

Agenda Item 2

Public Comment

From: [WatchDogJeff](#)
To: [Ross Armstrong](#); [Nevada Commission on Ethics](#)
Subject: Public Comment for NCOE Meeting See Attached For the Record
Date: Tuesday, October 15, 2024 1:55:52 PM
Attachments: [NCOE Oct General Public Comment.docx](#)
[NCOE Oct PC Agenda Item 7 Rodriguez.docx](#)

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Please see attached for NCOE Board Meeting Public Comment

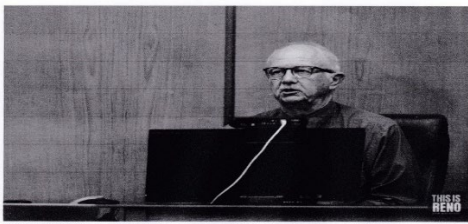
Jeff Church
WatchDogJeff.com

*Views are mine and do not reflect the opinions of any government agency.

I'll endeavor myself to the Nevada Commission on Ethics (NCOE) as I express my disdain for the organization.

First: Letter of Caution: I was out of town but recently received a Letter of Caution from NCOE regarding my defense and disclaimer of March 12, 2024. I decline to accept that. How do I go about appealing that? To date, I had no notice of any hearing nor appeal process. BTW: Do I get the same free lawyer that Trustee Joe Rodriguez has? Should not WCSD indemnify me and protect me from willful malicious politically motivated attacks as I act in performance of my duty, i.e. to view public document applications for committees. Please Note ruling of Judge Drakulich in said matter. I will not go into detail here but wish to dispute alleged factual details of the matter.

EDUCATION GOVERNMENT NEWS
**Trustee Church prevails in public records lawsuit
against Washoe County School District**
By: Bob Conrad August 16, 2024



Washoe County School Board Trustee Jeff Church testified in court on April 24, 2024 for a public records lawsuit he filed against the school district. Bob Conrad / THIS IS RENO
"THE BLANKET DENIAL OF MR. CHURCH'S REQUEST IS UNWARRANTED AND FAILS TO COMPLY WITH NEVADA PRECEDENT."

<https://thisisreno.com/2024/08/trustee-church-prevails-in-public-records-lawsuit-against-washoe-county-school-district/>

Next, the NCOE role:

NCOE see its role as: *"to enhance the people's faith in integrity and impartiality of public officers and employees, adequate guidelines are required to show the appropriate separation between the roles of persons who are both public servants and private citizens."*

Does NCOE or anyone truly believe that this is the case? Does anyone have faith in the Ethics Commission? What is the annual cost NCOE for money in, manure out? Imagine the useful purposes that could be served in NCOE was eliminated. And would anything change? No.

I have many ideas such as having the Guinn Institute or students at UNLV (Boyd or ?) study how each state does it and suggest streamlined and cheaper methods as well as enhancing NCOE ability to enforce its sanctions. Has NCOE ever forced people to pay their fines. Can we create a simple appeal decision along the lines of small claims court and a judge? How about a simple initial process as in the military UCMJ "Captain's Mast"?

One of the most ridiculous decisions from NCOE is that in two identical situations a violation only occurs if the agency has a policy against the conduct. WCSD trustees routinely use staff and interior, off limits, school photos in campaigns and NCOE says

it's OK because there is no WCSD policy against it. (BTW there is such a policy and NCOE was informed and ignored that, AR 4530).



WCSD Trustee Joe Rodriguez: (*WCSD=Washoe County School District) On or about I submitted a lengthy detailed complaint of concerns over Rodriguez' campaign CURRENT social media sites with various photos including him (with Trustee mayberry) both in uniform. Also included various accoutrements of office all of which seem to not meet Judge Sigurdson decision limitations as these are not photos of him in the performance of his duties. The response a terse email that you do not look into issues over two years old. These were not.

The “Driver License Rule”: The State of Nevada appears to clearly follow the Driver License Rule in complaints. First look at the driver’s license of the complaint and accused and only then decide if they’ll be dealt with fairly or not. NCOE actions seem to adhere to the Driver License Rule.

Also why would NCOE have a member of the lawfirm, McDonald Carano on their staff? That’s any easy way to eliminate one member.

Very sincerely,

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To: NCOE, Public Comment, October 16, 2024, Agenda Item 7:

Item 7: Discussion and possible action to direct Commission Counsel to take legal steps necessary to defend the Commission and Commissioners in Rodriguez v. NCOE, Second Judicial District Court Case No. CV24-02169.

Moving on regarding Washoe County School District (WCSD) Trustee Rodriguez, now a candidate for Sparks City Council. Can anyone explain why he is exempt from filing a Secretary of State Legal Defense Fund form or otherwise disclosing in his C&E Reports? Can anyone explain why he can accept over \$5,000 or \$10,000 in pro bono legal work without any disclosure at all?

<https://www.nvsos.gov/SOSCandidateServices/AnonymousAccess/CEFDSearchUU/CandidateDetails.aspx?o=3CkpgKFqKXvuR5bJhfTg4g%253d%253d>

It appears that Rodriguez has not even filed his latest C&E Report due October 15, 2024.

NRS 294A.160 Permitted and prohibited use and disposition of contributions: Notwithstanding the provisions of NRS 294A.286, a candidate or public officer may use contributions to pay for any legal expenses that the candidate or public officer incurs in relation to a campaign or serving in public office without establishing a legal defense fund. Any such candidate or public officer shall report any expenditure of contributions to pay for legal expenses in the same manner and at the same time as the report filed pursuant to NRS 294A.120 or 294A.200. A candidate or public officer shall not use contributions to satisfy a civil or criminal penalty imposed by law.

What is an in-kind contribution?

A: The value of goods or services provided in kind for which money would have otherwise been paid (NRS 294A.007). For example, a person donates billboard space to a candidate free of charge. This would be an in-kind contribution, the value of which would be what it would normally cost to rent the billboard space.

In-Kind Contributions: • In-kind contributions are the value of services provided in kind for which money would have otherwise been paid. N.R.S. § 294A.007. Within 30 days of providing any in-kind goods or services, a donor must provide the recipient a signed statement setting forth the actual cost of the goods and services provided, or their fair market value. N.A.C. § 294A.043.

From Texas: TEXAS ETHICS COMMISSION ETHICS ADVISORY OPINION NO. 580 held that “In conclusion, a legal action that depends on a person’s status as a candidate is connected with a campaign, and pro bono legal services provided to a candidate in connection with such litigation constitute contributions for purposes of the Texas Election Code. Tex. Elec. Code § 251.001(3). Consequently, such pro bono legal services may not be provided to a candidate by a corporation. Id. at § 253.094.” Likewise in their Opinion #533 they held, “Free legal services provided by an attorney to a judge to defend a lawsuit arising from the judge’s activities as a candidate are a campaign contribution subject to the restrictions under title 15 of the Election Code and section 36.08 of the Penal Code.”

Might anyone just ask- maybe he’ll decline- but ask him and counsel who is paying for his legal fees?

Might anyone ask if his attorney or his lawfirm is representing the WCSD where he is a Trustee on various matter and if he disclosed or recused himself on voting on matters that may involve McDonald Carano. For example it appears that Mr. Hosmer of

McDonald Carano is and has been involved in two Writ actions by Trustee Church and that on or about March 12, Rodriguez voted to fund opposition to those writs and has participated in subsequent meetings on those matters including offers of settlement that were declined? Does not the public record reflect that McDonald Carano has received and continues to receive thousands of dollars in fees from WCSD while Rodriguez was a Trustee?

So let's summarize all that; does McDonald Carano provide ongoing legal services to WCSD where Rodriguez is a trustee and yet he receives thousands of dollars in free pro-bono, gifted, undisclosed legal services from the firm and same attorney possibly in excess of \$10,000- and no one cares?

MCDONALD CARANO WILSON LLP + GENERAL COUNSEL 9/15/2023 \$31,344.45/
MCDONALD CARANO WILSON LLP + GENERAL COUNSEL 7/22/2022 \$68,850.94/
MCDONALD CARANO WILSON LLP + GENERAL COUNSEL 7/8/2021 \$15,502.00/
MCDONALD CARANO WILSON LLP + GENERAL COUNSEL 10/16/2020 \$16,275

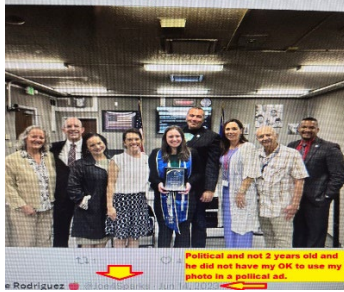
| FISCAL YEAR 2023-2024 WCSD Legal Expenditures/General Council | | | | | | | | | |
|---|----------------|----------|----------|-----------|---------|-------------------|----|-----------------------|--|
| Vendor Name | Purchase Order | PO# | Date | Amount | Check # | Date Range | # | Amount | |
| Alexander, et al | | | | | | 07/27/23 | 1 | \$4,400.00 | |
| Sub Total: | | | | | | | | \$4,400.00 | |
| Carbone Law | 130578 | 06/27/23 | 06/27/23 | 50,000.00 | | 07/28/23-08/15/24 | 7 | 50,000.00 | |
| Carbone Law | | | | 20,000.00 | | | | 20,000.00 | |
| Sub Total: | | | | | | | | \$70,000.00 | |
| City Investigations | | | | | | 10/27/23-01/22/24 | 9 | 22,227.83 | |
| City Investigations Inc | | | | | | 09/15/23-01/15/24 | 7 | 28,815.00 | |
| Sub Total: | | | | | | | | \$51,042.83 | |
| Edwards, et al | 130573 | 06/20/23 | 06/20/23 | 30,000.00 | | 09/15/23-04/05/24 | 6 | 30,000.00 | |
| Edwards, et al | 131910 | 10/10/23 | 10/10/23 | 50,000.00 | | | | 50,000.00 | |
| Edwards, et al | 920644 | 03/16/23 | 03/16/23 | 30,000.00 | | | | 30,000.00 | |
| Sub Total: | | | | | | | | \$110,000.00 | |
| Edwards, et al | | | | | | 12/22/23-03/22/24 | | 31,344.45 | |
| Sub Total: | | | | | | | | \$61,655.55 | |
| Frank, et al | 131884 | 10/10/23 | 10/10/23 | 2,000.00 | | | | 2,000.00 | |
| Frank, et al | | | | 5,000.00 | | | | 5,000.00 | |
| Frank, et al | | | | 5,000.00 | | | | 5,000.00 | |
| Sub Total: | | | | | | | | \$12,000.00 | |
| General, et al | 130538 | 06/20/23 | 06/20/23 | 50,000.00 | | 07/18/23-01/28/24 | 12 | 73,461.00 | |
| General, et al | 130575 | 06/20/23 | 06/20/23 | 50,000.00 | | 09/19/23-01/15/24 | 14 | 203,490.38 | |
| General, et al | 131264 | 08/24/23 | 08/24/23 | 50,000.00 | | | | 50,000.00 | |
| General, et al | 131503 | 08/24/23 | 08/24/23 | 99.00 | | | | 99.00 | |
| General, et al | 131900 | 10/10/23 | 10/10/23 | 50,000.00 | | | | 50,000.00 | |
| General, et al | 132474 | 03/09/24 | 03/09/24 | 50,000.00 | | | | 50,000.00 | |
| General, et al | 132893 | 03/09/24 | 03/09/24 | 50,000.00 | | | | 50,000.00 | |
| General, et al | 133025 | 03/11/24 | 03/11/24 | 50,000.00 | | | | 50,000.00 | |
| General, et al | 927638 | 08/16/22 | 08/16/22 | 25,437.00 | | | | 25,437.00 | |
| General, et al | 928683 | 03/13/23 | 03/13/23 | 35,000.00 | | | | 35,000.00 | |
| Sub Total: | | | | | | | | \$678,024.38 | |
| General, et al | 130533 | 06/20/23 | 06/20/23 | 50,000.00 | | 07/21/23-08/22/24 | | 9,381.40 | |
| General, et al | 130912 | 07/17/23 | 07/17/23 | 10,000.00 | | | | 10,000.00 | |
| General, et al | 929775 | 05/17/23 | 05/17/23 | 10,000.00 | | | | 10,000.00 | |
| Sub Total: | | | | | | | | \$29,381.40 | |
| General, et al | | | | | | 07/29/24 | | 319,240.94 | |
| Sub Total: | | | | | | | | \$1,000,000.00 | |
| General, et al | | | | | | | | 3,034,317.38 | |
| General, et al | | | | | | | | 47,262.00 | |
| General, et al | | | | | | | | 3,026,783.00 | |

Why is Joe Rodriguez held to a different set of standards than Joe Lombardo (see driver license rule for the answer)?

And as a sidenote did not Trustee Mayberry receive a letter of caution over use of himself and school property and yet future violation complaints were ignored (see above photo with Rodriguez)?

I urge NCOE to not only appeal the decision but re-open in a timely manner this inquiry as ample evidence has been raised that even per the judicial decision, Rodriguez's actions violate NRS281A.

As referenced in my General Public Comment hand out, Rodrigues has used his uniform and accoutrements of office in various political social media platforms as well as using photographs obtained via his official WCSD duties, likely using WCSD cameras and personnel and access to areas off limits to the public. He has photographs of me, Jeff Church, taken in my official capacity during WCSD Board Meetings and used them on political social media.



Further having been so noticed on the ethical issues (regardless of wordsmithing NRS 281A, NRS 294 or others), the esteemed lawyers at NCOE are now aware of this obvious issue, conflict and concerns regarding the legal representation of Trustee Rodriguez by Mr. Hosmer and McDonald Carano.

Sincerely,

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