



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

**In the Matter of the Request For Opinion  
Concerning the Conduct of  
LON L. ITSON, Constable,  
Goodsprings Township, Clark County, Nevada**

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**Opinion No. 07-44C**

**STIPULATION**

1. PURPOSE: The purpose of this stipulation is to resolve Request for Opinion No. 07-44C (Complaint) concerning Lon L. Itson (Itson) that is before the Nevada Commission on Ethics (Commission) and render an opinion as stipulated in lieu of holding a hearing.
2. JURISDICTION: At all material times, Itson was Goodsprings Township Constable, a public officer subject to the jurisdiction of the Commission pursuant to NRS 281A.160.
3. STIPULATED FACTS:
  - a. On October 4, 2007, an ethics complaint was filed with the Commission alleging that Itson violated NRS 281A.400.2, NRS 281A.400.4 and NRS 281A.400.7 for failure to remit funds in a timely manner to a creditor that Itson collected from a wage garnishment.
  - b. Itson collected the wage garnishment from July through November 2004.
  - c. Itson did not remit the wage garnishment funds to the creditor until October 2007.
  - d. Itson acknowledges that the Commission provided him with notice of the allegations against him and an opportunity to file a written response and that he is fully advised as to the allegations asserted against him in the Complaint.
  - e. Itson filed with the Commission his written responses to the allegations against him.
  - f. Pursuant to NRS 281A.440, the Commission's Executive Director investigated the

Complaint and rendered a written recommendation on just and sufficient cause.

- g. On February 14, 2008, pursuant to NRS 281A.220, a Commission panel reviewed the Executive Director's report and recommendation regarding just and sufficient cause, Itson's response and all related documents and determined that just and sufficient cause exists for the Commission to conduct a public hearing and render an opinion on the matter. The panel also dismissed the allegations under NRS 281A.400.4.
  - h. Itson is fully aware of his right to a hearing before the Commission on the allegations against him and any and all rights he may be accorded pursuant to the Ethics in Government Law, the regulations of the Commission (NAC Chapter 281), the Nevada Administrative Procedures Act (NRS 233B), and the laws of the State of Nevada and he freely and voluntarily waives these rights.
4. RELEVANT STATUTES: The following Nevada Revised Statutes are relevant to the allegations which give rise to this stipulation: NRS 281A.170 (defines "willful violation"); NRS 281A.400.2 (misuse of official position); NRS 281.400.7 (use of governmental time, property, equipment or other facility to personally benefit).
5. OPINION: Itson's conduct as described in paragraphs 3(a), 3(b) and 3(c) above, constitutes willful violations of provisions of the Ethics in Government Law, specifically, NRS 281A.400.2 and NRS 281A.400.7 in that he knew or reasonably should have known that his conduct violated those provisions of law.
6. TERMS: Itson and the Commission agree as follows:
- a. Itson will pay to the Commission the total sum of Three-Hundred-Dollars (\$300) for one willful violation of the Ethics in Government Law in order to settle this matter. Itson will pay said amount within 30 days from the date this stipulation is signed by the Chair of the Commission.
  - b. Itson waives his right to any judicial review of this matter as provided in NRS 233B.130

or any other provision of Nevada state law.

- c. This agreement is not to be generally applied. This stipulation applies only to the specific facts, circumstances and law related to the Complaint. Any facts and circumstances that differ from those contained in this agreement may create an entirely different resolution of this matter.

7. CONTINGENCY:

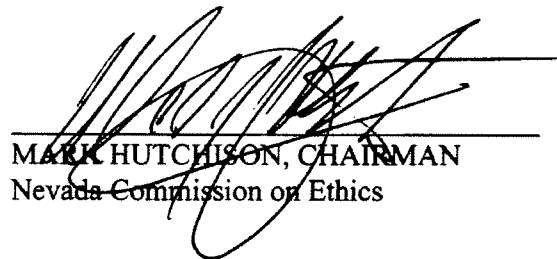
- a. This agreement is subject to final approval by the Commission in an open public meeting. Once approved, this agreement shall be adopted as the Opinion of the Commission. This stipulation will be the final disposition of this matter and shall be binding upon all parties.
- b. Should this stipulation not be approved by Itson or the Commission, this matter will proceed to a full hearing before the Commission. This stipulation shall be of no force or effect nor will it be admissible, in part or whole, in such hearing.

- 8. ACCEPTANCE: I have read the above stipulation, understand each and every provision therein, and agree to be bound thereby.

DATED this 17 day of March, 2008.


  
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LON L. ITSON

DATED this 13 day of MARCH, 2008.

  
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MARK HUTCHISON, CHAIRMAN  
Nevada Commission on Ethics

The above stipulation has been reviewed by:

NEVADA COMMISSION ON ETHICS

  
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ADRIANA G. FRALICK, ESQ  
General Counsel