling the Guiding Principles.

Chair Wallin suggested the addition of the Commission's directive to include public outreach to the third Guiding Principle, "We are committed to providing outreach and education to *the public*, public officers and employees to enhance their awareness and understanding of ethics requirements and prohibitions under the Nevada Ethics Law". Vice-Chair Duffrin agreed with the addition.

Vice-Chair Duffrin made a motion to accept the Commission's Guiding Principles, as amended by the discussion. Commissioner Lau seconded the motion. The Motion was put to a vote and carried unanimously.

On the subject of Media Outreach, Commissioner O'Neill acknowledged that he has been a consistent proponent of a proactive approach to provide information to the public. He suggested additional outreach to traditional media sources, including television, newspapers and radio stations.

Chair Wallin suggested that meeting highlights be posted after each Commission Meeting on the Commission's website and Twitter. She further recommended Press Releases including the sanctions imposed by the Commission and the resolution of public cases be made following Commission meetings.

Executive Director Nevarez-Goodson requested clarification from the Commission on criteria for Press Release topics and provided feedback about last year's Annual Report Press Release received from media sources.

The Commission directed that a summary of case resolutions during Commission meetings should be prepared going forward. Further direction received from the Commission included notification of case statistics each month, and summaries of any relevant publications, opinions or other matters, in consultation with the Chair.

Commissioner O'Neill moved to delegate authority to the Executive Director and Commission Chair to coordinate official press releases after each Commission meeting. Commissioner Lau seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lau:	Aye.
Commissioner Lowry:	Aye.
Commissioner O'Neill:	Aye.

8. Commissioner comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

There were no Commissioner comments.

9. Public Comment.

No public was present for public comment.

10. Adjournment.

Commissioner Lau made a motion to adjourn the public meeting. Commissioner O'Neill seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 11:55 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza  
Executive Assistant

/s/ Yvonne M. Nevarez-Goodson

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

Minutes approved November 18, 2020:

Kim Wallin, CPA, CMA, CFM  
Chair

Brian Duffrin  
Vice-Chair

# **Agenda Item 5**



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **John Brig Lawson**, Former Senior Director of Business Partnerships, Las Vegas Convention and Visitors Authority, State of Nevada,

Ethics Complaint  
Case No. 18-060C

Subject. /

**PROPOSED  
STIPULATED AGREEMENT**

1. **PURPOSE:** This Stipulated Agreement resolves Ethics Complaint, Case No. 18-060C (“Complaint”) before the Nevada Commission on Ethics (“Commission”) concerning John “Brig” Lawson (“Lawson”), former Senior Director of Business Partnerships of the Las Vegas Convention and Visitors Authority (“LVCVA”), and serves as the final opinion in this matter.

2. **JURISDICTION:** At all material times, Lawson was an employee of the LVCVA and was a public employee as defined in NRS 281A.150. The Ethics in Government Law (“Ethics Law”) set forth in NRS Chapter 281A gives the Commission jurisdiction over elected and appointed public officers and public employees whose conduct is alleged to have violated the provisions of NRS Chapter 281A. See NRS 281A.280. Accordingly, the Commission has jurisdiction over Lawson in this matter.

3. **PROCEDURAL HISTORY BEFORE COMMISSION**

A. On or about August 16, 2018, the Commission initiated this Complaint, alleging Lawson, in his employment with LVCVA, expended tax-payer funds to acquire Southwest Airline gift cards to pay for his personal travel and the personal travel of his domestic partner and his partner’s parents, in violation of the following provisions of the Ethics Law:

- 1) NRS 281A.400(1) – Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties;

- 2) NRS 281A.400(2) - Using his public position to secure or grant an unwarranted advantage for himself or any person to whom he has a commitment in a private capacity;
- 3) NRS 281A.400(5) - Acquiring through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further a pecuniary interest of himself or any other person or business entity;
- 4) NRS 281A.400(7) - Using governmental resources to benefit a significant personal or pecuniary interest; and
- 5) NRS 281A.400(9) - Attempting to benefit his personal or financial interest through the influence of a subordinate.

B. On August 20, 2018, the Commission issued its *Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation* (“Order”) and staff of the Commission issued a *Notice of Complaint and Investigation* (“Notice”) in Ethics Complaint No. 18-060C pursuant to NRS 281A.720.

C. Pursuant to the *Notice*, Lawson was provided an opportunity to submit a written response to the Complaint. However, by and through his former counsel Russell E. Marsh, Esq., of Wright, Marsh & Levy, Lawson, on the advice of counsel, declined to participate in any written response to the Complaint or investigatory interview but had previously submitted to an interview with Eide Bailly. Lawson also recently provided documentation to the Executive Director which has been considered as addressed within this Stipulated Agreement.

D. On August 12, 2020, the Executive Director presented a recommendation relating to just and sufficient cause to a three-member review panel pursuant to NRS 281A.720.

E. In a Panel Determination issued on August 19, 2020, the Review Panel unanimously found and concluded that:

- (1) Credible evidence supported just and sufficient cause for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2), (5) and (7) related to Lawson’s acquisition and personal use of the Southwest Airline gift cards;

- (2) Credible evidence did not support just and sufficient cause for the Commission to render an opinion in the matter regarding the allegation pertaining to NRS 281A.400(9), and that allegation was dismissed; and
- (3) The allegations related to NRS 281A.400(1), (2), (5) and (7) should be referred to the Commission for adjudicatory proceedings.

F. In lieu of an adjudicatory hearing before the Commission, Lawson now enters into this Stipulated Agreement.

**4. STIPULATED FACTS:** At all material times relevant to the allegations in this matter, the Commission's Executive Director and Lawson agree to the following facts:<sup>1</sup>

- A. Lawson was the Senior Director of Business Partnerships for the LVCVA.
- B. Lawson's domestic partner is the owner of a company that coordinated event and entertainment services for the LVCVA.
- C. In his position with the LVCVA, Lawson was responsible for airline development, which involved the negotiation of air service by different airlines into Las Vegas. Part of Lawson's job included negotiation of sponsorship packages for certain airlines, including Southwest Airlines, whereby the LVCVA would provide funding/sponsorship of an airline's event in exchange for certain assets received by the LVCVA. These assets included advertisement opportunities for the LVCVA to market Las Vegas. Lawson obtained Southwest Airline gift cards or travel vouchers (for use by LVCVA) as part of his negotiations for the LVCVA funding/sponsorships.
- D. The LVCVA is a statutorily created public entity responsible as the destination marketing organization for Las Vegas to promote tourism, conventions, meetings and special events throughout Southern Nevada. It operates one of the largest convention facilities in the world and competes for visitors with the largest visitor destinations in the world.
- E. The LVCVA is a governmental entity subject to Nevada's Open Meeting Law (NRS Chapter 241), Public Records Law (NRS Chapter 239) and Ethics Law.

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<sup>1</sup> Stipulated Facts do not constitute part of the "Investigative File" as that term is defined by NRS 281A.755. All statutory and common law protections afforded to the Investigative File shall remain and are not affected by this Stipulated Agreement.

- F. The LVCVA obtains its funding, in part, from a percentage of hotel taxes and fees paid in Southern Nevada. Its primary goal is to increase tourism in the region for economic development purposes.
- G. The LVCVA is governed by a 14-member Board comprised of 8 elected officials representing the municipalities and counties in Southern Nevada and 6 representatives from the private sector.
- H. The LVCVA maintained Board Policies, which included Policy 8.01 - Code of Conduct and Conflicts of Interest Policy (the "Policy"). The Policy in effect during the relevant time period required compliance with the Ethics Law and states that LVCVA's directors, officers and employees shall work for the common good of the public that LVCVA serves and not for any private or personal interest. The Policy also prohibited LVCVA's directors, officers and employees from using their office or position for unlawful purposes or personal gain, including seeking or accepting gifts, services, favors, employments, engagements, emoluments or economic opportunities that would improperly influence their public duties; using their position in government to secure unwarranted privileges for themselves or persons to whom they have commitments in a private capacity; or using governmental property to benefit their personal or financial interests.
- I. Part of the LVCVA's mission is to develop and maintain relationships with airlines to expand and improve air service to Las Vegas and to increase visitation and hotel occupancy. To support that mission, the LVCVA purchased and received promotional gift cards and certificates annually to be used for business purposes from several airlines, including Southwest Airlines.
- J. During Lawson's tenure with the LVCVA, the LVCVA had an in-house travel agency operated by LVCVA staff that booked all business travel for LVCVA employees and Board Members, and also booked personal travel for certain LVCVA executives and family members.

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- K. In early 2017, the LVCVA's Finance Department became aware that the LVCVA was receiving and in possession of Southwest Airline gift cards, at which time Lawson turned over the Southwest Airline gift cards that were in his possession. The Finance Department took possession of approximately \$14,000 of Southwest Airline gift cards into its custody and thereafter maintained custody of the gift cards.
- L. When the Southwest Airline gift cards were discovered, the Finance Department learned there was no system for tracking and recording the distribution or usage of the Southwest Airline gift cards.
- M. In late 2017, LVCVA's General Counsel learned that certain personal travel for LVCVA's former CEO, Rossi Ralenkotter, and his spouse had been purchased with the LVCVA's Southwest Airline gift cards.
- N. In February 2018, LVCVA's General Counsel informed the Chair of the Audit Committee of the LVCVA Board of the discovery of the personal travel purchases for LVCVA personnel with LVCVA-funded Southwest Airline gift cards.
- O. The Audit Committee retained Todd Bice, Esq. ("Bice") to investigate the matter and Bice retained Eide Bailly to perform forensic accounting services regarding any personal use of LVCVA's Southwest Airline gift cards by LVCVA personnel. Lawson was interviewed by Eide Bailey during the forensic accounting investigation.
- P. Eide Bailly prepared a June 8, 2018 Forensic Accounting Report ("Report"), which was presented to the LVCVA Board of Directors during a June 12, 2018 meeting.
- Q. The Report revealed that Lawson purchased a total of 612 Southwest gift cards totaling \$90,000 with LVCVA funds between 2012 and 2017. The documentation and invoices regarding Lawson's purchases of the Southwest Airline gift cards did not identify the purchases as gift cards and, instead, designated the purchases as related to promotional activities/events such as "Summer Travel Programs," "Deck Parties," and "Sponsorship and Planning Summits."

- R. During the time period that Lawson was purchasing Southwest gift cards, he reported directly to Valerie Segarra (“Segarra”), Executive Director of Strategic Initiatives, and Segarra reported directly to Cathy Tull (“Tull”), Chief Marketing Director, between 2011 and January 2017. Tull reported directly to Ralenkotter. Lawson reported directly to Tull from January 2017 to January 2018, then reported to Michael Goldsmith until Lawson left the LVCVA in May 2018.
- S. On or about June 22, 2015, Segarra and Tull signed off on an LVCVA Payment Requisition originated by Lawson for a \$15,000 check to Southwest Airlines, purportedly for the LVCVA’s sponsorship of a Southwest Airlines Planning Summit. However, email correspondence between Lawson and Southwest Airlines indicates that the \$15,000 actually paid for the LVCVA’s purchase of 75 Southwest gift cards valued at \$200 each.
- T. On or about January 5, 2017, Segarra, Tull and Ralenkotter signed off on an LVCVA Payment Requisition originated by Lawson for a \$57,000 check to Southwest Airlines, purportedly for the LVCVA’s sponsorship of an annual Southwest Airlines Deck Event in Dallas, TX. However, email correspondence between Lawson and Southwest Airlines indicates that \$3,000 was used to purchase 60 Southwest gift cards valued at \$50 each and \$11,000 was used to purchase 55 Southwest gift cards valued at \$200 each.
- U. The Report acknowledged that approximately 200 Southwest Airline gift cards (worth \$50,000) purchased by Lawson could not be accounted, and the Report provided it could not be determined whether those gift cards were used for personal or business travel.
- V. Pursuant to records provided by Southwest Airlines, the LVCVA purchased 480 Southwest gift cards between 2014 and 2017 totaling \$68,000 of the \$90,000 identified in the Report, but Southwest did not retain records related to approximately 132 gift cards purchased by LVCVA between 2012 and 2014.
- W. The records provided by Southwest Airlines revealed that Lawson used Southwest Airline gift cards belonging to the LVCVA for himself, his domestic

partner, and his partner's parents between October 2015 and June 2018 totaling approximately \$8,500.

<b>Traveler</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
John Brig Lawson	237.00	292.02	180.16	<b>\$709.18</b>
Domestic Partner	1,752.00	3,927.28	539.88	<b>\$6,219.16</b>
Domestic Partner's Father	420.00	348.00	0.00	<b>\$768.00</b>
Domestic Partner's Mother	420.00	381.60	0.00	<b>\$801.60</b>
<b>Total</b>	<b>\$2,829.00</b>	<b>\$4,948.90</b>	<b>\$720.04</b>	<b>\$8,497.94</b>

- X. Lawson's current legal counsel, Christopher Oram, Esq., presented documentation that purports to represent approximately \$4,057.26 of the Southwest Airline gift cards used by Lawson's domestic partner in 2015 and 2016 paid for LVCVA-related business travel (entertainment for sponsorship activities).
- Y. The LVCVA's in-house travel department is no longer in existence and LVCVA's Finance Department has no records to corroborate LVCVA-related travel by Lawson's domestic partner such that the Commission cannot prove by a preponderance of evidence that the use of \$4,057.26 of the Southwest Airline gift cards was not for official LVCVA purposes. Nevertheless, LVCVA does acknowledge that Lawson's domestic partner was a contractor at the time of the events in this matter to provide LVCVA entertainment services for its sponsorship activities.
- Z. The LVCVA maintained an Employee Handbook that summarized the policies and programs of the agency applicable to its employees. The August 2012 and December 2015 versions of the Employee Handbook included a "Business Ethics" section that contained the following language, in relevant part:
- "Employees may not use, divert, or appropriate Authority property, equipment, services, or assets for personal use or benefit."

AA. The September 2016 version of the LVCVA Employee Handbook included an expanded “Business Ethics” section that contained the following language, in relevant part:

Employees are prohibited from taking personal opportunities that are discovered through the use of corporate property, information or position without approval. Employees may not use corporate property, information or position for personal gain.

1. Employees should protect the LVCVA’s assets and ensure their efficient use. Theft, carelessness and waste have a direct impact on the LVCVA’s profitability. All LVCVA assets should be used for legitimate business purposes.
2. LVCVA resources may be used for minor personal uses, as long as such use is reasonable, does not interfere with duties, is not done for pecuniary gain, does not conflict with the LVCVA’s business, and does not violate any LVCVA policy.

BB. In response to the audit findings, the LVCVA implemented new policies to clarify the procedure for using travel gift cards provided to the LVCVA, and to prevent use of gift cards for personal travel in the future.

5. **TERMS / CONCLUSIONS OF LAW:** Based on the foregoing, Lawson and the Commission agree as follows:

- A. Each of the stipulated facts enumerated in Section 4 of this Stipulated Agreement is agreed to by the parties.
- B. As a public employee, Lawson was employed in a position of public trust to be held for the benefit of the people of the State of Nevada (in particular, the citizens of Las Vegas).
- C. As a public employee, Lawson was prohibited from: 1) seeking or accepting any gift, service, favor, emolument or economic opportunity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties (NRS 281A.400(1)); 2) using his public position to secure unwarranted privileges, preferences, exemptions or advantages for himself or members of his family (NRS 281A.400(2)); 3) using his public position to acquire information not generally available to the public to further a pecuniary interest for himself or other person or entity (NRS

- 281A.400(5)); and 4) using government resources to benefit a significant personal or financial interest of himself or members of his family (NRS 281A.400(7)).
- D. The Commission considers whether an action is improper or unwarranted, in part, if the action was against written policies that are applicable to the public employee.
  - E. Lawson did not adequately avoid the conflict of interest between his public duties and private interests when he acquired and utilized airline gift cards purchased with LVCVA funds to pay for personal travel for himself, his domestic partner and his partner's parents.
  - F. Lawson violated NRS 281A.400(1), (2), (5) and (7) when he appropriated LVCVA purchased Southwest Airline gift cards to pay for his personal air travel and air travel for his domestic partner and his partner's parents.
  - G. As interpreted and applied in accordance with the provisions of NRS 281A.020, Lawson's actions related to his acquisition and use of Southwest Airline gift cards for personal travel constitute a single course of conduct resulting in one violation of the Ethics Law, implicating the provisions of NRS 281A.400(1), (2), (5) and (7).
  - H. Lawson's violation was willful pursuant to NRS 281A.170. A willful violation does not require that Lawson acted in bad faith, or with ill will, evil intent or malice. However, Lawson acted voluntarily or deliberately when he used airline gift cards purchased with LVCVA funds for his personal travel and the personal travel for members of his family. See *In re McNair*, Comm'n Op. Nos. 10-105C, 10-106C, 10-108C, 10-109C and 10-110C (2011) ("the relevant inquiry regarding willful misconduct is an inquiry into the intentional nature of the actor's conduct . . . The fact that an actor may have acted with the best of intentions does not relieve the actor of liability.") (citation omitted).
  - I. Pursuant to the factors set forth in NRS 281A.775 in determining whether the violations are willful and the penalties to be imposed, the Commission has considered the following factors:
    - 1) Lawson has not previously violated the Ethics Law.

- 2) Through his current legal counsel, Christopher Oram, Esq., Lawson has represented that approximately \$4,057.26 of the \$8,497.94 Southwest Airline gift cards assigned to Lawson was utilized by his domestic partner in 2015 and 2016 for LVCVA travel related to services performed for LVCVA sponsorship events.
- 3) Lawson turned over the unused gift cards that were in his possession.
- J. However, these mitigating factors are offset by the seriousness of the conduct when measured against the public's trust that public employees will not use their position or influence to acquire economic opportunities or advantages for themselves that are not available to the general public.
- K. For the willful violation, Lawson agrees to pay \$5,000.00 pursuant to NRS 281A.790(1)(a) for the surreptitious nature of his acquisition and improper use of LVCVA property for a personal purpose. Pursuant to NRS 281A.790(3), Lawson will pay an additional civil penalty in the amount \$8,881.36, which penalty represents two-times the approximate financial personal benefit realized by Lawson, his domestic partner, and his partner's parents in using Southwest Airlines gift cards purchased with LVCVA funds for personal travel (\$8,497.94 total gift cards used minus \$4,057.26 for the amount of gift cards used by Lawson's domestic partner for LVCVA travel, equals \$4,440.68. This amount (\$4,440.68) multiplied by 2, equals \$8,881.36). The total \$13,881.36 penalty may be paid in one lump sum due on or before March 30, 2021 or in equal monthly installment payments, as arranged with the Commission's Executive Director, with the final payment due not later than June 30, 2023. If any installment payment is missed, the lump sum will become due on or before March 30, 2021, or within 90 days after the missed payment if the missed payment occurs after March 30, 2021.
- L. This Stipulated Agreement depends on and applies only to the specific facts, circumstances and law related to the Ethics Complaint now before the Commission. Any facts or circumstances that may come to light after its entry that are in addition to or differ from those contained herein may create a different resolution of this matter.



7. **ACCEPTANCE:** We, the undersigned parties, have read this Stipulated Agreement, understand each and every provision therein, and agree to be bound thereby. The parties orally agreed to be bound by the terms of this agreement during the regular meeting of the Commission on November 18, 2020.<sup>2</sup>

DATED this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
John Brig Lawson

FOR JOHN BRIG LAWSON,  
Subject

DATED this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Christopher Oram, Esq.  
Counsel for Subject<sup>3</sup>

FOR YVONNE NEVAREZ-GOODSON, ESQ.,  
Executive Director  
Commission on Ethics

DATED this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Ann Wilkinson, Esq.  
Associate Counsel  
Nevada Commission on Ethics

<sup>2</sup> Subject waived any right to receive written notice pursuant to NRS 241.033 of the time and place of the Commission's meeting to consider his character, alleged misconduct, professional competence, or physical or mental health.

<sup>3</sup> Execution of the Stipulated Agreement by Subject's Counsel, Christopher Oram, Esq. confirms he obtained approval from any co-counsel representing the Subject in these proceedings to approve the Stipulated Agreement on behalf of the Subject.



Approved as to form by:

FOR NEVADA COMMISSION ON ETHICS

DATED this \_\_\_\_ day of November, 2020.

\_\_\_\_\_  
Tracy L. Chase, Esq.  
Commission Counsel

The above Stipulated Agreement is accepted by the majority of the Commission.<sup>4</sup>

DATED November \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Brian Duffrin  
Vice-Chair

By: \_\_\_\_\_  
Barbara Gruenwald, Esq.  
Commissioner

By: \_\_\_\_\_  
Amanda Yen, Esq.  
Commissioner

By: \_\_\_\_\_  
Damian Sheets, Esq.  
Commissioner

By: \_\_\_\_\_  
Thoran Towler, Esq.  
Commissioner

<sup>4</sup> Chair Wallin and Commissioners O'Neill and Lowry participated in the Review Panel hearing and are therefore precluded from participating in the Commission's consideration of this Stipulated Agreement pursuant to NRS 281A.220(4).



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Brig Lawson**, Former Senior Director  
of Business Partnerships, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case No.18-060C

\_\_\_\_\_  
Subject. /

**NOTICE OF HEARING TO CONSIDER STIPULATED AGREEMENT**  
NRS 281A.745

**PLEASE TAKE NOTICE**, the Nevada Commission on Ethics ("Commission") will hold a public meeting to consider a **Proposed Stipulated Agreement** regarding the allegations submitted in Ethics Complaint No. 18-060C at the following time and location:

When: Wednesday, **November 18, 2020** at **9:45 a.m.**, or as soon thereafter as the matter may be heard

Where: Nevada Commission on Ethics  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703  
as permitted by COVID-19 Protocols

Attorneys representing the parties and the Executive Director have jointly requested the Proposed Stipulated Agreement be considered by the Commission at this noticed public meeting and the Parties, through their representative counsel, will participate remotely by teleconference. Subject has waived the personal notice requirements of NRS 241.033 (Nevada's Open Meeting Law) to permit the Commission to consider his character, misconduct or competence related to Ethics Complaint No. 18-060C.

Certain Nevada Open Meeting Law Requirements set forth in NRS Chapter 241 may be excused or altered including participation by teleconference or remote attendance based upon Governor Sisolak declaration of a state of emergency in response to the outbreak of the Coronavirus Disease ("COVID-19") on March 12, 2020 and other issued Emergency Directives including, without limitation, Emergency Directive 006 relating to NRS Chapter 241 (collectively applicable directives are referred to as "COVID-19 Protocols").

If the Proposed Stipulated Agreement is approved, it will serve as the final written opinion in this matter pursuant to NRS 281A.135.

DATED: November 12, 2020

/s/ Tracy L. Chase  
Tracy L. Chase, Esq.  
Commission Counsel

## CERTIFICATE OF SERVICE

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 **Notice of Hearing to Consider Stipulated Agreement** via electronic mail to the Parties as follows:

### Executive Director:

Yvonne M. Nevarez-Goodson, Esq.  
Executive Director  
Ann Wilkinson, Esq.  
Associate Counsel  
Kari Pedroza, Executive Assistant  
704 W. Nye Lane, Suite 204  
Carson City, NV 89703

Email: [ynevarez@ethics.nv.gov](mailto:ynevarez@ethics.nv.gov)

Email: [awilkinson@ethics.nv.gov](mailto:awilkinson@ethics.nv.gov)

cc: [k.pedroza@ethics.nv.gov](mailto:k.pedroza@ethics.nv.gov)

### Subject:

Brig Lawson  
c/o Christopher Oram, Esq.  
Christopher Oram Law Offices  
520 South 4<sup>th</sup> Street, Suite 200  
Las Vegas, NV 89101

Email: [contact@christopheroramlaw.com](mailto:contact@christopheroramlaw.com)

DATED: November 12, 2020



\_\_\_\_\_  
Employee of the Nevada Commission on Ethics



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Brig Lawson**, Former Senior  
Director of Business Partnerships,  
Las Vegas Convention and Visitors  
Authority, State of Nevada,

Ethics Complaint  
Case No. 18-060C  
**Confidential**

Subject. /

**ORDER INITIATING AN ETHICS COMPLAINT,  
ACCEPTING JURISDICTION AND DIRECTING AN INVESTIGATION**

Pursuant to NRS 281A.280 and NRS 281A.715

The Commission has jurisdiction to investigate and take appropriate action regarding an alleged violation of NRS Chapter 281A, the Ethics in Government Law ("Ethics Law") by a public officer or employee or former public officer or employee in any proceeding commenced by an ethics complaint, which is filed with the Commission or initiated by the Commission on its own motion, within 2 years after the alleged violation or reasonable discovery of the alleged violation.

**IT IS ORDERED:**

The Commission hereby initiates an Ethics Complaint against Brig Lawson, the former Senior Director of Business Partnerships of the Las Vegas Convention and Visitors Authority, and directs the Executive Director to investigate potential violations of the following statutes:

- NRS 281A.400(1)** Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
- NRS 281A.400(2)** Using his public position to secure or grant unwarranted privileges, preferences or advantages to benefit himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
- NRS 281A.400(5)** Acquiring through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further a pecuniary interest of himself or any other person or business entity.

**NRS 281A.400(7)** Using governmental time, property or equipment or other facility to benefit his significant personal or pecuniary interest or that of a person to whom he is a commitment in a private capacity.

**NRS 281A.400(9)** Using official position to attempt to benefit a significant personal or pecuniary interest of his or any person to whom he has a commitment in a private capacity through the influence of a subordinate.

Further, the Commission directs the Executive Director to serve this order with a Notice of Complaint and Investigation as required by NRS 281A.720.

DATED this 20<sup>th</sup> day of August, 2018.

NEVADA COMMISSION ON ETHICS

/s/ Cheryl A. Lau

Cheryl A. Lau, Esq.  
Commission Chair

## 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 deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation**, addressed as follows:

Brig Lawson  
2462 Antler Point Drive  
Henderson, NV 89074

Cert. Mail No.: 9171 9690 0935 0037 6398 43

Dated: 8/20/18

  
\_\_\_\_\_  
Employee, Nevada Commission on Ethics



**NEVADA COMMISSION ON ETHICS  
ETHICS COMPLAINT**

[NRS 281A.700 to 281A.790 inclusive](#)

1. **SUBJECT OF THE COMPLAINT** (you allege violated provisions of NRS Chapter 281A, the Nevada Ethics in Government Law. *(Please use a separate form for each individual.)*)

<b>NAME:</b> <i>(Last, First)</i>			<b>TITLE OF PUBLIC OFFICE:</b> <i>(Position)</i>	
<b>PUBLIC ENTITY:</b> <i>(Name of the entity employing this position)</i>				
<b>ADDRESS:</b>		<b>CITY, STATE, ZIP CODE</b>		
<b>TELEPHONE:</b>	<b>Work:</b>	<b>Other:</b> <i>(Home, cell)</i>	<b>E-MAIL:</b>	

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 281A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

Check here  if additional pages are attached.

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative, law enforcement or judicial body? If yes, describe:

4. NRS Chapter 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? Please check all that apply.

	Statute	Statutory Summary:
	NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
	NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
	NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
	NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
	NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
	NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
	NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant personal or pecuniary interest, or any person to whom he has a commitment in a private capacity. (Some exceptions apply).
	NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
	NRS 281A.400(9)	Attempting to benefit his personal or pecuniary interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
	NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
	NRS 281A.410	Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part-time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
	NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, commitment in a private capacity to the interest of another person or the nature of any representation or counseling provided to a private person for compensation before another agency in the preceeding year that is reasonably affected by an official matter.
	NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
	NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest. (some exceptions apply).
	NRS 281A.500	Failing to file or timely file a Nevada Acknowledgment of Ethical Standards for Public Officers form.
	NRS 281A.510	Accepting or receiving an improper honorarium.
	NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
	NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

\* Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3<sup>rd</sup> degree of consanguinity/affinity
4. Employer or spouse/domestic partner/household member's employer
5. Substantial and continuing business relationship, i.e. partner or associate
6. Substantially similar relationships to those listed above



**5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.** (NRS 281A.710 through 281A.715.)  
Attach all documents or items you believe support your allegations, including witness statements, public or private records, audio or visual recordings, documents, exhibits, concrete objects, or other forms of proof.

**State the total number of additional pages attached (including evidence) \_\_\_\_\_.**

**6. Witnesses:** Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide. Check here  if additional pages are attached.

<b>NAME and TITLE:</b> (Person #1)				
<b>ADDRESS:</b>			<b>CITY, STATE, ZIP</b>	
<b>TELEPHONE:</b>		<b>Work:</b>	<b>Other: (Home, cell)</b>	<b>E-MAIL:</b>
<b>NATURE OF TESTIMONY:</b>				
<b>NAME and TITLE:</b> (Person #2)				
<b>ADDRESS:</b>			<b>CITY, STATE, ZIP</b>	
<b>TELEPHONE:</b>		<b>Work:</b>	<b>Other: (Home, cell)</b>	<b>E-MAIL:</b>
<b>NATURE OF TESTIMONY:</b>				

**7. REQUESTER INFORMATION:**

<b>YOUR NAME:</b>			
<b>YOUR ADDRESS:</b>		<b>CITY, STATE, ZIP:</b>	
<b>YOUR TELEPHONE:</b>	<b>Day:</b>	<b>Evening:</b>	<b>E-MAIL:</b>

**NOTE\*: Your identity as the Requester will be provided to the Subject if the Commission accepts jurisdiction of this matter, unless:**

Pursuant to NRS 281A.750, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box):

I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

**OR**

I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Please describe in the text box below the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

**A copy of this Complaint will be provided to the Subject.** If the request for confidentiality is approved by the Commission, the Complaint will be redacted to protect the identity of the Requester.

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

**If the Commission declines to maintain my confidentiality, I wish to:**

Withdraw my Complaint OR

Submit the Complaint understanding that the Subject will know my identity as the Requester.

**By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission's investigation are confidential unless and until the Commission's Review Panel renders a determination. Certain Commission proceedings and materials, including the Investigatory File remain confidential pursuant to NRS 281A.750 through 281A.760.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

You may file a Complaint using the Commission's **online form** submission at [ethics.nv.gov](http://ethics.nv.gov) (Preferred) or You must submit this form bearing your signature to the Executive Director via:  
**postal mail** to Nevada Commission on Ethics, 704 W. Nye Lane, Suite 204, Carson City, Nevada, 89703,  
**email** to [NCOE@ethics.nv.gov](mailto:NCOE@ethics.nv.gov), or **fax** to (775) 687-1279



STATE OF NEVADA  
**COMMISSION ON ETHICS**  
 704 W. Nye Lane, Suite 204  
 Carson City, Nevada 89703  
 (775) 687-5469 • Fax (775) 687-1279  
 ethics.nv.gov

In re **Brig Lawson**, Former Senior  
 Director of Business Partnerships,  
 Las Vegas Convention and Visitors  
 Authority, State of Nevada,

Ethics Complaint  
 Case No. 18-060C  
**Confidential**

\_\_\_\_\_  
 Subject. /

**WAIVER OF STATUTORY TIME REQUIREMENTS:  
 INVESTIGATION & REVIEW PANEL**

Please initial any that apply:



I, Brig Lawson, the above Subject, affirm that I have read the provisions of NRS 281A.725, and hereby freely and voluntarily waive the statutory time limit therein, which requires the Executive Director to complete the investigation required by NRS 281A.720 and present a recommendation to a review panel within 70 days after the Nevada Commission on Ethics ("Commission") directed the Executive Director to investigate this Ethics Complaint.



I, Brig Lawson, the above Subject, affirm that I have read the provisions of NRS 281A.730 and hereby freely and voluntarily waive the statutory time limit therein, which requires the review panel to determine whether there is just and sufficient cause for the Commission to render an opinion in this matter within 15 days after the Executive Director provides the review panel with the recommendation required by NRS 281A.725.

Dated: 9/20/18

Date received: 9/20/18

  
 \_\_\_\_\_  
 Brig Lawson  
  
 \_\_\_\_\_  
 Employee of the Commission



**STATE OF NEVADA**

**BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Brig Lawson**, Former Senior Director  
of Business Partnerships, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case No. 18-060C

Subject. /

**REVIEW PANEL DETERMINATION AND REFERRAL ORDER**  
NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") initiated Ethics Complaint No. 18-060C on August 20, 2018, regarding the alleged conduct of Brig Lawson ("Lawson"), Former Senior Director of Business Partnerships, Las Vegas Convention and Visitors Authority, State of Nevada. The Commission directed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2), (5), (7) and (9).

Lawson was a public employee as defined in NRS 281A.150, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Lawson's conduct as a public employee and have associated implications under the Ethics Law.

On August 19, 2020, a Review Panel ("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) Order Initiating an Ethics Complaint, Accepting Jurisdiction and Directing an Investigation; (2) Ethics Complaint No 18-060C; (3) Investigator's Report; and (4) Executive Director's Recommendation to the Review Panel.<sup>1</sup>

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts establish sufficient 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 281A.400(1), (2), (5) and (7).

However, there is not sufficient evidence to support a determination of just and sufficient cause regarding allegations pertaining to NRS 281A.400(9) and these allegations are dismissed.

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<sup>1</sup>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.

IT IS HEREBY ORDERED:

Based upon the just and sufficient cause determination, the Review Panel refers Ethics Complaint No. 18-060C to the Commission to render an opinion regarding whether Lawson violated NRS 281A.400(1), (2), (5) and (7) through the improper use of his position to acquire and use LVCVA property for personal purposes.

Dated this 19<sup>th</sup> day of August, 2020.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Kim Wallin  
Kim Wallin, CPA, CMA, CFM  
Chair/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:

Brigg Lawson  
c/o Russell E. Marsh, Esq.  
Wright Marsh & Levy  
300 S. Fourth Street, Suite 701  
Las Vegas, NV 89101

Certified Mail No.: 9171 9690 0935 0037 6387 85

Email: [rmarsh@wswlawlv.com](mailto:rmarsh@wswlawlv.com)

Dated: 8/19/20



\_\_\_\_\_  
Employee, Nevada Commission on Ethics

# FAX

TO:	Christopher Oram	FROM:	Brig Lawson
FAX:	702.974.0623	FAX:	702.898.3465
PHONE:		PHONE:	702.349.0018
SUBJECT:	Ethics Board Waiver	DATE:	October 1, 2020

COMMENTS:



**STATE OF NEVADA  
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Brig Lawson**, Former Senior Director  
of Business Partnerships, Las Vegas  
Convention and Visitors Authority,  
State of Nevada,

Ethics Complaint  
Case No.18-060C

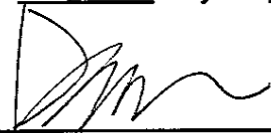
Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO  
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE  
OF SUBJECT IN ETHICS COMPLAINT PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") may be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject's character, misconduct or competence as related to the above referenced Consolidated Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Brig Lawson, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 14 day of OCTOBER, 2020.

By:   
\_\_\_\_\_  
Brig Lawson



# **Agenda Item 6**

STATE OF NEVADA  
COMMISSION ON ETHICS -  
ANNUAL REPORT  
JULY 1, 2020

*A public office is a public trust, to be held for the sole benefit of the people.*

Nevada Commission on Ethics  
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Carson City, NV 89703  
Tel. 775-687-5469  
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ethics.nv.gov  
ncoe@ethics.nv.gov

**MISSION STATEMENT**

The Nevada Commission on Ethics, by the authority granted under Chapter 281A of NRS, strives to enhance the public's faith and confidence in government by ensuring that public officers and public employees uphold the public trust by committing themselves to avoid conflicts between their private interests and their public duties.

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# ANNUAL REPORT TO THE COMMISSION ON ETHICS REGARDING FISCAL YEAR 2020

Pursuant to Nevada Administrative Code 281A.180(2), the Executive Director provides an Annual Report to the Commission on Ethics (“Commission”) regarding the fiscal, legislative, regulatory and other business undertaken by and on behalf of the Commission in the past fiscal year. This report details the Commission's actions and accomplishments between July 1, 2019 and June 30, 2020 (FY20) and includes goals set for the coming year.

The information presented is based upon public records of the Commission. The Commission's website at [ethics.nv.gov](https://ethics.nv.gov) provides public access to the Commission's database of opinions, meeting minutes and agendas, press releases and general information about the Commission. It also has instructions and forms for filing Ethics Complaints and requesting Advisory Opinions. The Commission meeting agendas are also on the Nevada Public Notice statewide website at [notice.nv.gov](https://notice.nv.gov).

Dear Commissioners:

This Annual Report is a summary of the Commission's activities and accomplishments during Fiscal Year 2020 (FY20) and its goals for the next fiscal year. The Commission should be proud of its achievements during FY20 and its response to the COVID-19 Pandemic. In fact, the Commission received an increase in requests for advisory opinions over FY19 of 29%. Although the Commission experienced a 28% decrease in complaints in FY20, the number of complaints it was investigating increased by 38%. In the latter portion of FY20, the Pandemic forced the Commission to spend time adapting to a new working environment. This meant learning how to work remotely, meet virtually and operate on a much smaller budget. Despite the altered working conditions that increased the Commission's investigatory/adjudicatory backlog, we were still able to resolve 93% more cases over FY19. During this time, the Commission continued to provide outreach and training to public officers and employees and remain accessible to the public and governmental agencies. The Commission also updated all of its information technology resources to establish secure communications, a web-based filing platform, online opinion database and a case management system.

The Commission works within statutory mandates set by the Legislature. From time to time, the Commission petitions the Legislature for statutory changes that will help the Commission achieve its mission. With the passage of Senate Bill 84 in 2017, the Commission reformed all of its systems and documents related to advisory requests and complaint cases during FY18 and FY19, including the adoption of new administrative regulations set forth in the Nevada Administrative Code (Chapter 281A).

This year, the Commission's Bill Draft Request ("BDR") Subcommittee, consisting of Vice-Chair Wallin and Commissioners Duffrin and Gruenewald, reviewed the Executive Director's recommendations for the 2021 Legislative Session. The subcommittee focused on ways the Commission can operate more efficiently while continuing to uphold the mission of the Commission. Upon the Subcommittee's review and approval, the full Commission adopted the proposed legislation. This new legislation started with several provisions from SB 129 which did not pass in 2019 and made new provisions to confront fiscal limitations, due process considerations, standards of conduct applicable to public

officers and employees and advisory resources. If this BDR is successful, the need for more legislation in the coming years should be minimal.

In the 2019 Legislative Session, the Legislature approved the Commission's request to receive services through the State's Enterprise Information Technology Services ("EITS"). This was implemented at the beginning of FY20 and within the first few months the staff had new computers, the Commissioners' tablets were updated and secured, and the Commission had access to immediate desktop support services for the first time in its history. This technical support improved the Commission's ability to advance its mission, communicate with the public and enhance staff efficiency. As the Pandemic hit, EITS was immediately able to ensure that each staff member could work remotely and securely with access to documents from the Commission's server.

Had the COVID-19 Pandemic not occurred, the Commission would have sought an increase to its next operating budget to provide for additional staff to address the increased case load, and additional resources for investigations and outreach and education efforts. However, in light of the fiscal impacts of COVID-19, the Commission instead made significant cuts to its existing operating budget, and it anticipates additional cuts for the next fiscal year and the future biennium. The Commission will continue to consider areas where additional cuts can be made even as we strive to add any necessary enhancements that are essential for agency operations. It will be a balancing act between respect for the current fiscal crises and the needs of the agency to ensure the Commission's continued operation and integrity.

The Commission maintains its presence on Social Media via its Twitter account to post news of its meetings, trainings and case/opinion determinations. Ethics Commissions throughout the Country share data on Twitter and reflect on the issues and decisions made by similar agencies. Many state and local government agencies and public officers and employees follow the Commission on Twitter and receive additional outreach and education. Our social media focus is to increase the general public's awareness and involvement in the coming year. Other media outreach in the next fiscal year will be through traditional media platforms via press releases, public statements and interviews. The Commission continued with its traditional training and education programs with 25 training sessions throughout Nevada to provide education to public officers and employees.

The FY20 Annual Report would not be complete without recognizing the incredible volunteer contributions of the members of the Ethics Commission, who themselves are public servants and volunteer their time, experience and expertise to the interpretation and enforcement of the Ethics Law. FY20 represented the last year for the storied tenures of two tremendous leaders, Chair Cheryl Lau, Esq. and Vice-Chair Keith Weaver, Esq. Chair Lau and Vice-Chair Weaver have served the Commission with distinction, innovation and grace for two full terms (8 years), the last five years being in their respective leadership roles. Highlights from their tenures are too many to recount in this Report, but most notable include their: (1) dedication to the Commission's mission in all forums- administrative, judicial and legislative; (2) legal acumen; (3) respect for all parties appearing before the Commission; and (4) unwavering support of staff. The end of their terms marked the unprecedented realities of COVID-19 and their proactive responses to ensure the Commission and its staff remained available as a resource for the public officers and employees throughout the State. The State of Nevada, its local governments, elected and appointed public officers and employees, and the members of the public will forever benefit from the resolute contributions of these leaders: the finest demonstration of political independence, transparency, and unrelenting nerve to do the right thing, even when nobody was watching ... the very definition of integrity.

With the end of Vice-Chair Weaver's term, the Commission welcomed its newest Commissioner, Damian Sheets, Esq. Commissioner Sheets' legal experience and knowledge in his former role as a public employee brings a fresh perspective on the application of the Ethics Law. As Chair Lau's second term did not expire until the end of the fiscal year, the Commission awaits the appointment of a new commissioner in the next fiscal year. Of course, the Commission continued to be incredibly well served by all of its members, including Commissioners Duffrin, Gruenewald, Lowry, O'Neill, Wallin and Yen.

Upon the completion of Vice-Chair Weaver's second term, the Commission unanimously elected Commissioner Wallin to serve as its new Vice Chair, recognizing her talent and experience to lead the Commission's vision into the future. In FY20, Commissioner Wallin dedicated countless volunteer hours to attend various administrative, budget and training presentations and chair the Commission's BDR Subcommittee. Her innumerable contributions have included her fiscal expertise and insights into the Commission's statistical information and budget forecasting. She

participated in several review panels and offered her experience as a former elected official to guide the Commission's endeavors. She also worked diligently with staff to accommodate the challenges presented by COVID-19.

Commissioner Duffrin spent the majority of the Fiscal Year emphasizing the Commission's mission and ideas to promote the importance of the Ethics Law for public officers and employees. Of particular notice in the last fiscal year, Commissioner Duffrin displayed his talents at mediation by participating as a "settlement judge" in a contested case to help the parties reach a mutually agreeable result that most importantly served the best interests of the public. He likewise served as a quasi-judicial member during a contested adjudicatory hearing in which he heard evidence, asked questions of the parties, deliberated with his colleagues and voted on the applicability of the Ethics Law to the circumstances. Commissioner Duffrin also served on the Commission's BDR Subcommittee. His experience as the former Chief of the Administration Division of the Nevada Gaming Control Board was an asset to the Commission as it sought to understand the legislative and fiscal impacts of our changing environment.

Commissioner Gruenewald has continued to serve the public's best interests through her tenure with the Ethics Commission. Most significantly, Commissioner Gruenewald has raised the bar with her legal preparation of complaint and advisory cases before the Commission, most often responsible for preparing and asking complicated questions to address the legal implications of the Ethics Law. Commissioner Gruenewald served as the presiding officer in many review panels tasked with evaluating the investigatory recommendations in complex cases. Rounding out her service this year, Commissioner Gruenewald volunteered her expertise to the BDR Subcommittee, where she prompted her colleagues and staff to address the legal, ethical and political implications of various legislative amendments.

Commissioner Lowry has continued her approach to the interpretation and enforcement of the Ethics Law through legal proficiency and her emphasis on integrity of public service, as exemplified by her former career in public service for the Clark County District Attorney's Office. Commissioner Lowry participated in a number of training presentations and offered her expertise to review panels and hearings/stipulations in contested cases. Most notably, Commissioner Lowry's legal experience and understanding of evidentiary principles has shaped various review panels and adjudicatory

proceedings. She has helped educate her colleagues and staff on important evidentiary issues and contributed to the Commission's legal positions in litigation.

Commissioner O'Neill continued his service with a focus on ethics policy, public transparency, and outreach and education. Having previously served as a public investigator for the Department of Public Safety and as an elected legislator, Commissioner O'Neill promoted an emphasis on the Commission's mission to teach, not catch. As a practical matter, Commissioner O'Neill further impressed staff and his colleagues with his experience in investigations and understanding of performance measures. He has made various suggestions for tracking additional data in the next fiscal year to showcase much of the Commission's work which is not otherwise reflected in our current statistics.

Commissioner Yen has been a steward of the Commission's legal and fiscal efforts, while upholding the demands of her private legal practice. Commissioner Yen has not only challenged the Commission with insightful questions and perspectives to the legal application of the Ethics Law but has also offered her resources and insights about the Commission's legal positions in litigation, whether legal process/strategy or substantive legal arguments. Moreover, Commissioner Yen has actively supported the Commission to better understand the fiscal uncertainties amid the COVID-19 Pandemic, including outreach to our political leaders. As a final note of appreciation, Commissioner Yen has set the standard for proper disclosures and abstentions under the Ethics Law when confronted with conflicts of interest. Commissioner Yen's law firm represents various clients that may appear before the Commission. In consultation with Commission Counsel, she has established protocols with the Commission to identify conflicts between her private business relationships and public duties to make proper disclosures and abstentions.

It has been the continued privilege of Executive Director Yvonne M. Nevarez-Goodson, Esq., in partnership with Commission Counsel Tracy L. Chase, Esq., to lead the Commission's mission and governance before the various State and local agencies and judicial forums. This fiscal year there were two separate vacancies in the Associate Counsel position, whose duties the Commission staff rallied to fulfill in spite of the increased number of cases and challenges associated with the COVID-19 Pandemic. The Commission's staff was rounded out by its remarkable members, including the Commission's Investigator, Erron Terry, Senior Legal Researcher, Darci Hayden, PP-SC,



and Executive Assistant, Kari Pedroza. Each team member brings special talents to their respective positions, along with incredibly positive attitudes and trust in our mission that I am so proud to lead.

The Commission continues to monitor its role amid the Country's state and local government ethics agencies and anticipates an update to the nationwide study regarding ethics commissions and agencies throughout the Country, including the strength of their enforcement and sanctioning powers and transparency of outcomes. Early in the fiscal year, Nevada was ranked 8<sup>th</sup> in the Country. See *Enforcement of Ethics Rules by State Ethics Agencies: Unpacking the S.W.A.M.P. Index*, Coalition for Integrity, September 12, 2019 (<http://unpacktheswamp.coalitionforintegrity.org/>). Notably, the data relied upon in the study was based upon case statistics from FY18, yet the FY19 and FY20 data reflected the Commission's significantly increased case load, sanctions and proceedings. The Commission was asked to participate in the study this fiscal year and as the new report and rankings come out, the Commission should anticipate a similar high ranking based upon the level of enforcement and transparency in the outcomes.

When considering our goals and accomplishments during FY20, it is important to remember that the majority of the fiscal year was business as usual. Only the last quarter was significantly affected by the unprecedented circumstances resulting from the Pandemic. Yet even then, we continued to pursue our mission effectively. It will be more important than ever for this Commission to be focused on accountability in government to protect the public trust and ensure that government continues to operate in an ethical, transparent manner as we tackle the Pandemic response in this State. I am immensely proud of the Commission and its staff in response to the increased case load and outreach and education throughout the entire State, while navigating the public health challenges from COVID-19. Thank you for the opportunity to continue serving the Commission, its staff and the public for these last 11 years. I look forward to reinforcing the Commission's mission in the coming fiscal year.

Sincerely,

[/s/ Yvonne M. Nevarez-Goodson](#)  
Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

## I. About the Nevada Commission on Ethics

### **Nevada Commission on Ethics - Ethics in Government Law:**

The Nevada Commission on Ethics is an independent public body appointed by the Governor and Legislative Commission to interpret and enforce the provisions of Nevada's Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Ethics Law preserves the public's trust in government and ensures that elected and appointed public officers and employees avoid conflicts between their private interests and the interests of the public in carrying out their public duties. The Ethics Law sets forth various standards of conduct to guide public officers and employees to avoid such conflicts and maintain integrity in public service.

The Commission's primary mission includes providing outreach and education to Nevada's public officers, employees and attorneys regarding conflicts of interest and the provisions of the Ethics Law. Encompassed in its educational efforts, the Commission provides confidential advisory opinions to public officers and employees to guide them in compliance with the Ethics Law ("Requests for an Advisory Opinion"). The Commission also enforces the provisions of the Ethics Law by investigating and adjudicating alleged conduct of public officers and employees in violation of the Ethics Law ("Ethics Complaints").

### **Membership:**

The Commission consists of 8 members, appointed equally (4 each) by the Governor and the Nevada Legislative Commission. The Governor and Legislative Commission must each appoint at least two former public officers or employees and one attorney licensed in the State of Nevada. No members may be actively involved in any political activity or campaign or conduct lobbying activities for compensation on behalf of private parties. Finally, no more than half of the total commissioners may be members of the same political party or residents of the same county in the State. The appointment criteria secures independence and objectivity in addressing Requests for Advisory Opinions and Ethics Complaints as applicable to all State and local government elected and appointed public officers and employees.

**Requests for Advisory Opinions and Ethics Complaints:**

The Legislature established the Commission to interpret and enforce the provisions of the Ethics Law. In particular, the Legislature has emphasized the public policy behind the Ethics Law to ensure the public's trust in government against conflicts between private interests and public duties, while balancing Nevada's form of citizen-based, representative government. The Commission renders its opinions regarding the applicability of the Ethics Law to public officers and employees via Requests for Advisory Opinion and Ethics Complaints. The Commission's primary goal to provide outreach and education to public officers and employees is consistent with its responsiveness to requests for advisory opinion and efforts to prevent ethics complaints. The Commission staff is responsible for reviewing and preparing all case-related matters, including jurisdictional recommendations, legal research and analysis and preparation and presentation of evidence for hearings and determinations by the Commission. The Commission sets the standard for objectivity and political independence while balancing the best interests of the public and the public officers and employees who serve the public.

**Requests for Advisory Opinions:**

A public officer or employee may request a confidential advisory opinion from the Commission regarding the applicability of the Ethics Law to his/her own past, present or future circumstances. If the request relates to a conflict of interest between a public duty and private interest, the Commission will conduct a closed hearing or consider the written request under submission and render a confidential opinion in the matter advising the public officer or employee whether there is a conflict of interest and whether or how the ethical standards of conduct apply to the circumstances.

To assist the Commission in this process, the Commission Counsel and staff work directly with the requester to identify all relevant facts and circumstances related to the request. The Commission Counsel researches the Commission's opinion precedent, prepares proposed findings of fact, and presents a legal recommendation to the Commission for its review. Once the Commission renders its decision, it is published as a formal written opinion on its website, the Legislative Law Library, and LexisNexis. If the public officer or employee retains the confidentiality of the opinion, the Commission will publish an abstract opinion in the matter, which is a version of the original opinion that

redacts or sanitizes factual circumstances that may otherwise identify the requester of the opinion. The Commission's advice is binding with respect to future conduct and certain advice related to present or future conduct may be subject to judicial review for errors of law or abuses of discretion.

### **Ethics Complaints:**

Any person may file, and the Commission may initiate an ethics complaint against a public officer or employee alleging a violation of the Ethics Law for which the Commission may investigate the allegations, conduct hearings and impose various penalties or sanctions. If the Commission has jurisdiction regarding an ethics complaint and it is properly filed with sufficient information to support the allegations, the Commission may direct the Executive Director to investigate the matter and make a recommendation to a three-member review panel of the Commission regarding whether the evidence is sufficient to warrant a hearing and written opinion in the matter.

If the Review Panel determines that the matter supports just and sufficient cause of a potential violation, it may refer the matter to the Commission for adjudicatory proceedings, or for more minor conduct, resolve the matter through the approval of a deferral agreement between the Executive Director and the subject of the ethics complaint. A Deferral Agreement is an agreement between the Executive Director and subject of the Complaint acknowledging sufficient evidence of a violation but deferring any finding of a violation through the imposition of various terms and conditions, including corrective action and education. If the terms and conditions are satisfied, the complaint is dismissed. Otherwise, it is referred back to the Commission for adjudicatory proceedings.

Many ethics complaints have been resolved via other appropriate resolutions such as letters of caution or instruction. If a matter is referred for adjudicatory proceedings, the Commission may hold a formal adjudicatory (evidentiary) hearing and deliberate toward a decision. Alternatively, it may resolve the matter through legal motions or negotiated stipulations. The majority of contested cases that are referred to the Commission by a Review Panel are resolved through deferral agreements and stipulated agreements. If the Commission makes a finding that conduct was willful, i.e., knowing and intentional, it may impose monetary sanctions. For non-willful conduct and willful conduct that may not warrant monetary penalties, the Commission may impose administrative penalties in the

form of appropriate corrective action, referrals for disciplinary action, requirements for education and public apologies.

## II. Case Statistics – FY20 (7/2019 – 6/2020)

The Commission's case statistics are calculated based on the number of cases received during the fiscal year; however, many cases are not resolved during the same fiscal year they are received, in particular those cases that are received toward the end of the fiscal year or which require significant investigation, negotiation or hearings, or other Commission resources. Accordingly, the statistics outlined below are intended to denote not only the cases received and processed during the current fiscal year, but also those that were received in prior years and resolved during the current fiscal year.

The Commission experienced an increase in the number of advisory opinions received from FY19, including more than double the number received in FY18. Through the first three quarters of the current fiscal year, the Commission continued to experience the same pace of new ethics complaints as were received in FY19, which also represents more than double the number of complaints received from FY18. The last quarter of FY20 reflected a decrease in complaint filings, presumably caused by the effects of the COVID19 Pandemic. Despite the decrease in the number of complaints *received* in the last Quarter of the fiscal year, the statistics reflect that the Commission *investigated* a greater number of complaints during FY 20 than it did in FY19. Moreover, the Commission continued to address the increased complaint case load from years prior, along with two separate vacancies in our Associate Counsel position this year, which contributed to a backlog of investigations/adjudications, as represented in the case statistics below. The Commission prioritizes investigations based upon whether there is a waiver of statutory timelines and/or the dates the written responses to the allegations are filed with the Commission. Many cases with waivers result in extensions to file written responses.

### **Requests for Advisory Opinions:**

The Commission responded to the increased number of advisory requests received during this fiscal year with the issuance of all opinions and abstract opinions within the same fiscal year. In other words, no opinions or abstracts were carried over into the next fiscal year. Consistent with the Commission's adopted regulations from FY18, Commission Counsel continued to implement a streamlined system of communication and procedures to ensure the efficient review of advisory requests by

written submission and approval of written opinions. The majority of requests for advisory opinion received in FY20 were resolved on written submission, rather than formal, in-person hearings. The efficiencies accomplished by the Commission through its regulatory changes have prompted the Commission to seek additional statutory changes to its advisory process in the next legislative session. Specifically, the Commission believes that it be able to issue opinions even more timely and be more responsive to urgent requests (in as few as days or even hours in urgent circumstances) by authorizing the Executive Director and Commission Counsel to issue informal advice consistent with its established precedent that may be relied upon by public officers and employees. Checks and balances will continue to exist through administrative review by the Commission, as necessary, and judicial review of a Commission opinion.

It is anticipated that the Commission will continue to receive more requests for advisory opinions as the State's public officers and employees are better educated regarding the applicability of the Ethics Law and their responsibilities thereunder. Moreover, State and local government agencies have significantly changed the manner in which they are operating in light of the COVID-19 Pandemic and it is anticipated that questions will arise regarding appropriate conduct while telecommuting or responding to emergency circumstances and protocols. It is also reasonable to expect an increase in the number of requests for relief from the cooling-off provisions as government agencies tackle the fiscal impacts of COVID-19.

In reflecting on the substantive issues presented in the advisory opinions during FY20, approximately half of the opinions dealt with the cooling-off restrictions, in particular requests by public officials and employees to leave public service (either through resignation or retirement) to pursue employment in the private sector from vendors who contracted with their public agencies. The cooling-off provisions of the Ethics Law prohibit former public officers and employees from seeking or accepting employment with private persons/entities who were awarded contracts worth more than \$25,000 from their agencies within the immediately preceding year, and regarding which they had influence or control in the awarding of the contract. In the majority of the opinions, the former public officers or employees were permitted to seek or accept the employment because they were found not to have been involved in the awarding of the contracts to the vendors, even if they had material involvement in the administration or

implementation of the contracts after they were awarded. Nevertheless, the Commission has expressed its concern and heightened scrutiny in approving these employment opportunities to avoid “pay-to-play” scenarios. The Commission has also sought the Legislature’s consideration whether the restrictions should be expanded to preclude former public officers or employees from accepting employment by such vendors for one year if they otherwise had an active role in administering or managing the contracts – and not simply awarding them.

**Requests for Advisory Opinions Received: 41**

<u>No Jurisdiction Withdrawn/Dismissed or Duplicate</u>	<u>Processed by Commission</u>	<u>Stayed by Order</u>	<u>Written Opinions Issued</u>	<u>Abstract Opinions Issued from Written Opinions (No Waiver of Confidentiality)</u>
17	24	0	24	19 of 24 <sup>1</sup>

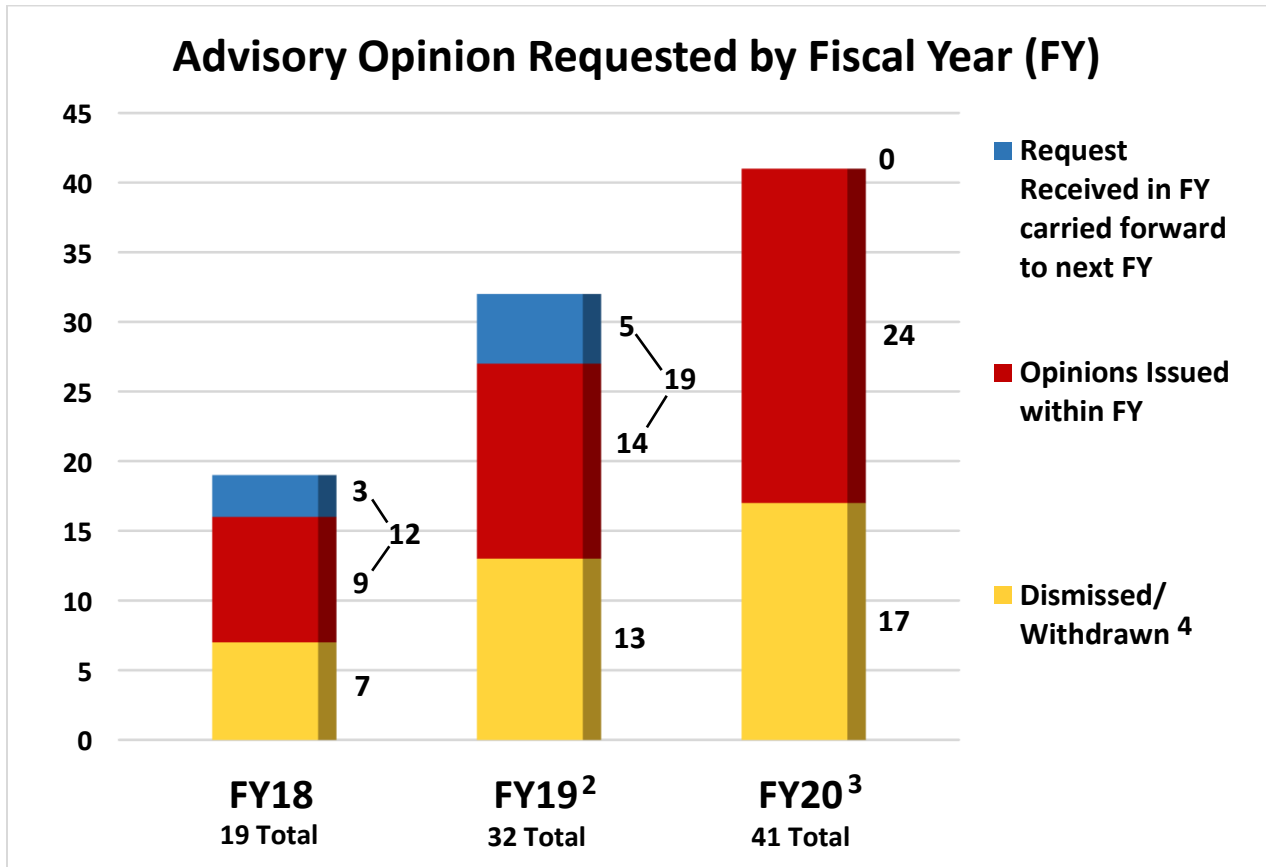
**For Comparison - Requests for Advisory Opinions Received – FY19: 32**

<u>No Jurisdiction Withdrawn/Dismissed or Duplicate</u>	<u>Processed by Commission</u>	<u>Stayed by Order</u>	<u>Written Opinions Issued</u>	<u>Abstract Opinions Issued from Written Opinions (No Waiver of Confidentiality)</u>
13	19	1 of 19	14 of 19 <sup>2</sup>	8 of 14

<sup>1</sup> 5 of the 24 written Opinions issued in FY20 waived confidentiality and an additional 19 Abstract Opinions were issued for the cases which remained confidential during FY20.

<sup>2</sup> The Commission also issued opinions for the remaining 5 advisory requests pending from FY19 (Case Nos. 19-045A, 19-049A, 19-005A, 19-051A & 19-052A). Of these 5, there were an additional 4 abstract opinions issued.





**<sup>1</sup> FY18**

The Commission received 19 Advisory Opinion Requests in FY18, 7 of which were dismissed or withdrawn. In the 12 remaining cases, the Commission issued 9 Opinions in FY18 and 3 in FY19.

Abstract Opinions: Of the 12 cases, 11 remained confidential and required 11 additional Abstract Opinions. The Commission completed 6 of the 11 Abstract Opinions in FY18 and 5 Abstract Opinions in FY19.

**<sup>2</sup> FY19**

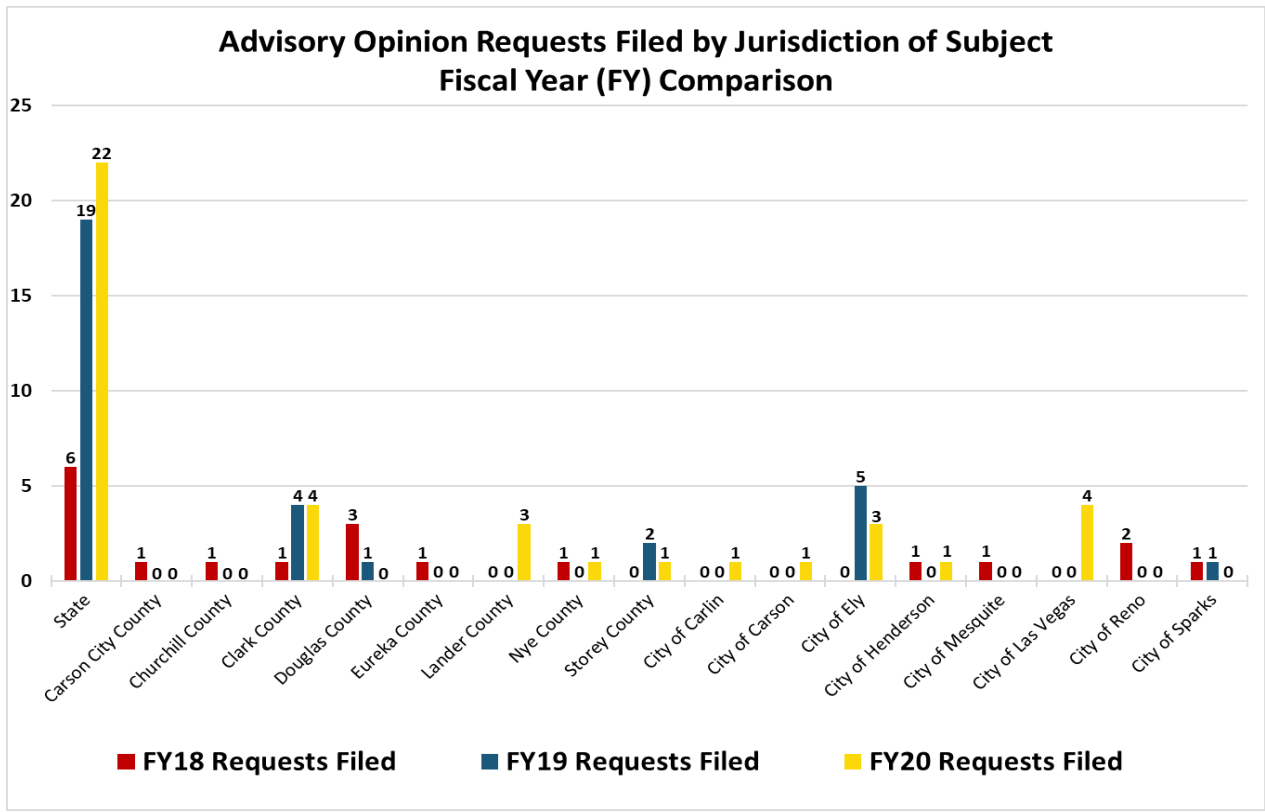
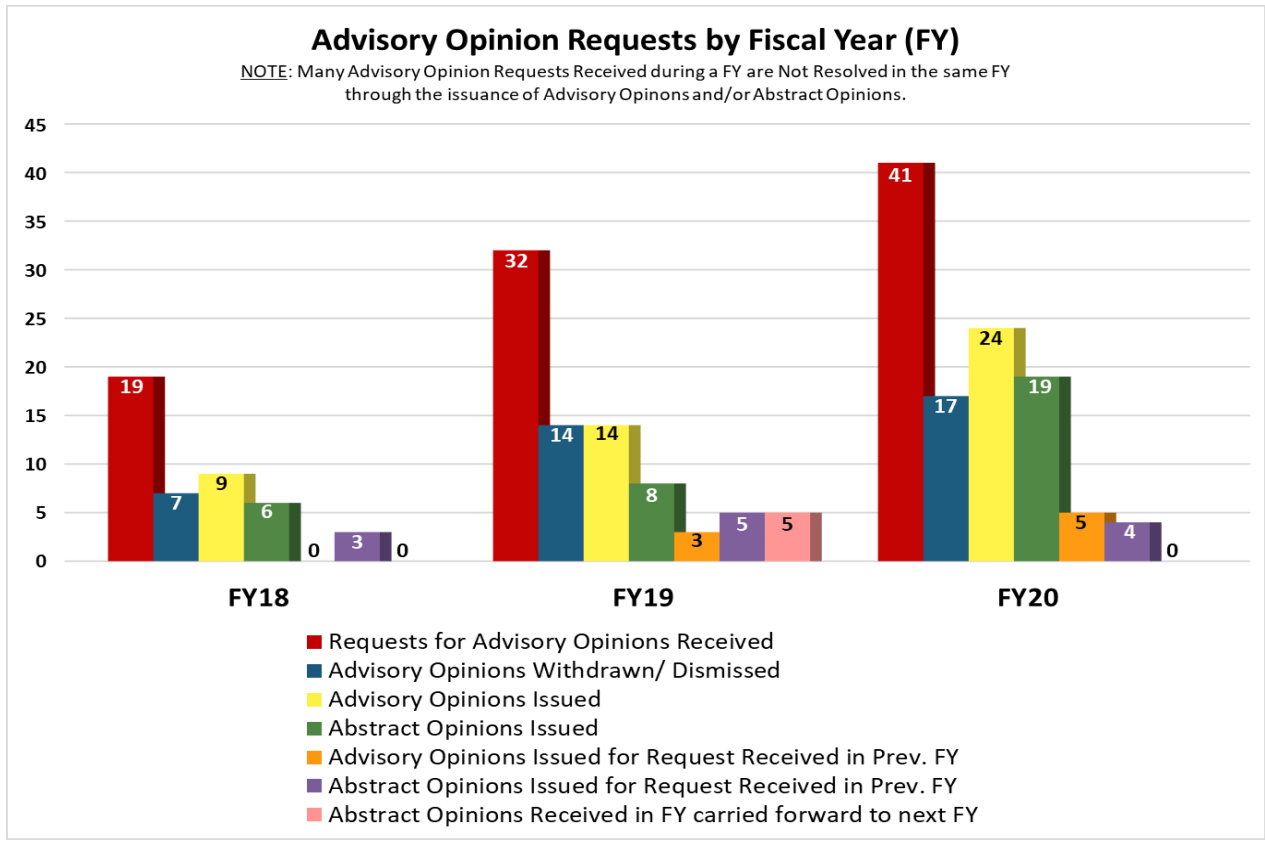
The Commission received 32 Advisory Opinion Requests in FY19, 13 of which were dismissed or withdrawn. In the 19 remaining cases, the Commission issued 14 Opinions in FY19 and 5 Opinions in FY20.

Abstract Opinions: Of the 19 cases, 12 remained confidential and required an additional 12 Abstract Opinions. The Commission completed 8 Abstract Opinions in FY19, and 4 Abstract Opinions in FY20.

**<sup>3</sup> FY20**

The Commission received 41 Advisory Opinion Requests in FY20, 17 of which were dismissed or withdrawn. In the remaining 24 Requests, the Commission issued 24 Opinions in FY20. 5 additional Opinions were issued in FY20 for requests received in FY19.

Abstract Opinions: Of the 24 cases, 19 remained confidential and required an additional 19 Abstract Opinions, all of which were completed within the FY.



**Ethics Complaints:**

With regard to ethics complaints, the Commission received and investigated more than twice the amount of complaints this fiscal year than FY18 (similar to the case load from FY19), through the first 3 quarters of the year. Again, the COVID-19 Pandemic resulted in a decrease in the overall complaints *filed* between FY 19 and FY20, but the number of cases *investigated* in FY20 increased significantly over FY19, even with fewer complaints. The majority of cases received waivers of statutory deadlines by the subjects of the complaints. The subjects of complaints who did not waive the 70-day deadline for investigation were given investigatory priority. Consequently, older cases take longer to investigate.

The Commission and its staff reviewed and vetted every complaint that was filed to make a recommendation regarding jurisdiction and whether an investigation was warranted. Each staff recommendation includes legal and factual research, written recommendations and legal analysis, and the Commission deliberates and issues orders and/or confidential letters of caution or instruction, as applicable. Notably, despite the increased case load and staff vacancies during the fiscal year, the Commission has continued to satisfy its 45-day statutory deadline to issue jurisdictional orders in every case.

The Commission reviews each complaint case that is filed to assure the public that its concerns receive the highest level of review. Even when a case is dismissed by the Commission before an investigation, the Commission issues a formal order in the case explaining its decision. In those cases that did not warrant a full investigation, but nevertheless supported additional outreach by the Commission, a letter of caution or instruction was issued. Most cases that are dismissed fail to allege a private interest in conflict with public duties, which is a prerequisite to jurisdiction of the Commission. The Commission will not investigate allegations that a public officer or employee failed to perform his/her job duties or made allegedly poor decisions or errors in carrying out job duties, unless those official actions (or failures to act) affected a private interest.

Final dispositions of an ethics complaint, including deferral agreements and stipulations, reflect significant negotiation and legal procedure between the Executive Director/Associate Counsel and the subject of a complaint, after a full investigation has

been conducted. The staff time required to review each ethics complaint, conduct investigations, prepare legal motions or negotiations and compile and present evidence for hearing or settlement is not adequately reflected in the final statistics. However, the Commission started tracking staff time on jurisdictional analyses and investigations half-way through this fiscal year and will be able to more accurately reflect this time commitment as of the Commission's next Annual Report.

The Commission does not control the number of ethics complaints that may be filed in any particular year; however, the Commission's outreach and education, accessibility of complaint forms through the Commission's website and the statutory protection of the identity of certain requesters/complainants may be attributable to the increased number of complaints in recent years. If requested, the Commission is required to protect the identity of a requester who works for the same agency as the subject of the complaint. The Commission may also protect the identity of the requester if evidence is provided that the requester or his/her family will be subject to a bona fide threat of physical harm for filing the complaint. As we continue to deal with the changing, remote/virtual working environments and public meetings as a result of the COVID-19 Pandemic, it is reasonable to assume we will continue to see an increased number of complaints and public concerns regarding ethical conduct of public officers and employees.

**Ethics Complaints Received: 89**

<u>Dismissed, without a Letter of Caution or Instruction</u>	<u>Dismissed, with a Letter of Caution or Instruction</u>	<u>Withdrawn</u>	<u>Investigated</u>
52	4	8	25

**Ethics Complaints Received in FY20, which the NCOE Investigated: 25**

<u>Panel Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Stipulations/ Opinions</u>	<u>Investigations Remain in Progress for FY21</u>
3	0	0	22 <sup>3</sup>

**Ethics Complaints Received in FY18 and FY19; Investigated/Resolved in FY20: 19<sup>4</sup>**

<u>Panel Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Commission Motion Hearings/ Adjudicatory Hearings</u>	<u>Stipulations/ Opinions</u>
11	3	0	5

**Ethics Complaints Received in FY18 and FY19; Still Pending in FY21: 3<sup>5</sup>**

**For Comparison – Ethics Complaints Investigated in FY19 (7/18-6/19): 28**

<u>Panel Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Commission Motion Hearings/ Adjudicatory Hearings</u>	<u>3rd Pty Stipulations/ Opinions</u>
1	4	0	1

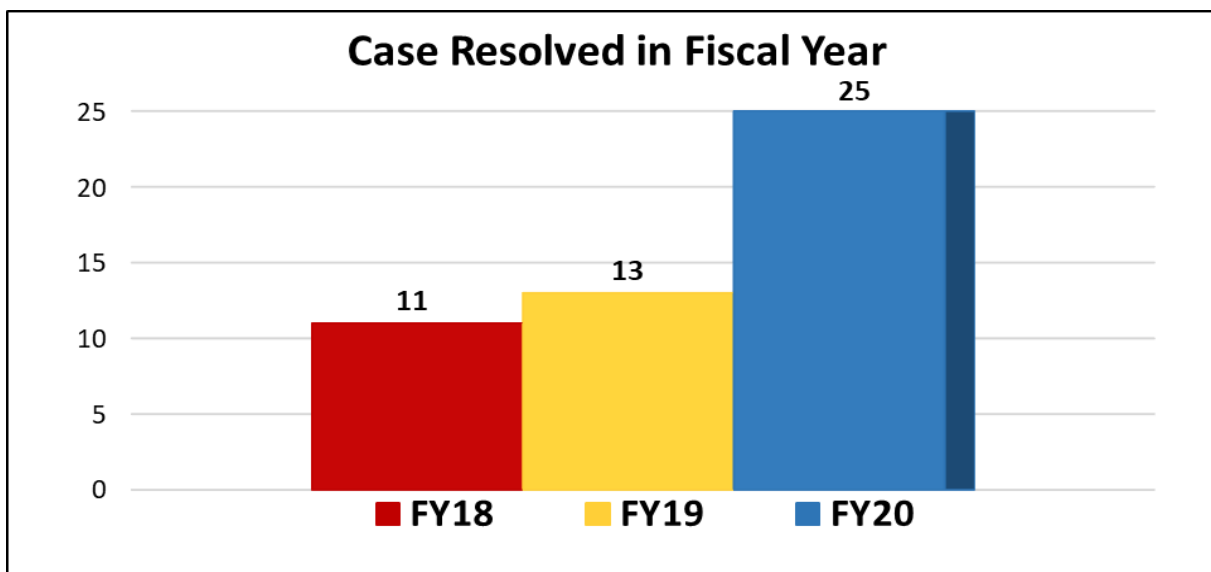
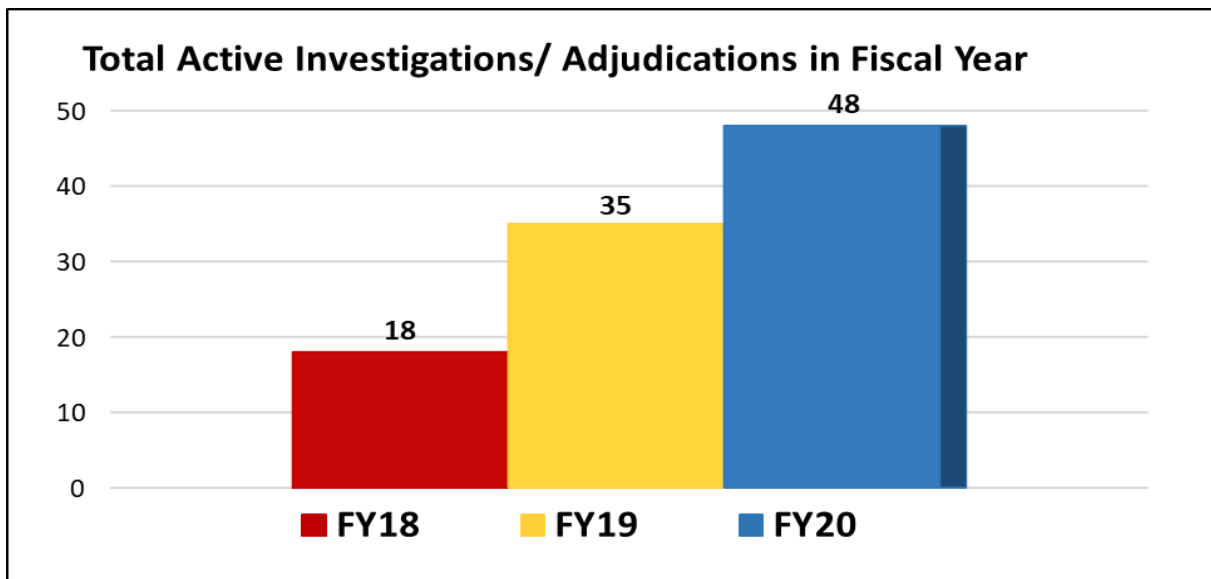
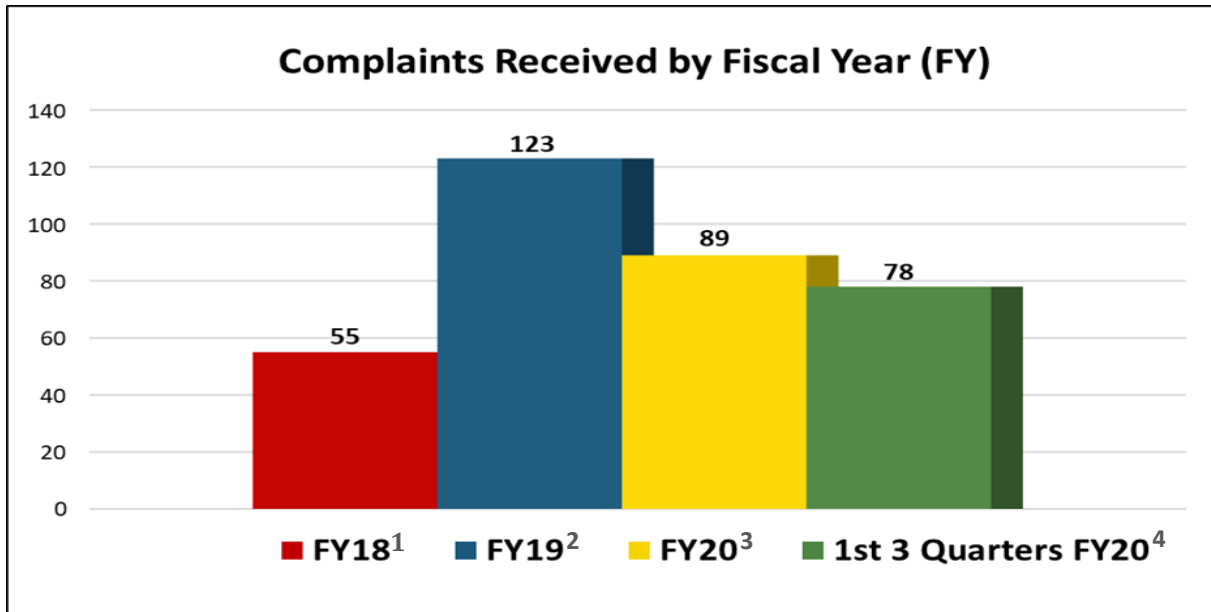
**Ethics Complaints Resolved by Letters of Caution/Instruction or Deferral Agreements:**

	<u>Letters of Caution</u>	<u>Letters of Instruction</u>	<u>Deferral Agreements</u>
Pre-Panel	1	2	
By Panel		3	
11 FY19 Cases Resolved in FY20 By Panel	4	4	3

<sup>3</sup> 22 Complaints remained pending in FY21 from cases received in FY20; Complaint Nos. 19-065C, 19-067C, 19-081C, 19-082C, 19-088C, 19-093C, 19-095C, 19-102C, 19-105C, 19-111C, 19-113C, 19-126C, 19-128C, 19-129C, 20-001C, 20-007C, 20-010C, 20-018C, 20-023C, 20-027C, 20-043C & 20-048C. (1 additional Complaint remained pending from FY19 - Complaint Case No. 18-060C).

<sup>4</sup> From FY18 - Complaint No. 18-031C – stipulation (consolidated with 18-052C). From FY19 – Complaint Nos. 18-049C – panel dismissal, 18-052C – stipulation (consolidated with 18-031C), 18-064C - panel dismissal with letter of instruction, 18-077C - panel dismissal with letter of instruction, 18-114C – panel dismissal, 18-121C - panel dismissal with letter of instruction, 18-130C - panel dismissal with letter of caution, 19-004C – panel deferral agreement, 19-021C – stipulation, 19-022C - panel dismissal, 19-026C – stipulation (consolidated with 19-027C), 19-027C – stipulation (consolidated with 19-026C), 19-028C - panel dismissal with letter of caution, 19-029C - panel dismissal with letter of caution, 19-031C - panel dismissal with letter of caution, 19-039C – panel deferral agreement, 19-042C - panel dismissal with letter of instruction & 19-044C – panel deferral agreement.

<sup>5</sup> 3 Complaints received and investigated in FY19 remained pending in FY20; Complaint Nos. 18-060C, 18-061C, 18-139C.



## Complaint Case Statistics by Fiscal Year (FY) Footnotes

### <sup>1</sup> **FY18**

13 Active Investigations of Complaints received in FY18; 5 additional Active Investigations from prior Fiscal Years.

-Total Active Investigations = 18

-Total Cases Resolved in FY18 = 11

-Total Investigations Remaining Pending for FY19 = 7

### <sup>2</sup> **FY19**

28 Active Investigations of Complaints received in FY19; 7 additional Active Investigations from prior Fiscal Years.

-Total Active Investigations = 35

-Total Cases Resolved in FY19 = 13

-Total Investigations Remaining Pending for FY20 = 22

### <sup>3</sup> **FY20**

25 Active Investigations of Complaints received in FY20; 23 additional Active Investigations from prior Fiscal Years (including 1 from FY18).

-Total Active Investigations = 48

-Total Investigations Resolved = 25

-Total Investigations Remaining Pending for FY21 = 23

### <sup>4</sup> **1<sup>st</sup> 3 Quarters FY20**

78 Complaint Cases were received during the 1<sup>st</sup> 3 Quarters of FY20 (July 2019 – March 2020). The Commission experienced a significant decrease in new complaints during the final Quarter of FY20 due to the COVID-19 Pandemic. If the trend of incoming Complaint Cases continued throughout the last quarter of FY20 during the COVID-19 Pandemic, the Commission likely would have received approximately 104 Complaint Cases for the year, based on an average receipt of 26 Complaints per month. This would have been consistent with FY19 cases.

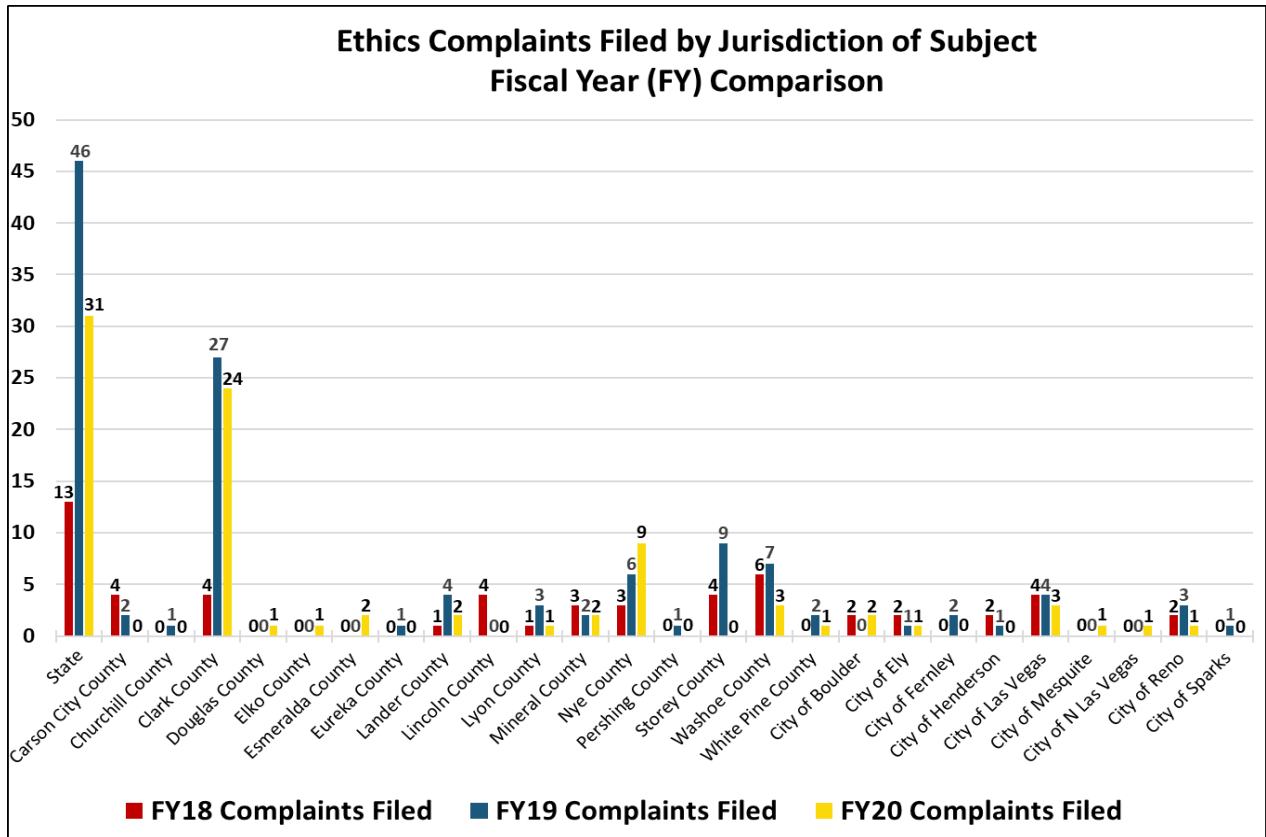
### **Dismissed/ Withdrawn Cases – No Investigation**

In FY18, 25 of the 39 Complaints were dismissed/ withdrawn.

In FY19, 81 of the 123 Complaints were dismissed/ withdrawn.

In FY20, 64 of the 89 Complaints were dismissed/ withdrawn.

The Commission reviews every Complaint and issues a Formal Order in each case regarding its jurisdiction and determination whether to formally investigate the allegations. Staff prepare a written recommendation in every case regarding whether the Commission has jurisdiction in the matter and whether the Complaint is filed with sufficient evidence in support of the allegations to warrant an investigation. The recommendation includes preliminary investigation, legal research and legal analysis with 4-5 staff members working on each case. Many cases are dismissed with a separate Letter of Caution or Instruction.





**Penalties/ Sanctions Imposed:**

In FY20, the Commission imposed \$5,000.00 in civil penalties for willful violations of the Ethics Law and collected \$32,292.56 for civil penalties imposed from FY19. Pursuant to State law, the Commission collects and deposits all funds received from the imposition of sanctions into the State General Fund. Subjects who fail to remit payment of a civil sanction are reported to the State Controller for collection. Many of the sanctions imposed authorize the payment of these penalties in monthly installments for 1 or 2 years.

<u>FY 2019 Sanctions Imposed or Received</u>	<u>Date Imposed</u>	<u>Statute(s) violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Rec'd in FY20</u>
<u>Gerald Antinoro, Sheriff, Storey Co.</u>	<u>10/17/2018</u>	<u>NRS 281A.400(2) and (7)</u>	<u>\$2,500</u>	<u>\$2,500</u>
<u>Lawrence Weekly, Chair, Las Vegas Convention &amp; Visitors Authority</u>	<u>1/16/2019</u>	<u>NRS 281A.400(1), (2), (7) and (9)</u>	<u>\$2,398.64</u>	<u>\$2,000<sup>6</sup></u>
<u>Judie Allan, Commissioner, Lander Co.</u>	<u>5/22/2019</u>	<u>NRS 281A.400(1), (2) and (9)</u>	<u>\$500</u>	<u>\$500</u>
<u>Lisa Cooper, Former Executive Director, Board of Massage Therapy</u>	<u>5/22/2019</u>	<u>NRS 281A.400(1) and (2)</u>	<u>\$25,023</u>	<u>\$25,023</u>
<u>Cathy Tull, Chief Marketing Director, Las Vegas Convention &amp; Visitors Authority</u>	<u>6/17/2019</u>	<u>NRS 281A.400(1), (2), (7) and (9)</u>	<u>\$8,700</u>	<u>\$2,269.56<sup>7</sup></u>
<u>FY 2020 Sanctions Imposed or Received</u>	<u>Date Imposed</u>	<u>Statute(s) violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Rec'd in FY20</u>
<u>Joel Dunn, Former Executive Director, Carson City Culture &amp; Tourism Authority</u>	<u>11/13/2019</u>	<u>NRS 281A.420(1)</u>	<u>\$5,000</u>	<u>\$5,000</u>
<u>FY 2021 Outstanding Sanctions Owed</u>	<u>Date Imposed</u>	<u>Statute(s) violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Owed in FY21</u>
<u>Cathy Tull, Chief Marketing Director, Las Vegas Convention &amp; Visitors Authority</u>	<u>6/17/2019</u>	<u>NRS 281A.400(1), (2), (7) and (9)</u>	<u>\$8,700</u>	<u>\$6,433.</u>

<sup>6</sup> Weekly paid the remaining \$400 during FY19.

<sup>7</sup> Tull will continue to make payments during FY21 in accordance with the terms of the Stipulated Agreement.

**Documents Filed:**

Pursuant to NRS 281A.500, public officers filed 717 Acknowledgment of Ethical Standards Forms (“Acknowledgment Forms”) with the Commission for calendar year 2019. The number of filings remains consistent with the prior calendar year of 695 Acknowledgment Forms filed in 2018. Public officers (not public employees) are required to file an Acknowledgment Form within 30 days of any appointment and reappointment to a public office or special election, and on or after January 15 following a general election for each term of office. Public officers who are appointed to serve an indefinite term of office at the pleasure of the appointing authority must file an Acknowledgment Form within 30 days of appointment and again on or before January 15 of each even-numbered year. The number of Acknowledgment Forms filed generally increases following educational outreach by the Commission as the awareness of this requirement is implemented throughout the State and local jurisdictions. To assist with enforcement, the Commission is seeking a legislative amendment to require all State and local agencies to provide a master list of public officers throughout the state, as they are currently required to provide to the Secretary of State for Financial Disclosure Statements.

The Commission’s website allows for submission of Acknowledgment Forms directly through the website and the Commission anticipates it will make the filed forms publicly available in searchable format on the Commission’s website during the next fiscal year.

### III. Legislative Matters

During FY20, the Commission approved a recommendation by its Bill Draft Request (“BDR”) Subcommittee, consisting of Vice-Chair Wallin and Commissioners Duffrin and Gruenewald, for a bill in the 2021 Legislative Session to amend various provisions of the Nevada Ethics in Government Law (“Ethics Law”) in NRS Chapter 281A. The Governor has agreed to sponsor the bill.

The bill is an effort by the Commission, through several years of public meetings and stakeholder input, to address issues that have become apparent since the 2017 legislative amendments (SB 84). The new BDR will clarify due process, improve transparency in the Commission’s processes, promote additional outreach and education, enhance confidentiality protections, streamline procedural requirements and address jurisdictional issues. The Commission and the BDR Subcommittee focused on amendments/additions that would improve and enhance access to the Commission and streamline its processes within the anticipated limitations on its fiscal resources. The proposed BDR includes amendments to address these issues:

#### **1. Requests for Advisory Opinions**

Increase accessibility to and responsiveness of the Commission to requests for advisory opinions by authorizing the Commission’s Executive Director and Commission Counsel to provide immediate informal, confidential advice to a public officer or employee on issues which the Commission has already issued precedential opinions. Such advice will still be subject to review by the Commission, and it may be relied upon by the public officer or employee as protection against potential violations of the Ethics Law. Additional amendments clarify process related to requests for and issuance of advisory opinions. Finally, the Commission requests statutory discretion to grant appropriate extensions of statutory deadlines for good cause. to issue such opinions.

#### **2. Ethics Complaints**

Significant clarifications and procedures are recommended to enhance transparency and due process for ethics complaints, including jurisdictional determinations, investigations and adjudication. Specifically, the Commission requests statutory discretion to grant appropriate extensions of statutory deadlines for good cause

to conduct investigations and render decisions. The Commission seeks to streamline its processes and provide transparent direction and additional rights to requesters and subjects of complaints. , including its jurisdictional/investigatory processes, issuance of notices of investigations and hearings, discovery and settlement processes, confidentiality protections, and increased safe harbor protections for reliance on legal counsel.

### **3. Ethical Standards of Conduct**

Clarify scope of ethical standards that apply to public officers and employees. Specifically, the Commission seeks to limit cooling-off prohibitions to certain management-level employees, while expanding the one-year prohibitions against private employment with agency contract vendors to employees who have material influence in management or administration of those contracts instead of just influence in awarding the contracts. Moreover, the Commission seeks to expand and clarify the standards of conduct to prohibit abuses of power/authority (not including allegations of bias, error or abuse of discretion in carrying out public duties), misuse of government resources, and disclosure and abstention obligations.

### **4. Open Meeting Law (“OML”) Exemption/Application**

Under current law, the Commission is exempt from the OML for its proceedings regarding requests for advisory opinion and review panels, and for its receipt of information and deliberations regarding ethics complaints. Final actions taken in an ethics complaint must comply with the OML. Given the dynamics of the confidential adjudicatory process, including confidential negotiations of settlement, this bill would make the final action of the Commission exempt from the procedural requirements of the OML, which require special notice and public meeting materials. Instead, the final decision of the Commission, including any records relied upon by the Commission that are not otherwise confidential, would be transparent and made public records, but the procedural requirements of the OML would not apply.

In 2019, the OML was amended as applicable to all public bodies (including the Commission) to delegate litigation decisions to its Chair or Executive Director of the agency. Such delegation must occur in an open public meeting in compliance with the OML. This amendment occurred as a result of OML litigation involving the Commission in prior years that affected all public bodies and their decisions regarding litigation. This OML

amendment did not take into account the specific exemptions of the OML applicable to the Commission under NRS Chapter 281A, including litigation decisions related to confidential proceedings regarding advisory opinions and ethics complaints. Therefore, the Commission seeks specific language to authorize an exemption from OML for the delegation of litigation decisions related to confidential proceedings before the Commission. The Commission would continue to maintain its transparency by publishing all decisions on its website, which is accessible to the public.

## **5. Administrative Amendments**

Additional proposed amendments include: (1) assignment of the Chair's duties in certain circumstances; (2) requirements of the Executive Director to be a licensed attorney; (3) clarifications regarding the Executive Director's status as a party to adjudicatory proceedings; (4) confidential referrals to appropriate governmental agencies for matters not within the Commission's jurisdiction; (5) cooperation with ethics investigations by public officers and employees who are witnesses; and (6) procedural requirements of governmental entities related to Acknowledgment of Statutory Ethical Standards Forms.

#### IV. Litigation & Appellate Review:

During FY20, the Commission defended several of its decisions that were the subject of petitions for judicial review and other litigation initiated in State courts.

##### Commission Case No. 16-54C (Antinoro) – Nevada Supreme Court Case No. 74206 and First Judicial District Court Case No. 17 OC 00138

The Commission issued a final opinion finding that Subject Antinoro committed a willful violation of the Ethics Law by using government letterhead as a mechanism to endorse a political candidate and the Commission imposed a \$1,000 sanction. Subject Antinoro filed a Petition for Judicial Review of the Commission's decision in the First Judicial District Court of the State of Nevada in and for Carson City, Case No. 17 OC 00138, asserting that the Commission committed legal error and asserting a constitutional challenge to NRS 281A.400(7). The Commission filed a motion to dismiss, asserting the Court lacked jurisdiction to consider the petition due to noncompliance with the mandatory requirements of Nevada's Administrative Procedures Act set forth in NRS Chapter 233B, including failing to name all parties of record in the administrative proceedings and failing to exhaust administrative remedies. The District Court granted the motion to dismiss in favor of the Commission. Subject Antinoro filed a Notice of Appeal with the Nevada Supreme Court, Case No. 74206. The issues presented on appeal were briefed by the parties and the appeal was directed by the Nevada Supreme Court to the Nevada Court of Appeals for consideration.

On May 24, 2019, the Nevada Court of Appeals issued an Order of Reversal and Remand indicating, in part, that at the time the District Court dismissed the petition, it did not have the benefit of the Nevada Supreme Court's opinion in *Prevost v. State, Dep't of Admin.*, 134 Nev Adv. Op. No. 42, \_\_\_, 418 P. 3d 675, 676 (2018), which clarified prior case precedent and determined that the failure to identify a party in the caption of the petition for judicial review is not a fatal jurisdictional defect when the petitioner attached a copy of the underlying administrative decision that identified the parties. The Court of Appeals also determined that exhaustion of remedies was not required by application of NRS Chapter 281A and NAC Chapter 281A. Upon remand, the parties filed their respective briefs on the merits.

On October 30, 2019, the district court issued an Order and Judgment Denying Petitioner's Petition for Judicial Review and Affirming the Final Decision of the Nevada Commission on Ethics. In doing so, the district court confirmed that NRS 281A.400(7) is constitutional on its face and as applied in the case because it is a content-neutral statute that does not restrict the private rights of free speech under the First Amendment, is not view-point discriminatory and serves a legitimate governmental interest. The court also affirmed the Commission's final decision that Antinoro violated NRS 281A.400(7) when he used official letterhead to endorse a political candidate because the decision was supported by substantial evidence in the record. After expiration of the appeal deadline, the Commission published the final decision on its website.

Smith v. Review Panel of the Nevada Commission on Ethics, State of Nevada. - Eighth Judicial District Court Case No. A-20-812778-J

Donald Smith is the subject of three ethics complaints administratively identified as complaint numbers 19-081C, 19-082C and 19-105C ("Complaints"). On March 24, 2020, Smith filed a petition for judicial review to challenge the three-member Review Panel's determination referring certain allegations set forth in the Complaints to the Commission for adjudicatory proceedings pursuant to NRS 281A.730, and he also filed an Application to Stay the pending administrative proceedings before the Commission.

On April 22, 2020, the Review Panel filed a motion to dismiss asserting the District Court lacked jurisdiction to consider the petition due to noncompliance with the mandatory requirements of Nevada's Administrative Procedures Act set forth in NRS Chapter 233B and provisions of NRS Chapter 281A which assert that a Review Panel's determination is not a final decision, but is an interlocutory order, and the final decision to be issued by the Commission and related rights of judicial review provide petitioner with an adequate remedy at law. Further, the motion asserted that petitioner did not properly name all parties and comply with other statutory requirements.

On April 22, 2020, The Review Panel also filed an opposition to petitioner's Application for Stay and a Motion to Stay the briefing schedule related to the merits of the judicial review until such time as the Court ruled upon the motion to dismiss and whether it had jurisdiction to consider the petition. The parties thereafter stipulated to the Review Panel's requested stay of proceedings, which stipulation was confirmed by court order issued on June 3, 2020.

The issues set forth in motion to dismiss were fully briefed and oral arguments were presented to the District Court on June 10, 2020. The District Court issued a minute order dated June 16, 2020, granting the motion to dismiss in favor of the Commission/Review Panel instructing that judicial review of the final decision of the Commission will provide petitioner with an adequate remedy at law and therefore the court did not have subject matter jurisdiction under NRS 281A.130 to review the interlocutory order issued by the Review Panel. The District Court directed the parties to prepare of a proposed order consistent with the minute order and the final order was issued on July 6, 2020. Petitioner will have statutory rights to pursue an appeal to the Nevada Supreme Court. In the meantime, the Commission is proceeding with adjudication on the merits of the allegations set forth in the Complaints that were referred by the Review Panel.



## V. Fiscal Matters

### **Commission Budget:**

The Commission's biennial funding is split between the State General Fund and certain of Nevada's local governments (cities and counties). The proportions for the State Fund and local governments are based on the number of public officers and employees who serve the State compared to local governments. Legislatively-approved labor data from the Nevada Department of Employment, Training and Rehabilitation provides that 28 percent of Nevada's public officers and employees serve the State and 72 percent serve local governments.

FY20 wrapped up the first year of the Commission's biennial budget. The Commission's budget for FY20 was \$930,837, before it was amended at the end of the fiscal year to accommodate the requested agency budget cuts resulting from the Pandemic. The Commission's budget funds personnel (salaries/benefits), travel (to conduct meetings, investigations and trainings), operating expenses, court reporting, information technology equipment and services and other State-related cost allocations and assessments. Personnel and operations are the Commission's largest expenses and are essential to support the Commission's primary efforts to provide outreach and education regarding the Ethics in Government Law, respond to advisory requests and investigate and adjudicate ethics complaints.

Given the legislative priorities and demands on Commissioners and staff during FY20 to respond to its increased case load and outreach efforts, the Commission primarily met virtually and via email communications (where the Open Meeting Law was not applicable) so that Commission staff could use the travel budget for investigations and training efforts throughout the State, until the Pandemic halted all travel and in-person meetings.

The Commission's budget objectives in FY20 included seeking additional interim investigatory/adjudicatory resources from the Governor and Legislature to address the backlog of investigations/adjudications due to the increased case load and staff vacancies. The Commission sought a temporary, contract attorney to round out the interim, and to assess whether the agency needs an additional full-time attorney position next biennium.

While the case load and legal demands warranted the additional legal position, the Pandemic's devastating impacts on the State's revenues in the last quarter made this impossible.

Since the COVID-19 Pandemic resulted in restrictions/prohibitions on travel and in-person meetings, and the majority of the Commission's budget consists of travel, training and court reporting costs, the Commission was able to revert the required percentage of funding back to the State for the remainder of FY20. The Commission also had to compromise on the form of its investigations, which meant telephonic or virtual (as opposed to in-person) witness interviews and experienced delays in receiving documentation and other evidence from various governmental agencies. This has contributed to the ongoing backlog of investigations and adjudications. On a positive note, we have learned to use some alternative methods that will still serve us well even after operations return to normal.

Perhaps more daunting for all government agencies, including the Commission, will be the fiscal effects for the next fiscal year and future biennium as the State contends with the economic impacts of the Pandemic. During FY20, the Commission was asked to propose additional cuts to its FY21 Budget (for consideration at a special session to be held next fiscal year), which have again included significant cuts to travel, operations, and court reporting, along with the closure of the Commission's Las Vegas Office, which was unstaffed. The Commission will continue to do its part to respond to the crisis and develop efficiencies in its processes. In fact, the Commission's BDR Subcommittee recommended various legislative amendments that may not solve the increased case load or backlog, but will make the Commission able to respond appropriately to various statutory deadlines through extensions of time for good cause and other procedural streamlining of advisory and complaint cases.

The Executive Director will work with the Commission and the Governor's Office to determine its priorities amid the fiscal realities confronting the State. To achieve the Commission's mission of education and outreach as the case load increases and demands on staff become greater, we must consider increasing staff, achieving salary parity with similar positions in other State agencies and modernizing the Commission's technology.

## VI. Outreach & Education Program

In FY20, the Commission and the Executive Director continued the program of outreach and education to Nevada's public officers and employees and public attorneys. The Executive Director continued outreach at nearly the same pace as the prior fiscal year, until the COVID-19 Pandemic shut down travel and in-person meetings. While the number of trainings reduced toward the end of the fiscal year, the Executive Director adapted to a virtual training platform for several agencies. While the level of interaction in this platform has some limits, the overall accessibility has proven effective enough that the Commission staff will be developing a formal virtual/digital training in the next fiscal year.

The Commission has continued to express its intention to increase the number and type of outreach methods in the future to promote its primary mission of education. Given the staffing and fiscal limitations confronting the State and the Commission in the next year, the Commission will strive to adapt to the virtual environment and otherwise seek creative alternatives to ensure that State and local agencies may seek and receive training from the Commission. They will also be doing more outreach to the media and the general public.

### Ethics Trainings – FY20

<b>Trainings Provided to:</b>	<b>Number of Ethics in Government Law Trainings Presented:</b>
State Government Entities	11
Local Government Entities	11
Private Entities	3
<b>Total</b>	<b>25</b>

In addition to the Commission's training program, the Commission engages in other outreach efforts via staff communications and correspondence with the public. The Commission staff provides regular, often daily, feedback for the public, public officers and employees and government attorneys regarding the applicability of NRS Chapter 281A and Commission's opinion precedent.

**State of Nevada  
Commission on Ethics  
FY20 Training Information**

<b>Date</b>		<b>Entity</b>	<b>Location</b>	<b>Jurisdiction</b>
7/10/19		NV State Board of Nursing	Lake Tahoe	State
7/16/19		State of NV Div. of Insurance	Carson City	State
7/19/19		NV State Board of Dental Examiners	Reno	State
8/7/19		NV State Board of Dental Examiners	Las Vegas	State
8/8/19		City of Las Vegas	Las Vegas	Local
8/8/19		Southern NV Chapter of the International Code Council	Las Vegas	Private
8/14/19		Lake Tahoe Visitors Authority	Stateline	Local
8/22/19		Institute of Internal Auditors Northern NV	Carson City	Private
9/4/19		NV State Board of Pharmacy	Reno	State
9/24/19		NV League of Cities	Henderson	Local
9/25/19		NV Association of Counties	Sparks	Local
10/21/19		Silver Springs/Stagecoach Hospital Board	Silver Springs	Local
10/23/19		City of N Las Vegas (x4)	N. Las Vegas	Local
10/23/19		City of N Las Vegas (x4)	N. Las Vegas	Local
10/23/19		City of N Las Vegas (x4)	N. Las Vegas	Local
10/23/19		City of N Las Vegas (x4)	N. Las Vegas	Local
10/24/19		NV State Public Charter School Authority	Las Vegas	State
10/24/19		Southern NV Regional Housing Authority	Las Vegas	Local
11/18/19		AG Boards and Commissions	Carson City	State
12/6/19		NV State Board of Medical Examiners	Las Vegas	State
1/7/20		Douglas County Board of Commissioners	Minden	Local
1/17/20		Association of Government Accountants	Reno	Private
1/22/20		State of NV Gov Office of Economic Dev	Carson City	State
3/4/20		NV State Board of Accountancy	Reno	State
6/30/20		Dept of Taxation	Zoom	State

## VI. Closing Remarks

FY20 can be best summarized as a year of contrast in both steadiness and flexibility. Given the significant dynamics in responding to the COVID-19 Pandemic toward the end of the fiscal year, it is easy to forget the pace at which the Commission was operating for the first 3 quarters of the fiscal year. The COVID-19 Pandemic has dominated our view of FY20, as the Commission staff converted to remote, tele-working conditions and the Commission's meetings became virtual. Nevertheless, the Commission should be praised for the pace at which it responded to its increased case load with limited resources, and its ability to remain accessible to the public as well as State and local government public officers and employees do to the extenuating circumstances presented by the Pandemic.

While the number of new complaint cases slowed during the last Quarter, staff and the Commission remained steadfast in resolving a significant number of its older cases, addressed unprecedented litigation and adapted to a new virtual format for providing outreach and education. As other governmental agencies adapt to new reforms under COVID-19, including virtual meetings, telecommuting work environments and the upcoming fiscal and legislative issues in the next fiscal year, it is reasonable to assume that the Commission's case load may pick up again in the coming fiscal year. The Commission and its staff will be poised to tackle these challenges to ensure the public's trust in government oversight and transparency.

## **Commission and Commissioner Information**

Nevada Commission on Ethics  
as of 06/30/20

### **Commissioners**

**\*=Appointed by Governor**

**\*\*=Appointed by Legislative Commission**

**Chair - Cheryl Lau, Esq. (R)\***  
(07/01/16 – 06/30/20)

**Teresa Lowry, Esq. (D)\*\***  
(05/16/18 - 05/15/22)

**Vice Chair - Kim Wallin, CPA (D)\*\***  
(06/26/18 – 06/25/22)

**Philip “P.K.” O’Neill (R)\***  
(07/01/19 – 6/30/23)

**Brian Duffrin (NP)\***  
(11/01/19 – 10/31/23)

**Damian R. Sheets, Esq. (D)\***  
(10/01/19 – 9/30/23)

**Barbara Gruenewald, Esq. (D)\*\***  
(10/12/19 - 10/31/23)

**Amanda Yen, Esq. (R)\*\***  
(12/21/16 – 12/20/20)

### **Staff**

**Yvonne M. Nevarez-Goodson, Esq.**  
**Executive Director**

**Tracy L. Chase, Esq.**  
**Commission Counsel**

**VACANT**  
**Associate Counsel**

**Darci L. Hayden, PP-SC**  
**Senior Legal Researcher**

**Kari Pedroza**  
**Executive Assistant**

**Erron Terry**  
**Investigator**



## Nevada Commission on Ethics

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# **Agenda Item 7**



Kim Wallin, CPA, CMA, CFM  
Chair

Brian Duffrin  
Vice-Chair

Yvonne Nevarez-Goodson, Esq.  
Executive Director  
(D) 775-687-4312  
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**COMMISSION ON ETHICS**  
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November 12, 2020

TO: Commissioners

FR: Yvonne M. Nevarez-Goodson, Esq.  
Executive Director

RE: November 18, 2020 Meeting of the Commission on Ethics, Agenda Item 7,  
Jurisdictional Review Process

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This agenda item provides the Commission with an overview of the Commission's (and staff's) jurisdictional review process and determination whether to investigate an ethics complaint. The purpose of this agenda item is to review current processes and provide the Commission an opportunity to approve or amend the process.

Vice-Chair Duffrin has inquired whether: 1) the processes comply with the Commission's statutory and regulatory requirements; 2) staff has any concerns with the process; 3) how long these processes have been in place.

A brief reference to relevant statutory and regulatory provisions and legislative history is provided.

**ETHICS COMPLAINTS:**

**NRS 281A.710** provides that an ethics complaint may be filed by any person or initiated by the Commission, if the complaint is verified under oath and filed on the proper form, and submitted with sufficient evidence to support the allegations in order for the Commission to determine whether it has jurisdiction and whether an investigation is warranted.

Notably, an ethics complaint is confidential unless and until the matter is investigated and presented to a Review Panel. Accordingly, if the Commission declines to accept jurisdiction or direct an investigation, the ethics complaint remains confidential indefinitely. If the Commission accepts jurisdiction and directs an investigation, the complaint becomes public when a Review Panel issues its determination regarding whether there is sufficient evidence

to support an adjudication by the Commission. Furthermore, all Commission/Review Panel deliberations related to an ethics complaint are exempt from the Open Meeting Law.

**NRS 281A.715, as amended in 2017 (SB 84)** requires the Commission to determine whether it has jurisdiction of an ethics complaint that is properly filed, and whether an investigation is warranted in the matter. The Commission has 45 days to issue this determination. The Commission has the authority/mandate to make one of following **3 alternative determinations**:

- 1) The Commission **does NOT have jurisdiction** – it **SHALL dismiss** the matter;
- 2) The Commission **does have jurisdiction** **BUT** the **evidence** submitted with the complaint is **not sufficient** to warrant an investigation – **it SHALL dismiss** the matter, **with or without a confidential letter of caution or instruction.**
- 3) The Commission **does have jurisdiction** **AND** the **evidence** submitted with the complaint is **sufficient** to warrant an investigation in the matter – **it MAY direct an investigation.**
  - Pursuant to NAC 281A.405(4), the Commission **MAY**:
    - o Dismiss the matter, with or without a letter of caution or instruction; or
    - o Direct an investigation of all or a portion of the complaint.

**Pursuant to NAC 281A.403**, the Commission’s process for initiating an ethics complaint on its own motion is based upon a recommendation from the Executive Director which must include information to support the recommendation, including any reliable, competent form of proof, such as witness statements, public or private records, recordings, documents, exhibits, objects or other forms of proof.

**NAC 281A.405** further establishes the procedural requirements for the Executive Director to make a recommendation regarding jurisdictional/investigatory determinations of ethics complaints. The Executive Director, in consultation with Commission Counsel, must submit a written recommendation to the Commission regarding whether the Commission has jurisdiction of an ethics complaint and whether the evidence submitted with the complaint is sufficient to warrant an investigation of the matter.

A note on legislative/regulatory history:

The Commission adopted new administrative regulations (NAC Chapter 281A) based upon the legislative changes during the 2017 Legislative Session (Senate Bill 84 (“SB 84”)). Prior to 2017, the Commission was required to investigate every complaint that was filed in which the Commission had jurisdiction and in which there was sufficient evidence to support the allegations. Regardless of how minor the alleged conduct, a full investigation with all of the procedural due process requirements, was mandated. SB 84 provided the Commission the discretion to dismiss appropriate cases without an investigation and with or without a letter of caution or instruction.

Moreover, prior to 2017, the Executive Director and Commission Counsel made the jurisdictional determination and the Commission only reviewed this determination if the Requester or Subject appealed it to the Commission. This process resulted in a number of appeals requiring dedicated staff and Commission resources to process and hold hearings causing delays to determine jurisdiction/investigation and concerns in meeting statutory

deadlines. To avoid these procedural hurdles, the Commission proposed legislation that would require the Commission to review every ethics complaint up front and make the determination. SB 84 also provided discretion to the Commission to determine whether it wants to investigate a complaint over which it has jurisdiction or resolve it by issuance of a letter of instruction or letter of caution, both of which are confidential but may be used in future proceedings relating to the same subject, if applicable. This resulted in quicker jurisdictional determinations by the Commission and eliminated the possibility for interlocutory appeals or other litigation in the courts at the early stages of a complaint case to stop/require the Commission's investigation, and importantly the new procedure did not impinge on statutory deadlines to investigate.

At the outset of these new regulations, the Executive Director/Commission Counsel held closed session meetings/hearings for every ethics complaint to allow the Commission to deliberate and issue jurisdictional/investigatory determinations. Given the timing and statutory deadlines for these determinations there were scheduling challenges to have the Commission meet in person/telephonically together multiple times a month. Consequently, the Commission adopted the following procedures to streamline jurisdictional determinations. The following processes have been in place since mid-late 2017. Staff recommended these changes to streamline the process, has received positive feedback from various Commissioners, and continues to support the current procedures.

### **PROCESS:**

- 1) Receipt of Ethics Complaint – 45-day statutory deadline commences for Commission to determine jurisdiction/investigation.
  
- 2) Staff's Jurisdictional Review of Ethics Complaints:
  - Pursuant to the Commission's regulations set forth in NAC Chapter 281A, the Executive Director and Commission Counsel are required to review every ethics complaint and make a legal recommendation to the Commission whether it has jurisdiction and whether the complaint was filed with sufficient evidence to support the allegations to warrant an investigation. The Associate Counsel participates in all jurisdictional recommendations.
  - Jurisdictional Recommendation:
    - o Does the Complaint allege a violation of a provision of NRS Chapter 281A by a public officer or employee?
      - Staff reviews the nature and scope of Subject's agency, duties, position, etc. to confirm status as a public officer/employee.
      - Staff reviews allegations in complaint to determine whether it alleges an ethics violation (i.e., conflict of interest between public duties/private interests).
      - Ex: No jurisdiction if complaint involves judges or advisory body members, exceeds statute of limitations (2 years), or implicates matters with the Commission does not have concurrent jurisdiction to apply the Ethics Law, such as complaints only relating to enforcement of the Open Meeting Law, workplace harassment or discrimination laws.
  - Sufficient evidence to support the allegations.
    - o A Complaint may not be filed with mere allegations or assertions of a violation without a minimal threshold of evidence to support the allegations, i.e., witness statements; documentation, etc.

- Given the Commission's discretion to initiate complaints and regulatory authority of the Executive Director to review public records, Staff researches whether there are any relevant, readily available public records related to the allegations.
        - Ex: media; meeting recordings/transcripts/minutes; agency websites; etc.
    - Staff prepares a written recommendation regarding whether the Commission has jurisdiction of the complaint and whether the complaint is supported by sufficient evidence:
      - Recommendation includes a summary of the facts presented in the complaint along with any readily available public records or facts.
      - Legal analysis is included regarding whether such evidence supports the alleged violation of the Ethics Law to warrant an investigation.
      - Staff also determines which statutory provisions may be implicated by the allegations (public isn't required to know all the statutory provisions).
      - Staff makes a legal recommendation to the Commission whether to accept jurisdiction and whether the complaint is filed with sufficient evidence to support the allegations to warrant an investigation.
    - Confidentiality of Requester:
      - If the Requester of the Complaint requests the confidentiality of his/her identity, Commission staff will review the complaint and make a recommendation to the Commission regarding whether the Requester has provided sufficient evidence that he/she works for the same agency as the subject of the complaint or has a bona fide threat of physical harm to himself or his family.
        - If the Requester works for the same agency as the subject, the Commission **MUST** maintain the identity of the Requester as confidential.
        - If the Requester provides information supporting a bona fide threat of physical harm if his/her identity is revealed, the Commission **MAY** maintain the identity as confidential.
- 3) Executive Director's Recommendation/Email to Commission:
- The Commission's deliberation and review of an ethics complaint for jurisdiction and investigation is confidential and not subject to the Open Meeting Law.
  - The Executive Director emails the Commission **2 weeks** before the deadline with the recommendation and a proposed order.
  - If the recommendation includes a confidential letter of caution or instruction, the email will also include a proposed letter for review/approval by the Commission.
  - The Executive Director provides the Commission with **1 week** to vote on the recommendation via email.
- 4) Commissioners' Deliberations:
- Each Commissioner should review every complaint to confirm whether he/she has any conflicts of interest in the Commission's determination regarding jurisdiction/investigation. Any conflicts should be communicated with the Executive Director and Commission Counsel for confirmation whether the conflict requires a disclosure/abstention.
  - If a Commissioner remains silent and does not participate, he/she will be noted as **ABSENT** on the final order.

- Unless there is a conflict mandating abstention, each Commissioner should vote whether he/she agrees with staff's recommendation and respond directly to the Executive Director confirming their vote regarding the recommendation.
- If a Commissioner disagrees with or has an alternative recommendation to staff's recommendation, the Commissioner may email his/her colleagues to deliberate via email or request the Executive Director to schedule a teleconference for discussion with the Commissioners regarding the jurisdictional determination and order. There is an additional week built into the timeframe before the 45-day deadline to schedule and hold such a teleconference for the Commission to deliberate and render a decision.
  - o COMMISSION'S REVIEW:
    - If the Commission does not have jurisdiction of the complaint, it **MUST** dismiss the complaint - without an investigation and without a confidential letter of caution or instruction.
    - If the Commission determines it does have jurisdiction BUT there is NOT sufficient evidence to support the allegations, it **MUST** dismiss the complaint, with or without a confidential letter of caution or instruction.
    - If the Commission concludes that it does have jurisdiction AND there is sufficient evidence in support of the allegations, it **MAY**: (1) Direct an Investigation; or (2) Dismiss the Complaint with or without the issuance of a Confidential Letter of Instruction of Caution. Dismissal is typically done in cases with allegations of minor conduct that can be supported by available public records.

5) Vote/Issuance of Order on Jurisdiction and Investigation:

- If there is no request for additional deliberation, the Executive Director will calculate the votes to determine whether a majority of a quorum has approved the recommendation and whether there are any Commissioners dissenting in the determination.
- The Executive Director will send a final email to the Commission confirming the vote, any disclosures/abstentions and any dissenting votes.
- The Executive Director will conduct a final review of the Order on Jurisdiction and Investigation to confirm its accuracy with the vote, add any disclosures/abstentions or dissents and issue the Order.
- If a Commissioner does not participate, a footnote is added to acknowledge an absent Commissioner. A Commissioner is listed as absent so that there can be no future concern that the Commissioner had a conflict and didn't disclose or abstain, or otherwise allow staff to assume a particular vote.
- The Order is confidential:
  - o If the Commission directs an investigation or dismisses with a letter, the Order is sent to the Subject and the Requester of the Complaint.
  - o If the Commission declines jurisdiction and dismisses the complaint, the Requester is provided with a copy of the Order.

6) Notices of Complaints:

- If the Commission accepts jurisdiction and orders the Executive Director to investigate, the Executive Director issues a Notice of Complaint and Investigation to the Subject of the Complaint along with the Order on Jurisdiction and Investigation.

- The Executive Director must provide a copy of the complaint with the Notice.
  - o If the Commission orders that the identity of the Requester be maintained as confidential, the Executive Director provides a redacted complaint that protects the identity of the Requester.
- The 70-day statutory deadline to complete an investigation commences with the issuance of an Order on Jurisdiction and Investigation and Notice of Complaint and Investigation.
- A Notice of Complaint and Investigation provides the subject with notice of the allegations.
- Notice of Complaint includes a copy of any legal waivers of statutory deadlines.
- Subjects are provided 30 days to file a written response.
- If the subject files a waiver of the statutory deadlines for investigation, the Executive Director may approve extensions of time to respond to the allegations not to exceed 30 days each for good cause shown.

### **ADVISORY OPINIONS:**

**NRS 281A.675** provides that a public officer or employee may file a confidential request for advisory opinion, if the request relates to the officer/employee's own past, present or future conduct, is filed under oath on the proper form, and submitted with all necessary information for the Commission to render advice.

Pursuant to **NRS 281A.680 and 281A.685**, the Commission must render a confidential opinion within 45 days after receipt of the request and necessary information in support of the request.

**NAC 281A.350** requires the Commission Counsel (CC) and Executive Director (ED) to determine whether the Commission has jurisdiction to render advice and whether the request was submitted with the necessary information for the Commission to render its advice. Pursuant to **NAC 281A.351**, if the CC and ED determine that the request lacks jurisdiction or the necessary information to render advice, the CC and ED must notify the requester in writing regarding the deficiency and provide an opportunity to cure within a specified period. The Requester may appeal the jurisdictional decision to the Commission. At this juncture, supplemental information may be requested from the Requester. If the Requester provides the supplemental information, the 45-day deadline for the Commission to render the written opinion commences on the date the supplemental information is received. If the Requester fails to provide the requested information, the regulation provides that CC or ED may dismiss the matter.

If a request for an advisory opinion is properly filed and the ED and CC determine there is jurisdiction and sufficient information, **NAC 281A.352** requires the ED or CC to notify the Requester whether the Commission will consider the matter in a hearing or under written submission. To facilitate the process, the ED or CC are required to prepare a list of proposed facts based upon the request, information provided by the Requester and any available public records, which facts must be approved as true by the Requester.

### **PROCESS:**

- 1) **Receipt of Request for Advisory Opinion** - 45-day statutory deadline commences for Commission to render opinion (or upon receipt of supplemental information if requested).

2) Staff's Jurisdictional Review of Advisory Requests:

- Commission Counsel reviews each request for jurisdiction and emails the Executive Director with a recommendation regarding jurisdiction and whether the matter may be considered by the Commission via written submission or whether a hearing would be more appropriate to ascertain additional facts/circumstances.
- The Executive Director confirms jurisdiction and review by submission or hearing with Commission Counsel via email.
- Commission Counsel will also identify whether additional information is necessary to obtain from the Requester.

3) Commission Counsel's Communication with Requester/Draft Opinion:

- Commission Counsel contacts Requester via email or other means to confirm jurisdiction and provide overview of the process or issue notices of deficiency or requests for supplemental information.
  - o If supplemental information is required from the Requester, Commission Counsel will send an email to the Requester with a list of questions and/or requests for supplemental information.
    - Commission Counsel will provide a deadline for receipt of the requested supplemental information.
    - The 45-day deadline to issue the opinion does not commence until the Requester provides the supplemental information to Commission Counsel.
  - o Similar to ethics complaints, Commission Counsel will research any available public records, statutes and Commission precedent relevant to the request and draft proposed findings of fact based upon the information provided by the Requester and public records.
  - o Commission Counsel will provide a list of proposed facts to the Requester for confirmation and approval.
  - o Commission Counsel does not represent the Requester and the Requester may be represented by private counsel or official counsel for the employing public agency.
  - o After confirmation/approval of the proposed facts from the Requester, Commission Counsel will prepare a draft written opinion outlining the proposed application of the ethics law to the confirmed facts, consistent with the Commission's written precedent.
- The Executive Director and staff provide edits/review for Commission Counsel.

4) Commission Deliberations:

- The Commission's deliberation and review of a request for advisory opinion is confidential and not subject to the Open Meeting Law.
- The Commission Counsel provides a materials packet by email to the Commission before the 45-day deadline with the proposed written opinion and a deadline for the Commission to vote on the recommendation via scheduled hearing or by submission facilitated through email.
- Before participating, Commissioners should review the request for advisory opinion and draft opinion and advise Commission Counsel whether they have any conflicts.
- If a hearing is held, it will be scheduled with sufficient time to render the advisory opinion within statutory deadlines. At the hearing, the Requester is asked to detail the request, the Commission has an opportunity to ask questions, and the

Commission deliberates outside the presence of the Requester for purpose of directing Commission Counsel on the parameters of the written opinion to be issued.

- If the advisory opinion is considered by submission, Commissioners will review the materials packet and advise Commission Counsel by email on whether they approve the proposed opinion or if they would like to hold deliberations with other Commissioners, which will be scheduled as requested.
- After Commission Counsel receives a quorum approval, she will prepare the final opinion, which lists disclosure/abstentions and dissents.
- Those Commissioners who do not participate in the vote will be listed as absent on the final written opinion.
- Commission Counsel and staff conduct a final review of the proposed opinion to assure it properly reflects the Commission's final vote and is in proper form for issuance.
- Commission Counsel issues the final opinion to the Requester and confirms whether the Requester wants to retain confidentiality of the opinion.
- If the Requester waives confidentiality, the written opinion is published on the Commission's Website and sent to LCB for annotations within NRS Chapter 281A.
- If the Requester maintains confidentiality of the written opinion, Commission Counsel prepares an abstract opinion removing identifying characteristics of the Requester, which abstract is reviewed for proper form and then published.
- Requester may seek reconsideration of the written opinion once issued by the Commission and has rights of judicial review under NRS Chapter 233B.



# **Agenda Item 8**

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## **Summary of the Proposed BDR 23-257 - 2021 Legislative Session**

### **1. Requests for Advisory Opinion**

- Confidential, informal advice by Executive Director and Commission Counsel
  - o Consistent with published Commission precedent
  - o Subject to review by Commission
- Filing/Processing amendments and jurisdictional clarifications
- Commission authority to extend deadlines for good cause

### **2. Ethics Complaints**

- Due Process/transparency enhancements
  - o Revised notices of investigations/hearings
  - o Discovery/Settlement processes
  - o Confidentiality protections (Subject and Requester)
- Enhanced Safe Harbor protections for violations if reliance on legal counsel
- Access to personnel records of public employees for related ethics allegations
- Commission authority to extend deadlines for good cause

### **3. Ethical Standards of Conduct – Enhancements/Clarifications**

- Cooling-Off (Revolving Door) Enhancements/Limitations
  - o Limited to management-level employees
  - o Expanded prohibitions for private employment by agency vendors
- Abuse of Power/Authority (not bias, error or abuse of discretion)
- Misuse of Government Resources (clarify limited use exceptions)
- Disclosure/Abstention – Protect confidential information/relationships

### **4. Open Meeting Law Exemptions/Application**

- Exemption for hearings/decisions
- Litigation Delegation in Closed Session for confidential proceedings

### **5. Administrative Amendments**

- Assignment of Chair's duties
- Executive Director as licensed attorney
- Executive Director's status as party in adjudicatory proceedings
- Confidential referrals to appropriate governmental agencies for matters outside jurisdiction
- Procedural requirements from governmental entities for Acknowledgment of Statutory Ethical Standards Forms

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## **Legislative Summary – FY20 Annual Report**

During FY20, the Commission approved a recommendation by its Bill Draft Request (“BDR”) Subcommittee, consisting of Vice-Chair Wallin and Commissioners Duffrin and Gruenewald for a bill in the 2021 Legislative Session to amend various provisions of the Nevada Ethics in Government Law (“Ethics Law”) in NRS Chapter 281A. The Governor has sponsored the bill.

The bill is an effort by the Commission, through several years of public meetings and stakeholder input to address issues that have become apparent since the 2017 legislative amendments (SB 84). The new BDR will increase and clarify due process, improve transparency in the Commission’s processes, promote additional outreach and education, enhance confidentiality protections, streamline procedural requirements, and address jurisdictional issues. The Commission and the BDR Subcommittee focused on amendments/additions that would improve and enhance access to the Commission and streamline its processes within the anticipated limitations on its fiscal resources. The proposed BDR includes amendments to address the following issues:

### **1. Requests for Advisory Opinions**

Increase accessibility to and responsiveness of the Commission to requests for advisory opinions by authorizing the Commission’s Executive Director and Commission Counsel to provide immediate, informal confidential advice to a public officer or employee on issues which the Commission has already issued precedential opinions. Such advice will be subject to review by the Commission, and it may be relied upon by the public officer or employee as protection against potential violations of the Ethics Law. Additional amendments clarify process related to requests for and issuance of advisory opinions. Finally, the Commission requests statutory discretion to grant appropriate extensions of statutory deadlines for good cause to issue such opinions.

### **2. Ethics Complaints**

Significant clarifications and procedures are recommended to enhance transparency and due process for ethics complaints, including jurisdictional determinations, investigations and adjudication. Specifically, the Commission requests statutory discretion to grant appropriate extensions of statutory deadlines for good cause to conduct investigations and render decisions. The Commission seeks to streamline its processes and provide transparent direction and

additional rights to requesters and subjects of complaints, including its jurisdictional/investigatory processes, issuance of notices of investigations and hearings, discovery and settlement processes, confidentiality protections, and increased safe harbor protections for reliance on legal counsel.

### **3. Ethical Standards of Conduct**

Clarify scope of ethical standards that apply to public officers and employees. Specifically, the Commission seeks to limit cooling-off prohibitions to certain management-level employees, while expanding the one-year prohibitions against private employment with agency contract vendors to employees who have material influence in management or administration of those contracts instead of just influence in awarding the contracts. Moreover, the Commission seeks to expand and clarify the standards of conduct to prohibit abuses of power/authority (not including allegations of bias, error or abuse of discretion in carrying out public duties), misuse of government resources, and disclosure and abstention obligations.

### **4. Open Meeting Law (“OML”) Exemption/Application**

Under current law, the Commission is exempt from the OML for its proceedings regarding requests for advisory opinion and review panels, and for its receipt of information and deliberations regarding ethics complaints. Final actions taken in an ethics complaint must comply with the OML. Given the dynamics of the confidential adjudicatory process, including confidential negotiations of settlement, this bill would make the final action of the Commission exempt from the procedural requirements of the OML, which require special notice and public meeting materials. Instead, the final decision of the Commission, including any records relied upon by the Commission that are not otherwise confidential, would be transparent and made public records, but the procedural requirements of the OML would not apply.

In 2019, the OML was amended as applicable to all public bodies (including the Commission) to delegate litigation decisions to its Chair or Executive Director of the agency. Such delegation must occur in an open public meeting in compliance with the OML. This amendment occurred as a result of OML litigation involving the Commission in prior years that affected all public bodies and their decisions regarding litigation. This OML amendment did not take into account the specific exemptions of the OML applicable to the Commission under NRS Chapter 281A, including litigation decisions related to confidential proceedings regarding advisory opinions and ethics complaints. Therefore, the Commission seeks specific language to authorize an exemption from OML for the delegation of litigation decisions related to confidential proceedings before the Commission. The Commission would continue to maintain its transparency by publishing all decisions on its website, which is accessible to the public.

### **5. Administrative Amendments**

Additional proposed amendments include: (1) assignment of the Chair’s duties in certain circumstances; (2) requirements of the Executive Director to be a licensed attorney; (3) clarifications regarding the Executive Director’s status as a party to adjudicatory proceedings; (4) confidential referrals to appropriate governmental agencies for matters not within the Commission’s jurisdiction; (5) cooperation with ethics investigations by public officers and employees who are witnesses; and (6) procedural requirements of governmental entities related to Acknowledgment of Statutory Ethical Standards Forms.

RFO No.	Date Filed	Jurisdiction	Local or State	Subject	Requester	Status
20-081C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-080C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-079A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/Opinion
20-078C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-077C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-076C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-075C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-074C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-069A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/Opinion
20-064C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-063C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
<b>↑ FISCAL YEAR 2021 ↑</b>						
20-048C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-043C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-027C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-023C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-018C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-010C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-007C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Scheduling Conference 1/7/21
20-001C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-129C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-128C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-126C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-113C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-111C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-105C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 9/3/20; Compliance Pending - \$6,500 Civil Penalty due 12/31/20; Consolidated with 19-081 & 19-082C

19-102C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-095C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-088C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-082C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 9/3/20; Compliance Pending - \$6,500 Civil Penalty due 12/31/20; Consolidated with 19-081 & 19-105C
19-081C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 9/3/20; Compliance Pending - \$6,500 Civil Penalty due 12/31/20; Consolidated with 19-082 & 19-105C
19-065C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
↑ FISCAL YEAR 2020 ↑						
19-044C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 2/20/20; Compliance Period expires 2/20/25
19-039C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 10/14/19; Compliance Period expires 10/14/21
19-018C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 6/17/19 Compliance Pending - \$8,700 Civil Penalty due 7/31/21 (\$5,787.39 Remaining)
19-004C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 6/4/20; Compliance Pending - Compliance Period expires 6/4/22, Must Attend Ethics Training
18-072C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 1/15/19; Compliance Pending - Compliance Period expires 1/15/21
18-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Stipulation - November
18-057C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Deferral Agreement 3/11/19; Compliance Pending - Compliance Period expires 3/11/21
18-043C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed in Part by Panel 2/20/19 w/Ltr of Caution; Deferral Agreement 3/14/19; Compliance Pending - Compliance Period expires 3/14/21
↑ FISCAL YEAR 2019 ↑						

RFO No.	Date Filed	Jurisdiction	Local or State	Subject	Requester	Status
20-081C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-080C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-079A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/Opinion
20-078C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-077C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-076C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-075C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-074C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Jurisdictional Review
20-073C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-072A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 20-071A Duplicate)
20-071A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed - No Supplemental Info
20-070C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Caution 11/5/20 (Jurisdiction; No Investigation)
20-069A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Pending Submission/Opinion
20-068C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-067C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-066C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-065C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-064C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-063C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-062C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Caution 10/1/20 (Jurisdiction; No Investigation)
20-061C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending

20-059C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-058A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 9/1/20; Abstract issued 9/16/20
20-057C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-056C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Instruction 9/3/20 (Jurisdiction; No Investigation)
20-055C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-054A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 20-053A Duplicate)
20-053A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 8/24/20; Abstract issued 9/16/20



RFO No.	Date Filed	Jurisdiction	Local or State	Subject	Requester	Status
20-052C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-051C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-050C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-049C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-048C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
20-047A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 20-046A Duplicate)
20-046A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
20-045C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn - Confidentiality denied
20-044C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-043C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
20-042A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed - Incorrect Filing (Advisory filed instead of complaint)
20-041C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-040C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-039A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 20-038A Duplicate)
20-038A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 5/28/20; Amended Abstract issued 7/9/20
20-037C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction - 2 yr statute of limitations)
20-036A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 5/27/20; Abstract issued 6/25/20
20-035C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-034C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

20-033C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-032C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-031C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-030C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-029C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-028C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-027C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
20-026C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-025A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 4/23/20; Abstract issued 6/25/20
20-024A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 20-025A Duplicate)
20-023C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
20-022A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 4/21/20; Abstract issued 6/25/20
20-021A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 4/7/20; Abstract issued 6/25/20
20-020A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Opinion issued 4/20/20; Abstract issued 6/24/20
20-019C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
20-018C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Investigation Pending
20-017A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction)
20-016C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
20-015C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
20-014A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn
20-013A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Dismissed (No Jurisdiction)
20-012A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	Withdrawn (see 20-011A Duplicate)

20-011A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/30/20; Abstract issued 6/22/20
20-010C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
20-009C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
20-008A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/9/20; Abstract issued 6/1/20
20-007C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Scheduling Conference 1/7/21
20-006A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/9/20; Abstract issued 6/18/20
20-005C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-004A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 2/10/20; Revised issued 6/24/20
20-003A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 3/25/20; Abstract issued 6/8/20
20-002C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
20-001C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-130C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 5/13/20
19-129C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-128C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-127C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-126C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-125C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Instruction 2/13/20 (No Jurisdiction; No Investigation)
19-124A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 2/10/20; Abstract issued 6/1/20
19-123C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-122C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-121A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 1/23/20; Confidentiality Waived
19-120A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 1/16/20 Abstract issued 6/1/20
19-119C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-118C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-117A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn

19-116C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-115A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Jurisdictional Deficiency
19-114A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-113C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - November
19-112C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn (see 19-113C Duplicate)
19-111C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-110C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-109C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-108C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-107C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-106C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-105C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 9/3/20; Compliance Pending - \$6,500 Civil Penalty due 12/31/20; Consolidated with 19-081 & 19-082C
19-104C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-103C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-102C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-101C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-100A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 11/25/19; Abstract issued 1/29/20
19-099C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-098A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 11/25/19; Abstract issued 1/23/20
19-097A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-096A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 12/2/19; Abstract issued 2/6/20
19-095C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-094C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

19-093C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel 10/21/20 (Jurisdiction; No Investigaton)
19-092A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 11/26/19; Abstract issued 1/23/20
19-091C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-090C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-089C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-088C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Investigation Pending
19-087C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Instruction 11/4/19 (Jurisdiction; No Investigaton)
19-086C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-085C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-084C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-083A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/2/19; Abstract issued 12/11/19
19-082C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 9/3/20; Compliance Pending - \$6,500 Civil Penalty due 12/31/20; Consolidated with 19-081 & 19-105C
19-081C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Stipulated Agreement 9/3/20; Compliance Pending - \$6,500 Civil Penalty due 12/31/20; Consolidated with 19-082 & 19-105C
19-080A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/8/19; Confidentiality waived
19-079C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-078A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-077A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/15/19; Confidentiality waived
19-076A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed - No Response Rec'd from Subject
19-075C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 11/14/19
19-074C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel w/Ltr of Instruction 11/14/19
19-073A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-072C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)

19-071C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Instruction (Jurisdiction; No Investigation)
19-070C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-069C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-068A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 10/8/19; Abstract issued 12/11/19
19-067C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed by Panel 10/21/20 (Jurisdiction; No Investigaton)
19-066A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-065C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Panel Hearing Pending - December
19-064C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-063C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-062C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-061C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-060C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (No Jurisdiction; No Investigation)
19-059A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 9/3/19; Confidentiality waived
19-058C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed w/Ltr of Caution 8/15/19 (Jurisdiction; No Investigaton)
19-057C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-056C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)
19-055A	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Opinion issued 8/13/19; Confidentiality waived
19-054C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Withdrawn
19-053C	XXXXX	XXXXXX	XXXXX	XXXXXXXXXX	XXXXXXXXXX	Dismissed (Jurisdiction; No Investigation)



# STATE OF NEVADA COMMISSION ON ETHICS

## Meeting Dates for 2021 (3<sup>rd</sup> Wednesday of Each Month)

January 20<sup>th</sup>

February 17<sup>th</sup>

March 17<sup>th</sup>

April 21<sup>st</sup>

May 19<sup>th</sup>

June 16<sup>th</sup>

July 21<sup>st</sup>

August 18<sup>th</sup>

September 15<sup>th</sup>

October 20<sup>th</sup>

November 17<sup>th</sup>

December 15<sup>th</sup>

**State of Nevada**  
**Commission on Ethics**  
**FY21 Training Information**

<b>Date</b>	<b>Presenter</b>	<b>Entity</b>	<b>Location</b>	<b>Jurisdiction</b>
8/13/20	YMNG	Southern NV Chapter of the International Code Council	Webinar	Local
8/20/20	YMNG	NV State Contractors Board	Zoom	Local
9/3/20	YMNG	Gaming Control Board	Zoom	State
9/24/20	YMNG	PEBP Board	Zoom	State
11/2/20	YMNG	Humboldt Co/ Golconda Water District	Zoom	Local
11/4/20	YMNG	Southern Nevada Health District	Webex	Local
12/1/20	YMNG	NV Dept of Motor Vehicles	Zoom	State
12/2/20	YMNG	Fernley City Council	Zoom	Local
12/3/20	YMNG	NV Dept of Motor Vehicles	Zoom	State
12/7/20	YMNG	NACO & Nevada League	Zoom	Local
1/15/21	YMNG	NSHE Board of Regents	Zoom	State
Pending	YMNG	Charter School Authority	Las Vegas	Local
Pending	YMNG	NV Board of Nursing	Zoom	Local
Pending	YMNG	LV Stadium Authority Board	Las Vegas	Local
Pending	YMNG	City of Boulder	Zoom	Local
Pending	YMNG	NV Dept of Public Safety	Carson City	State
Pending	YMNG	NV Dept of Business & Industry Division of Industrial Relations	Zoom	State