



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Chris Arabia**, District
Attorney, Nye County, State
of Nevada,

Ethics Complaint
Case Nos. 19-031C

_____ Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730

The Nevada Commission on Ethics ("Commission") received Ethics Complaint No. 19-031C ("Complaint") on April 24, 2019 regarding the alleged conduct of Chris Arabia ("Arabia"), Nye County District Attorney, State of Nevada, in violation of the Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Commission issued its *Order On Jurisdiction and Investigation* on June 10, 2019, accepting jurisdiction and directing the Executive Director to investigate the alleged violations implicating NRS 281A.400(1), (2) and (7).

Arabia is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Arabia's conduct as a public officer and have associated implications under the Ethics Law. Specifically, the Complaint alleged that Arabia misused his public position to seek favors and/or benefit his private interests or those to whom he has a commitment in a private capacity.

On August 21, 2019, a Review Panel ("Panel") consisting of Commissioners Brian Duffrin (Presiding Officer), Teresa Lowry, Esq. and Amanda Yen, Esq. reviewed the following: 1) Ethics Complaint No. 19-029C; 2) Order on Jurisdiction and Investigation; 3) Subject's Response to the Complaint; and 4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings.¹

Under NAC 281A.430, the Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion on the alleged violations as follows:

NRS 281A.400(1),(2) There is insufficient evidence that Arabia misused his public position to seek/accept favors, economic opportunities that would improperly influence his public duties or unwarranted benefits for a personal purpose. The investigation revealed that the Arabia's termination of County personnel was based upon performance-related reasons and did not result in any privilege, preference, exemption or advantage for Arabia, or others he is committed to privately.

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

NRS 281A.400(7)

There is no evidence that Arabia used government time, property and/or equipment to benefit a significant personal or pecuniary interest.

However, the Panel unanimously finds and concludes that there is sufficient cause to issue a Confidential Letter of Caution in the matter to ensure proper separation between Arabia's role as a District Attorney and matters affecting his private interests.

IT IS HEREBY ORDERED:

The Panel dismisses the Complaint for lack of sufficient credible evidence of a violation and issues a Confidential Letter of Caution in the matter.

Dated this 21st day of August, 2019.

NEVADA COMMISSION ON ETHICS

By: /s/ Brian Duffrin
Brian Duffrin
Commissioner/Presiding Officer

By: /s/ Amanda Yen
Amanda Yen, Esq.
Commissioner

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

Chris Arabia
c/o Brian R. Hardy, Esq.
Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas, NV 89145

Certified Mail No.: 9171 9690 0935 0037 6383 65
Email: bhardy@maclaw.com

Dated: 8/21/19



Employee, Nevada Commission on Ethics