



## STATE OF NEVADA

### BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Debra Strickland**, Member,  
Board of County Commissioners,  
Nye County, State of Nevada,

Ethics Complaint  
Case No. 20-018C

Subject. /

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

The Nevada Commission on Ethics ("Commission") received Ethics Complaint No. 20-018C on March 4, 2020, regarding the alleged conduct of Debra Strickland ("Strickland"). On April 20, 2020, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.420(1) and (3).

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

On January 19, 2022, a Review Panel<sup>1</sup> consisting of Vice-Chair Brian Duffrin (Presiding Officer) and Commissioner Barbara Gruenewald, Esq. considered the following: (1) Ethics Complaint (2) Order on Jurisdiction and Investigation; (3) Strickland's Response to the Complaint; (4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings and (5) Relevant Evidentiary Exhibits.<sup>2</sup>

Under NAC 281A.430, the Review Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.420(1) and (3).

Specifically, Strickland did not have a pecuniary interest in Agenda Item 9 considered by the Nye County Board of County Commissioners on February 19, 2020 regarding a zoning change because the Charleboix's purchase of the water rights with the assistance of Strickland was not reasonably related to the zoning matter. Thus, the acquisition of the water rights and the zoning change request were unrelated. Further, the Charleboixs sought the zoning change six months after their business relationship with Strickland had concluded and therefore, there was not an existing relationship at the time that would constitute a commitment in a private capacity under NRS 281A.065, which would require a disclosure.

<sup>1</sup> A vacancy occurred in the Review Panel given the absence of Commissioner Sheets. Pursuant to NAC 281A.177(2), the remaining members of the Review Panel shall continue to serve and act upon matters.

<sup>2</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.

Nevertheless, since the business relationship was recent, the Commission's opinion precedent would favor transparency and disclosure in order to avoid the conflict pursuant to NRS 281A.020. As the Commission affirmed in *In re Romero*, Comm'n Op. No. 19-059A (2019), "a public officer's disclosure is important even where the conflict is remote." In *In re Weber*, Comm'n Op. No. 09-47C (2009), the Commission held: "In keeping with the public trust, a public officer's disclosure is paramount to transparency and openness in government. The public policy favoring disclosure promotes accountability and scrutiny of the conduct of government officials. Such disclosures dispel any question concerning conflicts of interest and may very well ward off complaints against the public officer based on failure to disclose."

Because Strickland did not initially recognize the agenda item related to the Charleboixs, she attempted to make a disclosure after the agenda item was called. NRS 281A.420 requires that the disclosure be made before any participation on an agenda item to properly inform the public about the details of the conflict. Further, public officers have an affirmative duty under the Ethics Law to complete due diligence before matters are considered to ascertain the extent of their private interests and commitments and the potential effect of these interests on agenda items and other matters that come before them for purposes of complying with the requirements of the Ethics Law, including NRS 281A.420 (disclosure and abstention requirements) and NRS 281A.400 (Code of Ethical Standards requirements). See *In re Public Officer*, Comm'n Op. No. 21-002A (2021).

Although the matter is being dismissed, the Review Panel determines that a Confidential Letter of Instruction shall be issued to provide guidance regarding the applicability of the Ethics Law to Strickland's duty to avoid conflicts as a public officer. Pursuant to NRS 281A.730, the letter of instruction is confidential, but it may be considered in any subsequent Ethics Complaint that relates to similar conduct or related issues.

IT IS HEREBY ORDERED:

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

Dated this 19th day of January, 2022.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

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

By: /s/ Absent  
Damian R. Sheets, Esq.  
Commissioner

By: /s/ Barbara Gruenewald  
Barbara Gruenewald, 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:

Debra Strickland  
c/o Rebecca Bruch, Esq.  
Lemons, Grundy & Eisenberg  
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Email: [rb@lge.net](mailto:rb@lge.net)  
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Certified Mail No.: 9171 9690 0935 0037 6365 76

Dated: 1/20/22



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Employee, Nevada Commission on Ethics