

Item # 8A

**City of Carson City
Agenda Report**

Date Submitted: 9/8/2006

Agenda Date Requested: 9/21/2006

Time Requested: 5 Minutes

To: Mayor and Supervisors

From: Linda Ritter, City Manager

Subject Title: Action to approve the appointment of Rory Planeta to the position of Chief of Alternative Sentencing effective October 2, 2006.

Staff Summary: Pursuant to CCMC 2.38.040, the Board of Supervisors must appoint the Chief of the Alternative Sentencing Department. A screening panel made up of representatives from the Courts, District Attorney and Sheriff has selected and is recommending appointment of Mr. Rory Planeta to this position.

Type of Action Requested: (check one)

☐ Resolution

☐ Ordinance

☒ Formal Action/Motion

☐ Other (Specify)

Does this action require a Business Impact Statement: () Yes (X) No

Recommended Board Action: I move to approve the appointment of Rory Planeta to the position of Chief of Alternative Sentencing effective October 2, 2006.

Explanation for Recommended Board Action: Mr. Planeta is being recommended for the position by the screening panel which includes representatives from the Sheriff, DA and Courts

Applicable Statue, Code, Policy, Rule or Regulation: CCMC 2.38.040

Fiscal Impact: This fills a previously vacant position - no additional impact.

Explanation of Impact: Fiscal impact included in 2006/2007 budget

Funding Source: General Fund

Alternatives: Do not appoint and ask the screening panel to recommend another candidate.

Supporting Material: CCMC Chapter 2.38

Prepared By: L. Ritter

Reviewed By:

J. Winton, Acting
(City Manager)

Date: 9/12/06

Michael T. Singh
(District Attorney)

Date: 9-12-06

Theresa Brown
(Finance Director)

Date: 9/12/06

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

2821 Wade St.
Minden, Nevada 89423

Phone 775-267-4170
E-mail roryhd1@charter.net

Rory Planeta

Education

Los Angeles Community College
Los Angeles, California
Dates Attended: 1969 to 1971
AA Degree in General Education/Minor in Police Science

California State University, Los Angeles
Dates Attended: 1971 to 1973
Continuing Education

Long Beach Community College
Long Beach, California
Date Attended: 1976 to 1978
Supervisory Track for the Long Beach Naval Shipyard

University of Nevada, Reno
Reno, Nevada
Dates Attended: 1986
Continuing education in Criminal Justice

Professional experience

- Deputy Sheriff, Investigator II
- Douglas County Sheriff's Department
- PO Box 218 Minden, Nevada 89423
- 775-782-9900
- June 16, 1982 to Present
- 23 Years of Law Enforcement experience, 14 years as an Investigator, 9 years Narcotic Enforcement experience.

Additional professional activities

Jail Deputy from 1982 to 1983

Uniform Patrol Deputy from 1983 to 1990

Investigator from 1990 to Present. Major Crimes and Narcotics Officer

Past Narcotic Task Force assignment to the South Lake, El Dorado, Douglas Narcotic Enforcement Team. 1995 to 1999

Currently assigned to the Tri-NET Narcotic Task Force, 2000 to present.

Field Training Officer since 1985

Police Peer Counselor since 1994

Drug Recognition Expert since 1989

Clandestine Lab Certified and Certified Site Safety Officer

**Professional
memberships**

California Narcotics Officer's Association 1995 to present

Past member: Nevada Narcotic Officer's Association (disbanded in 2002)

Accreditations

Drug Recognitions Expert Instructor since 1990, certified by the International Association of Chiefs of Police

Nevada State Peace Officers and Standards Instructor for Narcotic Law, Drug Scheduling and Drug Identification

Nevada Department of Public Safety, Training Division Instructor for Narcotic Law, Drug Scheduling, Drug Identification and Clandestine Lab Awareness.

Nevada Police Corps Instructor for Narcotic Law, Drug Scheduling and Drug Identification.

Instructor for Multijurisdictional Counter Drug Task Force Training (MCTFT), Drug Task Force Investigation Course, Evolution of Drug Abuse, Drug Identification, Drug Scheduling, Surveillance Operations and Becton Dickinson Narcotic Identification Instructor. St. Petersburg College (SEPSI) accredited class.

Becton Dickinson Narcotic Identification Kit (NIK) Master Instructor.

Guest speaker a numerous Law Enforcement and Firefighter agencies for the courses listed above.

Current Chairperson for the Partnership Carson City, Anti-Methamphetamine Coalition, Law Enforcement Committee

References:

Marv Teixeira, Mayor
Carson City, Nevada
(775) 887-2100

John Douglas, Chief
State of Nevada
Department of Public Safety
Investigation Division
(775) 684-7410

Scott Jackson, Captain, Northern Command
State of Nevada
Department of Public Safety, Nevada Highway Patrol
(775) 688-2500

Michael Biaggini, Lieutenant
Douglas County Sheriff's Office
(775) 782-9906

Title 2 ADMINISTRATION AND PERSONNEL***Chapter 2.38 DEPARTMENT OF ALTERNATIVE SENTENCING**2.38.010 Definitions.2.38.020 Creation of department.2.38.030 Duties of department.2.38.040 Qualifications of chief.2.38.050 Duties of chief.2.38.060 Duties of assistant.2.38.070 Fees for cost of supervision-Imposition-Waiver or reduction.2.38.080 Disclosure of information obtained in discharge of duties prohibited-Exceptions.**2.38.010 Definitions.**

The following definitions shall apply throughout this chapter unless a different meaning is clearly indicated by the context or is stated in any of the several 1. "Assistant" means an assistant alternative sentencing officer.

2. "Board" means the board of supervisors.

3. "Chief" means the chief of the department of alternative sentencing.

4. "Court" means a court having jurisdiction over a person who is charged with a misdemeanor.

5. "Department" means the Carson City department of alternative sentencing created pursuant to NRS 211A.080.

6. "Probationer" means a person who has been convicted of a misdemeanor, who:

a. Has had his or her sentence suspended pursuant to NRS 4.373 or 5.055, and is serving that suspended sentence; or

b. Has been sentenced to a term of residential confinement pursuant to NRS 4.3762 or 5.076, and is serving that term of residential confinement. (Ord. 1996-40 §§ 2 (part), 3, 1996).

2.38.020 Creation of department.

The board creates a department of alternative sentencing to provide a program of supervision for probationers. (Ord. 1996-40 §§ 2 (part), 4, 1996).

2.38.030 Duties of department.

The department shall:

1. Supervise a probationer, who as a condition of a suspended sentence or a sentence of residential confinement, is released under the supervision of the department by the court;

2. At the time a probationer is released under the supervision of the department:

- a. Provide the probationer and the sheriff's office with a written statement describing the terms or conditions of the suspended sentence or residential confinement imposed by the court, and
- b. Explain the terms or conditions to the probationer;
3. Be knowledgeable about the conduct and activities of each probationer under the supervision of the department;
4. Use all reasonable methods to assist a probationer under the supervision of the department to improve his conduct and comply with the terms or conditions of his suspended sentence or residential confinement;
5. Collect and disburse any money in accordance with the orders of the court and make a written records of any money so collected or disbursed;
6. Cooperate with and assist any agency of law enforcement and any agency providing social services as requested by the court, or as necessary to fulfill the duties of the department. (Ord. 1996-40 §§ 2 (part), 5, 1996).

2.38.040 Qualifications of chief.

The chief:

1. Must be appointed by the action of a majority of the board based upon the recommendations from a screening panel comprised of the municipal court judges, senior judge of the district court, sheriff and district attorney or their designees;
 2. Must have at least five (5) years' experience, with an increasing level of responsibility, in the field of law enforcement, corrections or supervision of persons on probation or parole;
 3. Is in the unclassified service of the county.
- (Ord. 1996-40 §§ 2 (part), 6, 1996).

2.38.050 Duties of chief.

The chief shall:

1. Hire assistant alternative sentencing officers and other employees as necessary to carry out the responsibilities of the department within the limitations of appropriations to the department by the board;
2. Direct the work of all assistants and employees;
3. Be responsible for the fiscal affairs of the department;
4. Be responsible for the completion of any report regarding an investigation or the supervision of a probationer and any report requested by the court or the board;
5. After reviewing and considering recognized correctional programs and courses for training correctional staff, develop and provide to assistants and other employees training in methods and policies regarding the investigation and supervision of probationers, the recordkeeping of the department and the reporting on matters relating to probationers;
6. Submit a written report, on or before January 31st of each year, to the board and to each court having jurisdiction over a probationer under his supervision, setting forth in detail the activities of the department during the previous calendar year. The report must include statistical data concerning the department's activities and operations and the probationers who were under the supervision of the department during that period;
7. Advise the court of any probationer who has violated the terms or conditions of his suspended sentence or residential confinement. (Ord. 1996-40 §§ 2 (part), 7, 1996).

2.38.060 Duties of assistant.

An assistant shall:

1. Maintain detailed written records of his daily work;
2. Make any report as required by the court or the chief; and
3. Carry out any duty of the department as assigned by the chief. (Ord. 1996-40 §§ 2 (part), 8, 1996).

2.38.070 Fees for cost of supervision-Imposition-Waiver or reduction.

1. Each probationer shall pay fees established by resolution of the board to defray the cost of the supervision of a probationer. The schedule adopted must provide for a monthly fee of not less than twenty dollars (\$20.00) for the supervision of a probationer.
2. Except as otherwise provided in subsection 3:
 - a. The department shall charge each probationer the fee set forth in the schedule adopted pursuant to subsection 1.
 - b. Payment of the required fee by the probationer is a condition of his suspended sentence or residential confinement.
3. If the chief determines that payment of the fee would result in economic hardship to a probationer, the chief may waive the imposition of, or reduce the amount of, the fee. If the chief waives the imposition of the fee, payment of the fee by the probationer does not constitute a condition of his suspended sentence or residential confinement. (Ord. 1996-40 §§ 2 (part), 9, 1996).

2.38.080 Disclosure of information obtained in discharge of duties prohibited-Exceptions.

1. Any information regarding a probationer obtained by the chief, an assistant or other employee of the department in the discharge of his duties shall be deemed confidential. Except as otherwise provided in subsection 2, the chief, an assistant or other employee of the department shall not disclose such information.
2. The chief, an assistant or other employee of the department shall disclose information obtained in the discharge of his duties to the court or the district attorney upon request, or to any other person as ordered by the court or as provided by law. (Ord. 1996-40 §§ 2 (part), 10, 1996).

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