

STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Devon Reese**, Councilmember, City of Reno, State of Nevada, Ethics Complaints Case Nos. 24-036C, 24-050C

Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received these Ethics Complaints ("Complaint") from members of the public on March 18, 2024, and April 22, 2024, regarding the alleged conduct of Subject Devon Reese ("Reese"). On May 1, 2024, the Commission accepted jurisdiction and instructed the Executive Director to investigate alleged violations of NRS 281A.400(2) and (9). The Commission also ordered that the cases be consolidated.

Reese 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 Reese's conduct as a public officer and have associated implications under the Ethics Law.

On September 17, 2024, a Review Panel consisting of Commissioner Stan Olsen (Presiding Officer), Commissioner Michael E. Langton, Esq.¹ and Commissioner Terry J. Reynolds considered the following: (1) Ethics Complaints; (2) Orders on Jurisdiction and Investigation; (3) Response to the Complaints; and (4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings and Relevant Evidentiary Exhibits.²

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¹ Commissioner Langton abstained from participation and voting in this matter based on Code of Judicial Conduct, Canon 2.11. In his role on the Commission, Commissioner Langton serves in a quasi-judicial role. Code of Judicial Conduct, Canon 2.11 requires a judge or quasi-judicial officer to disqualify himself in any proceeding in which his impartiality might reasonably be questioned based on, but not limited to, various circumstances listed in Canon 2.11, including personal knowledge of or experience with the parties or the facts involved in the matter. Having reviewed the circumstances listed in Canon 2.11, Commissioner Langton determined it was appropriate to abstain from this matter to avoid the appearance of bias or impropriety in the proceedings.

² All materials provided to the Review Panel, except the Ethics Complaints and the Orders on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.755.

The Review Panel unanimously finds and concludes that the facts 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.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(9)** Attempting to benefit his personal or pecuniary interest or the interests of any person to whom he has a commitment in a private capacity through the influence of a subordinate.

The Review Panel unanimously finds and concludes that the facts do 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.400(2), and (9) are referred to the Commission for adjudication.

Dated this 18th day of September 2024.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

- By: <u>/s/Stan Olsen</u> Stan Olsen Commissioner/Presiding Officer
- By: <u>/s/Terry J. Reynolds</u> Terry J. Reynolds

Commissioner

By: <u>/s/Abstained</u> Michael E. Langton, Esq. Commissioner

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