Raley’s employees delay strike; talks back on

By Kelly Johnson, Sacramento Business Journal

Raley’s Inc. and union officials have agreed to return to the bargaining table, acceding to a federal mediator’s request.

The renewed efforts to reach an agreement stall a possible strike at Raley’s – at least until Sunday. The West Sacramento-based grocery chain has never been struck.

Representatives of Raleys and the United Food and Commercial Workers 8-Golden State and UFCW Local 5 will meet Thursday afternoon to try to agree on a contract. Raley’s and the union have been struggling to come up with an agreement for more than a year.

“As a sign of goodwill, Raley’s will delay the implementation of its last and final offer for 48 hours,” a Raley’s spokesman said. “This extension will end on Saturday at midnight and, if no agreement is reached, the proposed contract will be implemented at that time.”

Raley’s agreed to extend the current contract through Saturday.

“Perhaps the real possibility of a strike will compel Raley’s to change course and finally begin negotiating in earnest for a settlement addressing the needs of everyone – both the company and union members,” said Jacques Loveall, president of UFCW 8-Golden State, in an online message to union members.

The union “is prepared to negotiate non-stop so long as a contract extension is in place. If a settlement has not been achieved by midnight Saturday and no further extension is agreed upon, a strike could begin on Sunday morning,” he said.

In a negotiations update earlier today, Raley's CEO Michael Teel told employees that Raley's has made its case for contract concessions to the union. Last December, he said, Raley's gave the union a list of 40 stores that were losing between $500,000 and $2 million a year. A month ago Raley's again shared with the union that it is "losing millions of dollars a year."

Nevada governor backs legalizing online poker

By Richard N. Velotta, Las Vegas Sun

A day after a prominent sports book director was arrested in connection with an alleged illegal offshore gambling ring, Gov. Brian Sandoval has sent a letter to federal lawmakers supporting a bill to legalize Internet poker.

Sandoval's letter, dated Oct. 25, is addressed to Senate Majority Leader Harry Reid, House Speaker John Boehner, Senate Minority Leader Mitch McConnell and House Minority Leader Nancy Pelosi. It outlines a case for a federal framework enabling states to regulate their own gaming industries in the online environment.

"While many states have long-standing proficiency in regulating brick-and-mortar gaming within their boundaries, the advent of Internet gaming has introduced a borderless element that state regulation alone cannot address," Sandoval's letter said.

Sandoval said he supports the efforts of Reid and Arizona Sen. Jon Kyl, who have worked on legislation to legalize Internet poker.

Nevada is among several states that have approved legislation and regulations addressing in-state online poker. Several companies already have been licensed to offer online poker and are in various stages of developing systems to begin play as soon as early 2013.

Sandoval said the Reid-Kyl legislation not only would coordinate oversight of the industry but would offer consumer protections.

“A sensible federal approach would preserve state authority to ban gaming within its borders, protect minors from exposure to online gaming and protect legitimate consumers from illegal offshore operators,” Sandoval’s letter says. “The Reid-Kyl approach would accomplish these essential objectives while introducing strong consumer protections into a space where none currently exist.

“As governor of a state that jealously guards its primacy in the regulation of gaming, I am pleased the proposal maintains state authority to regulate online poker operators built upon a basic federal foundation of common-sense regulatory principles. The basic tenets are similar to those Nevada’s gold-standard regulatory structure is built upon: prohibition on self-regulation, baseline requirements for licensees and protections against monopolies in the market.”

Jackson Rancheria celebrates

remodel

By KCRA-TV

After five years of construction, Jackson Rancheria is unveiling its remodeled hotel and expanded casino.

The $80 million project includes a refurbished hotel, five new restaurants and 35,000-square-foot gaming area.

“It has certainly been a much-anticipated process and we appreciate the patience of our loyal guests and employees,” said Jackson Rancheria CEO Rich Hoffman. “Jackson Rancheria has grown tremendously over the years and our most recent renovations reflect that growth.”

To celebrate the completion of the project, Jackson Rancheria is hosting a ceremonial opening Oct. 30.

The event will feature dancers and drummers from the Jackson Rancheria Band of Miwuk Indians, owners and operators of the casino.

The public, month-long grand opening begins Friday.

Coroner: Teen hunter froze to death

By Dana M. Nichols, Stockton Record

SAN ANDREAS – A 14-year-old Angels Camp boy found dead in a remote mountain area last week apparently succumbed to exposure, the Calaveras County Coroner said Monday.

Taylor Dustin froze to death after he and his uncle, Devin Smith of Douglas Flat, got lost during a hunting trip in Alpine County, officials said.

Smith, 40, survived, but suffered from hypothermia.

Calaveras County coroner Kevin Raggio arranged an autopsy on behalf of Alpine County. The initial results of the autopsy indicate it was the cold the killed Dustin, although results won't be official until some other lab tests are completed in a month, Raggio said.

The Alpine County Sheriff's Department said in a written statement that it got a 911 call at 5:30pm Oct. 21 indicating that two hunters who had left their Hermit Valley camp site that morning had not returned as expected.

Search and rescue teams from Alpine and Calaveras counties responded even as weather conditions deteriorated. The Alpine County Sheriff's Department reported that 18 inches of snow fell over the next two days as searchers looked for Dustin and Smith.

Calaveras County Search and Rescue President Greg Jacobus referred questions about the search to law enforcement agencies.

But Jacobus did say conditions were difficult.

"The weather just closed in very quickly and made this very very dangerous," he said.

The Alpine County Sheriff's Department said it was almost two days later, at 3pm Oct. 23, that searchers found Smith in the Stevenot Camp area of the Mokelumne Wilderness, several miles from Hermit Valley.

Smith was suffering from severe hypothermia and was transported by air ambulance to a hospital. Searchers found Dustin’s body nearby about 6pm that day.

Raggio said that relatives of Dustin and Smith have been declining media interview requests.

ADA attorney questioned in court

By George Warren, News10/KXTV

The quadriplegic attorney who has sued more than 2,100 businesses over disabled access refuses to answer allegations that he never personally visited many of them.

Four former legal assistants who have filed a sexual harassment and wrongful termination lawsuit against Scott Johnson claim they were sent into most of the businesses Johnson sued while he waited outside in his van.

Johnson has not returned phone calls or emails since the story broke in early October, but News10 caught up to him Monday outside the federal courthouse as he arrived for a status conference on one of his active cases.

“My legal counsel has instructed me not to provide any comments,” Johnson said in response to multiple questions about the drive-by allegations.

In an earlier interview with News10, the ex-employees expressed remorse for their role in preparing what they now consider fraudulent lawsuits under the Americans with Disabilities Act.

"I felt I had no other choice," said Jenna Doeuk, who worked for Johnson for more than five years before being fired this summer.

Micaela Lucas, who said she was forced out of her job two months after Doeuk was fired, broke down when she spoke about going into businesses to look for possible violations.

"I felt horrible, but I had to," Lucas said, wiping away tears.

Roseville attorney Jordan Peters, who represents Johnson's four ex-employees, said lawyers for more than 50 businesses that were targeted by Johnson are waiting to interview the women to determine whether their clients were victims of drive-by lawsuits.

"They're going back to cases where he's already settled and they want to argue fraud," Peters said. "They want the settlement overturned and they want their attorney fees."

On average, Johnson had filed one ADA lawsuit every day of the week during the first eight months of the year.

He has not filed a single new case since the story of his ex-employee whistleblowers broke in early October.

South Tahoe tightens controls

on contract agreements

By Kathryn Reed

A botched lease has South Lake Tahoe doing business differently.

"We have so many ad hoc policies that we want to wrap all the contracts under one policy and then each can have nuances," City Manager Nancy Kerry explained.

While the changes occur at staff level, the protocols will be brought to the City Council in November or December so the five are aware of what is going on – or at least what is supposed to happen. Assistant City Attorney Nira Feeley is tasked with coordinating how the new contracts will read and be handled by the city.

"It's so this will never happen again," Kerry told *Lake Tahoe News*.

The "this" is the original contract the city had with Unity at the Lake. It has nothing to do with the lessee, but everything to do with the contract.

All this came to light in July when the council found out a five-year contract had been entered into with Unity to rent a city owned building at 1195 Rufus Allen Blvd. This was the first the electeds had heard of it. Shortly thereafter, Stan Sherer, director of Community Development, was no longer employed with the city.

The agreement had to come back to the councilmembers this fall because in July they agreed to have Unity pay $1,700 month in rent, with the understanding this had been taking place since October 2011. But the reality is Unity and Sherer had a verbal agreement that Unity would make upgrades to the facility in exchange for rent. Unity thought rent payments would begin June 1.

Receipts and the work itself proved Unity had done substantial upgrades to this building where a preschool used to operate. And while it's not unusual for tenant improvements to be used as a form of rent, it should be in writing and higher-ups should be informed.

In the future, contracts like this will require the signature of someone above the pay grade of department head.

South Tahoe has a handful of contractual-type agreements – such as concessionaire, facilities rental, professional services, and public works. A template will be used so all the basic criteria are covered in each contract, with additions made as needed.

"Nobody should write their own agreements. It should all go to the City Attorneys Office. And now it will," Kerry said.

Going forward each contract will have a checklist with it that will stay with the file. It is a type of checks-and-balances that is designed to streamline the process, protect the city and ensure everything is done above board. It will also include whether the contract needs to go to council.

"This is so five years from now someone will know why the agreement was signed," Kerry said.

Another problem with the Unity agreement is that utilities were being paid by the city. It should have been just like the ice rink agreement – the lessee pays the utilities. The city and Unity compromised, with the church group paying utilities beginning January 2014.

The sign is another issue. It doesn't meet city code. Work is still being done to make it conform. But the city could be on hook because Sherer approved the sign without a permit and had city staff install it.

Supreme Court to hear 2 cases involving K9s and drug arrests

By Jonathan Stempel, Reuters

Two dogs, a chocolate Labrador retriever named Franky and a German shepherd named Aldo, should have their day at the U.S. Supreme Court.

The court is scheduled on Wednesday to hear Florida's appeal of two decisions by that state's highest court that found the detection of drugs by trained police dogs had violated the constitutional ban on unreasonable searches and seizures under the Fourth Amendment of the U.S. Constitution.

These arguments involve distinctly different issues: whether a dog can sniff outside a home without a warrant, and how qualified a dog must be to do a legitimate sniff.

They give the Supreme Court a chance to extend, or limit, prior decisions giving police a long leash to use dogs, including for suitcases at airports and cars stopped at checkpoints.

“If the court vindicates the ability of police to use dogs without probable cause, and that a sniff outside a car justifies searching that car, it could enhance their ability to use dogs for law enforcement,” said Richard Garnett, a University of Notre Dame law professor and clerk for former Chief Justice William Rehnquist.

Like others in law enforcement, Florida maintains that dog “alerts” are not searches because they uncover illegal activities that deserve no privacy protection.

The retired Justice David Souter mocked that idea in a dissent from a 2005 pro-sniff decision, saying it supposes that a trained canine becomes an “infallible dog” that never errs.

At least 23 U.S. states joined each of Florida’s appeals, calling drug-detecting dogs “essential weapons” at the forefront of efforts to stop illegal drug production and sales.

The Supreme Court is often their ally in search cases, typically siding with the police.

Sanctity of the home

One of Wednesday’s cases, Florida v. Jardines, concerns a December 5, 2006, search outside Joelis Jardines’ home near Miami.

A “crime stopper” had tipped police that marijuana was growing inside. Relying on that tip, a detective, joined by Franky, approached. Trained to find the strongest odor, Franky went to the front door, sniffed the base, and sat down.

That was the alert his handlers were looking for. After obtaining a search warrant, police found marijuana plants inside the home. Jardines was arrested for possessing more than 25 pounds of marijuana, and stealing the electricity to grow it.

In voiding the search, Florida’s highest court called Franky’s sniff an “unreasonable government intrusion into the sanctity of the home.” There, it said, the expectation of privacy was much greater than in a car or an airport.

The court also likened Franky to the heat-sensing thermal imagers that the U.S. Supreme Court, in a 2001 decision that cut across ideological lines, said could not without a warrant be used outside a home to detect marijuana growing inside.

Where the government uses a device “not in general public use” to uncover details about a home, “the surveillance is a ‘search’ and is presumptively unreasonable without a warrant,” Justice Antonin Scalia then wrote for a 5-4 majority.

“Jardines is a line-drawing case: the question is can police use the dog at the front door,” said Orin Kerr, a law professor at George Washington University and former clerk to Justice Anthony Kennedy. “If a warrant were needed, police would never use the dog at a house, because then they could just go inside.”

Telltale nerves

Wednesday’s other case, Florida v. Harris, involves a search not of a house, but of Clayton Harris’ pickup.

An officer pulled over Harris near Bristol, Florida, in the state’s panhandle, on June 24, 2006, after seeing that the truck had an expired tag. An open beer can lay in the cup holder.

Nervous, shaking and breathing rapidly, Harris would not let the officer search his truck. Out came Aldo, who was led around the truck for a “free air sniff.”

Near the driver’s door handle, Aldo gave his alert, becoming excited and then sitting down. The officer then searched the truck’s interior, and found 200 pseudoephedrine pills and 8,000 matches, which are ingredients for methamphetamine.

Harris pleaded no contest, but he got a reprieve. The Florida Supreme Court said the state did not show Aldo’s reliability as a drug detector with evidence of his training, certification and performance, and his handler’s experience.

By comparison, Franky had no such problems, according to court papers. At the time of Jardines’ search, he had made 399 positive alerts. The result: seizures of roughly one ton of marijuana and 34 pounds of cocaine and heroin.

“The state’s ‘credentials alone’ canine-reliability test is based on an over generalized assertion — that all trained or certified drug-detection dogs are reliable in the field,” a group of 34 law professors said in a brief supporting Harris.

Regardless of how the court rules in both cases, police will go on using dogs for drug detection. The questions are when, and how.

Decisions in both cases are expected by the end of June.

The cases are Florida v. Jardines, U.S. Supreme Court, No. 11-564; and Florida v. Harris, U.S. Supreme Court, No. 11-817.

Sandoval, lawmakers disagree on access to budget data

By Sean Whaley, Nevada News Bureau

CARSON CITY — A dispute has emerged between Gov. Brian Sandoval and the Legislature over what information in the initial state agency request budget should be made available to legislative staff and the public.

At a meeting of the Legislature's Interim Finance Committee last week, state Budget Director Jeff Mohlenkamp was asked about what is considered by legislative staff to be a departure from past practice regarding the budget information provided to legislative fiscal staff and the public.

The 2013-15 budget information conveyed to the Legislature on Oct. 15 does not include "items for special consideration" requested by state agencies. These items are budget requests from agencies that Sandoval will consider including in his final spending plan, but that have not yet been approved for inclusion by Sandoval.

Sandoval's budget won't be made public until mid-January.

Rick Combs, director of the Legislative Counsel Bureau, said this information has been provided to legislative staff historically as specified in state law. It has also been made available to the public.

An example of an item of special consideration is the expansion of the Medicaid program to a new group of Nevadans as provided for in the federal Affordable Care Act. Sandoval has not made a decision on whether to expand Medicaid to this new group of Nevada residents.

Because of this apparently new interpretation by Sandoval, the Medicaid expansion information has not been provided to the Legislature's fiscal staff and so is not available to the public either.

"The part that is of concern to us there is twofold," Combs told the committee. "Your staff doesn't have access to the information. The other concern is that information that is provided to us on Oct. 15 is supposed to be open for public dissemination at that point.

“Now if you, or a member of the public, asks us for anything that was in an item for special consideration, we don’t have it,” he said. “Even though we feel the statute requires that that to be available to you or a member of the public that ask for it.”

Combs said his staff has asked for the information but has not received a response from Mohlenkamp.

IFC Chairwoman and Assemblywoman Debbie Smith, D-Sparks, asked Mohlenkamp for an explanation.

Mohlenkamp said a decision has not been made yet on whether to provide the information to legislative staff, and that the budget information transmitted to lawmakers has fulfilled the statutory obligation to lawmakers.

“We’re still considering whether we will be able to provide access to LCB fiscal,” he said. “That decision hasn’t been made. I’ve been in coordination with the governor’s office on this and I’m hopeful that we will be able to give a firm and final response in the near future. But right now that decision hasn’t been made.”

Mohlenkamp said there are all kinds of agency requests beyond Sandoval’s flat-budget guidelines that may not end up as part of the budget, and so should not be subject to speculation.

Sen. Ben Kieckhefer, R-Reno, expressed concern, saying that if Sandoval decides not to propose expanding Medicaid to the new eligible population, then the budget data collected to provide background on this item of special consideration might never be provided to lawmakers or the public.

Kieckhefer said he would have a problem if that information was never made public.

Mohlenkamp said the Sandoval administration has not yet decided whether that information would be made public at some point.

Stracener defends taking ‘extra’ pay at previous job

By Cole Mayer, Mountain Democrat

Judge Warren “Curt” Stracener received more than $200,000 upon leaving his job at the Department of Personnel to become a judge as part of a payout for time off he had accrued. He was also paid arduous pay, a little-known method of paying for excessive hours worked. It has been alleged, however, that both of these payments were not above reproach.

Stracener, currently embroiled in a campaign against judicial candidate Joe Hoffman, left the Department of Personnel — now known as the California Department of Human Resources or CalHR and essentially acting as the HR department of state employees — with a salary of $138,768, according to DPA/CalHR spokesperson Lynelle Jolley. This was his salary, including furloughs, for 2009 and 2010.

According to records from the Controller’s Office, Stracener retired on Dec. 31, 2010. Over two payments, Stracener received a total of just under $208,000 in cashing out unused paid time off, or PTO, that he had accrued. This is in addition to his normal salary.

The extra payout was the result of having a total of 3,116 hours of PTO upon retirement. However, according to an internal memo on April 12, 2010, sent from John Barlow, chief of human resources in the then-DPA, the cap on hours is 640 — far less than Stracener’s total.

The memo states, “The expectation is that division management will encourage employees with projected leave balances in excess of 200 hours (840 plus hours) to submit a plan to start using down their time this calendar year.” The goal was for every employee over the cap to create a plan to whittle down the number of leave hours available by taking time off. It also has a list with 12 redacted names over the 640 cap. It shows five employees with leave balance of more than 1,000 hours, with one just more than 1,900 hours as of March 17, 2010.

According to Jacob Roper, a spokesman for the Controller’s Office, a personal leave program had been instituted in previous years that a 5 percent reduction in salary resulted in more leave time to compensate. Time off had also been given in lieu of a promotion, he said, due to the budget crunch at the time. Thus, it had been fairly easy to accrue leave time under previous administrations.

Stracener, however, said that the number the Controller’s Office gave is 700 hours too high and the 640-hour cap “is not a hard cap.” Rather, he said, the cap and the plans for spending the time off acted as a “tool to put people off on vacation. They could be ordered to take a week or two weeks off.”

Stracener also went over how he was able to accrue the hours: Every month, 20 hours are accrued during furlough times, plus annual holidays, plus a personal day off meant as a “birthday” holiday. Leave time for actual furlough days amounts to about 280 hours, given if an employee works during the furlough as Stracener did during litigation “defending the right of the governor” to institute the furlough system. All of this added to two 5 percent pay cuts, one in 2003 and one in 2010, each of which added 100 hours to the Personal Leave Program; paid time off, he said, is inaccurate.

“That’s about 630 if you had all these, not including the

Personal Leave Program," Stracener said. He added that the plan to manage those hours had to be "modified and changed on the fly by workload."

Being the deputy chief attorney, he found it hard to take time off. Instead, he would take long weekends, often as part of holiday weekends. For example, he said, he would take six days off in a row, but only three of the days would be counted toward his vacation time as one day was a holiday and the other two were the weekend. His original plan, however, would be to take a week off a month – something that, with litigation, was no possible.

Management positions, he said, would be filled by a "rank and file" member of the organization that would be temporarily promoted for the "out of class assignment" and paid time-and-a-half. Or, another supervisor would take over and have to do the work of two supervisors.

Jolley and Roper stressed the PTO payout did not affect Stracener's pension.

Meanwhile, there are also allegations that Stracener used a loophole to receive "arduous funds," meant for firefighters, police and the like when responding to disaster situations. Specifically, it is meant for managers who are not normally eligible for overtime, while their subordinates are.

Joan Branin, a retired attorney for the DPA, noted that Unit 2, the unit for lawyers and attorney generals, is not listed on the state's pay differential list for arduous pay. However, "Excluded" employees are. Excluded means the employees are "considered confidential," Branin said, referencing their knowledge, and that they dealt with collective bargaining. "Every DPA employee was 'excluded,' even lawyers," she said. "That little word allowed Bill Curtis (chief attorney) and Curt Stracener…it gave them a little hook to slide the lawyers in. Are they violating the exact words? Probably not. Are they violating the spirit of arduous pay? Absolutely."

This, she said, was Curtis and Stracener's way of getting around furloughs – which they said in the staff meeting where they introduced the pay differential.

"One of the things Curt said was, 'This is just a way we can ease the pain of the furloughs.' (Arduous pay) was never meant to ease the pain of the furloughs," she said. "It's not what the differential was meant for."

Every month between March 2009 and June 2009, Stracener was paid $1,200 in arduous pay, according to the Controller's records. The same was true for between December 2009 and May 2010.

Even more, Stracener was considered a CEA, or Career Executive Assignment – something the pay differential rules say cannot be given arduous pay unless the governor declares a disaster, something that was not done during that time, Branin said.

"It was never meant for lawyers or to ease the pain of furloughs," she said. "It was certainly misapplied."

Stracener said that a variety of departments, including his, have an arduous pay program, including the Department of Finance and the Franchise Tax Board and that it was a fairly normal program. As to being a CEA getting arduous pay, Stracener said that the governor, contrary to what Branin said, did indeed declare emergencies – twice. Once in 2008 and once in 2009. There was no time frame on declarations, which were declared during times of financial emergency for the state, "to deal with the fiscal crisis."

The judge also noted that it had nothing to do with "overtime," meaning working over 40 hours in a week. Rather, it dealt with "excessive hours," as attorneys do not get paid time-and-a-half overtime. "They do what's needed to get the job done," he said. As an example, he said, litigation may cause an attorney to "work 14 or 15 days straight without a break, or 12 hours straight, such as during furlough litigation." Or there might only be a half day off in two weeks with no weekends off.

He also noted that arduous pay was, again contrary to Branin's statement, not his idea. "I never requested arduous pay, the decision was made by the executive office, and they included me in it," he said. He said he wanted the people who worked for him to have it, but he "specifically asked" to not be included in the arduous pay program.

Stracener was working three different pieces of litigation in the past few years, including working on the "last vested offer" for contracts for the Department of Corrections, essentially making sure things went "without a hitch" for three years while a new, final contract was made; litigation surrounding the Department of Corrections and the contract issue; and the litigation surrounding the furloughs.

"Any one of those jobs could keep a person busy full time," Stracener said, between meetings, monitoring the situation, prepping for court and actually being in court.

Though he has not been on a traditional family vacation in close to 20 years, he would still take a day or two off periodically – but the time off accrued surpassed time he could spend away from court. "I've just always been a very hard worker."

Nevada think tank exposes

government waste

By Sean Whaley, Nevada News Bureau

CARSON CITY – From double-dipping employees to the questionable use of credit cards, the newest edition of the Nevada Policy Research Institute's "piglet book" released this week offers highlights of recent questionable government agency actions.

"The Nevada Piglet Book 2012" is authored by Geoffrey Lawrence, deputy policy director for NPRI, a libertarian think tank based in Las Vegas. The third edition comes out as lawmakers prepare to return to the capital for the 2013 legislative session.

In the 40-page report, Lawrence also reviews and raises questions about recent political and policy developments in Nevada, including the successful effort by Gov. Brian Sandoval and others to lure Apple to Reno, and Sen. Harry Reid's efforts to promote green energy projects in the state using taxpayer subsidies.

"While Reid regularly trumpets these deals as ways to 'create jobs' in the state, these deals – it's clear upon review – are really about transferring wealth from taxpayers and electric ratepayers to campaign donors and allied politicians," Lawrence writes in the report.

He cites the work of fellow NPRI staff in criticizing the effort: "Since 2009, with Reid's backing, over $1.3 billion in federal taxpayer subsidies has gone into renewable-energy contracts in Nevada. Yet the projects those subsidies fund are projected to create only 288 permanent jobs in the state – a cost to taxpayers of $4.6 million per job."

Reid has strongly supported green energy development in his Senate career. His website says: "Our country is too dependent on oil and fossil fuels, which pollute our air, place our economy and national security at risk, and contribute to climate change. As the Senate majority leader, I am working on building a clean energy future that will help provide Americans safe, reliable, and affordable supplies of clean energy."

As to the decision by Apple to build a data center in the Reno area after receiving large tax breaks, Lawrence said in the report: "To help it win the tax breaks it sought, Apple hired lobbyist and Sandoval adviser Greg Ferraro to represent the company before the Governor's Office of Economic Development – where insider Ferraro was already under contract to perform public relations work for $200 per hour."

This relationship was reported by the *Las Vegas Sun* in August. Ferraro told the *Sun* he represented only Apple in the dealings that netted the company $89 million in tax breaks, not the state as well.

While some of the information in the Piglet Report comes from reporters and others looking into questions at all levels of government, many issues cited are uncovered by government agencies themselves through audits.

"Most people don't follow audits, they don't read them, so they don't know what they say, and the problems that some of the cities and counties and state have had," Lawrence said in a telephone interview in advance of the release of the report. "So this is kind of a nice way to make that information more easily accessible to the public."

The audits are an important source of information on the activities of government agencies, but not all entities, including most counties and many cities, do not have an internal audit function, he said. Getting local governments to invest in such reviews would be a benefit to the taxpayers, Lawrence said.

Lawrence also cites a *Nevada News Bureau* story in the report regarding some questionable use of welfare cash grants, called Temporary Assistance to Needy Families, by recipients.

“Over a seven-month period in 2011, Nevada TANF funds were withdrawn in 35 different states, Guam and the District of Columbia,” he said. “About a hundred withdrawals took place in liquor stores. Others took place in casinos and slot parlors. Some occurred in tourist destinations like New Orleans, Hawaii, Angel Stadium, Magic Mountain, SeaWorld San Diego, Knott’s Berry Farm and Pier 39 in San Francisco. While withdrawals of this nature were a minority, they indicate that at least some welfare payments went to fund indulgences — not necessities.”

The book, and other transparency efforts by NPRI, does have an effect on policy makers, Lawrence said. One example was the successful push for electronic reporting of campaign contribution and expense reports by candidates and elected officials, which was sought by others as well in the 2011 session including Secretary of State Ross Miller.

“These transparency issues especially are things that resonate with people on every end of the political spectrum,” Lawrence said. “So it’s easy for the public to get behind each of these measures. It’s perhaps a little more difficult for lawmakers who may not want to make things quite as transparent.”

But for everyone else the changes are clearly a benefit, he said.