STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 N. Carson St.
Carson City, NV 89701
Phone: 775-684-1100
Fax: 775-684-1108

www.ag.nv.gov

OFFICE OF THE ATTORNEY GENERAL
CARSON CITY, NEVADA
SEP 05 2014

For official use only:
Received by: _____
Date Received: _____
Complaint Type: _____
Referred to: ☐ BCP ☐ GI ☐ IFU ☐ OML ☐ MFU ☐ MFCU ☐ PIU ☐ WCFU
[Stamp here]

OPEN MEETING LAW COMPLAINT FORM

The information you report on this form may be used to help us investigate alleged violations of Nevada's Open Meeting Law – NRS chapter 241. When completed, mail or fax your form and supporting documents (if any) to the office location listed above. Upon receipt, your complaint will be reviewed by a member of our staff. The length of this process can vary depending on the circumstances and information you provide with your complaint. The Attorney General's Office may contact you if additional information is needed. If you have a claim against the State of Nevada, complete the Tort Claim Form found on our website.

INSTRUCTIONS: Please TYPE/PRINT your complaint in dark ink. You must write LEGIBLY. All fields MUST be completed.

SECTION 1.

COMPLAINANT INFORMATION

Salutation: ☐ Mr. ☐ Mrs. ☑ Ms. ☐ Miss

Your Name: Brown (Last) Tonja (First) F (MI)

Your Address: 2907 Lukens Lane (Address) Carson City (City) NV (State) 89706 (Zip)

Your Phone Number: 775-882-2744 (Home) 775-671-5037 (Cell) (Work) (Fax)

Email: nomemorialfund@aol.com

Call me between 8am-5pm at: ☐ Home ☑ Cell ☐ Work

Age: ☐ Under 18 ☐ 18-29 ☐ 30-39 ☐ 40-49 ☑ 50-59 ☐ 60 or older

ALLEGED OPEN MEETING LAW VIOLATION IS AGAINST

Name of Public Body: Board of Prison Commissioners, Governor Brian Sandoval, attorney General Katherine Cortez Masto & Secretary of State Ross Miller
(i.e., specific board, commission, agency, or person(s) etc.)

Date of meeting where alleged violation occurred (mm/dd/yyyy): NDOC Director Greg Cox 03-19-13, discovered they blocked access to July 12, 2014 to my documents on OR about July 12, 2014.

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SECTION 2.

Please detail the specific violations against the board, commission, or agency or person listed in Section 1. Include the who, what, where, when, and why of your complaint. You may use additional sheets if necessary. Remember the Open Meeting Law applies only to public bodies (see NRS 241.015 for definition) and only to members of public bodies.

My complaint is: Please Read Letter to Deputy attorney General Beth Hickman, attached and Seretary of State Ross Miller campaign for Attorney General, attached.

On or about July 12, 2014 I went to the NDOC website, Board of Prison Commissioner Link to retrieve the evidence I submitted as a document to show how the Audit on the computer glitch was incomplete, and it was flawed not by the LCB who conducted the Audit, because they were only suppose to do what they were instructed to do by assembly Morne. my documents showed there was an adverse consquences to inmate Nolan Klein. I received calls re-mail=mail Internet, questions about the computer glitch that put false-felony charges in inmates files when the software program was installed on June 5, 2007. I instructed them to go to the 3-17-2013 Board of Prison Commissioner documents. Unbeknownst to me it was blocked.

SECTION 3. Geoff Dornan made inquires and it was released by unknown on, July 18, person.

Sign and date this form. The Attorney General's Office cannot process any unsigned, incomplete, or illegible complaints.

I understand that the Attorney General is **not my private attorney**, but rather represents the public. I am filing this complaint to notify the Attorney General's Office of alleged violations of the Open Meeting law by public bodies or individual members of a public body. I understand that the information contained in this complaint may be used by the Attorney General to investigate the public body named in my complaint. I understand that the Attorney General has statutory authority to require public bodies to comply with the Open Meeting Law. In order to resolve your complaint, we may send a copy of this form to the public body about whom you are complaining. I authorize the Attorney General's Office to send my complaint and supporting documents to the public body identified in this complaint.

Tonja F Brown
Signature

Tonja F. Brown
Print Name

09-05-2014
Date (mm/dd/yyyy)

SECTION 4. (Optional)

The following section is optional and is intended to help our office better serve Nevada consumers. Please check the categories that apply to you.

Gender: ☐ Male ☐ Female

Have you previously filed a complaint with our office?: ☐ Yes ☐ No
If yes, enter in the approximate filing date (mm/dd/yyyy) of your original complaint: _____

I am (mark all that apply):

- ☐ Income below federal poverty guideline
- ☐ Disaster victim
- ☐ Person with disability
- ☐ Medicaid recipient
- ☐ Military service member
- ☐ Veteran
- ☐ Immediate family of service member/veteran

Ethnic Identification:

- ☐ White/Caucasian
- ☐ Black/African American
- ☐ Hispanic/Latino
- ☐ Native American/Alaskan Native
- ☐ Asian/Pacific Islander
- ☐ Other: _____

Primary Language:

- ☐ English
- ☐ Spanish
- ☐ Other: _____

May we provide your name and telephone number to the media in the event of an inquiry about this matter?

☐ Yes ☐ No

How did you hear about our complaint form (please choose only one):

☐ Called/visited Las Vegas AG Office ☐ Called/visited Carson City Office ☐ Called/visited Reno Office
☐ Attended AG Presentation/Event ☐ Another Nevada State Agency/Elected Official ☐ Search Engine ☐ AG Website
☐ AG Social Media Sites ☐ Media: Newspaper/Radio/TV ☐ Other_____

Return original form to:

Office of the Attorney General – ATTN: OML Coordinator
100 N. Carson St.
Carson City, NV 89701
Fax: 775-684-1108
(Faxed copies will be accepted followed by original)

September 3, 2014

Beth Heckman, Deputy Attorney General
100 N. Carson Street
Carson City,NV 89706

Dear Ms. Hickman;

Thank you for calling me back yesterday. As you know I am not an attorney. I received your Defendants answers to Plaintiff's First set of Interrogatories and exhibits. I would like to resolve this as soon as possible. You stated that you have not read my Answers to Defendant Cox Interrogatories that I submitted to you on Monday August 25, 2014. I can also assume you have not looked at the documents I have produced as well.

If you would have first read my answers to Answers to the Defendant Greg Cox's Interrogatories to Plaintiff Tonja Brown Set No. :1, Request No: 1 and my Motion in Opposition and Exhibits I submitted to you on Monday August 25 before you answered my Plaintiff's First Set of Interrogatories my questions are relevant without any objection or your refusal to answer. My questions need to be answered.

I believe it is a stall maneuver not to answer my questions and they need to be answered. After all, you yourself, in I believe in your first Motion to Dismiss my Civil Complaint **you stated it was not a crime if Mr. Geddes withheld evidence in Mr. Klein's Federal Civil case, however, all of the NRS show otherwise. It is apparent that is the policy of the Attorney's General's Office.**

It is also apparent to me that the Attorney Generals Office withholds evidence from Plaintiff's civil cases, whether , they are an inmate or a private citizen as in the case we are dealing with in the wrongful death case of Nolan Klein.

After I wrote my Interrogatory questions, a few days ago I recall seeing information that mentions you were involved in part, of the wrongful death case this new claim is about. I do not know the particulars of your what involvement was. **In questions # 3 and 4** (b) to Mr. Geddes could apply to you as well.

My questions show a pattern within the Attorney General's Office of withholding evidence in cases, including, the wrongful death suit. I refer to the 2007 Reports and Recommendations was not turned over in Discovery by Mr. Geddes after August 5, 2011.

. This 2007 Report and Recommendation was grossly inaccurate report caused by Mr. Geddes and NDOC and they knew this. Mr. Geddes had withheld the document identified as NDOC 03811 a letter dated December 2, 2007 that stated NO CRIMINAL ACTIVITY EXHISITED with regard to the Fred

Huston Investigation from the federal Court even when she asking where is the investigation that was conducted in the Fred Huston, Nolan Klein investigations? Fortunately, I had that in my Discovery and yet again the Attorney General's Office did not over this in Discovery that was part of the Klein V Helling case that Mr. Geddes agreed to turn over everything in that Case in August 2011. It shows a pattern of withholding evidence by the Attorney General's Office.

As you may recall during our first our meeting at the Nevada Supreme Court you informed that I must turn over all of my evidence and I informed you I would and I have thus far. It's a double standard for the State of Nevada. If you are the State of Nevada you do not have to turn it over, but, if you're the Plaintiff against the State you do. You even stated this in I believe your first Motion to dismiss my civil complaint , that Hypothetically, If Mr Geddes had withheld the evidence in Mr. Klein's federal case, it's not a crime to withhold evidence in civil cases. **This goes against the Policy of the Board of Prison Commissioners duty "that protects the safety and rights, as well as, the humane and legally mandated treatment of inmates."**

The State of Nevada wants it both ways and our laws say differently and you refuse to have the Defendants answer my Interrogatories claiming Objection. Vague and ambiguous, Not reasonably lead to the discovery of admissible evidence that Defendants have violated a Settlement Agreement, so and so forth to nearly every question I have asked for an answer to .

In my Second Amended Complaint remaining is single breach of Settlement Agreement claim arising from the alleged breach of the confidentiality terms of the Settlement Agreement entered on March 30, 2012, by not including every document Brown presented to the Board of Prison Commissioners during public comment, exonerating Plaintiffs name in the Fred Huston investigation(s) reports that were disseminated and the false felony June 5, 2007 computer glitch that was revealed through the deposition of Donald Helling in that continue to remain within the NDOC files, 2007 Parole Board files, 2008 Pardons Board files. Second Amended Civil Complaint pursuant to Order January 7, 2014 pgs 3-6, pgs 9-11, pg 10 # 18, pgs 12-15, pgs 21 -28, pg 30 #'s 123, 124, 125, 126, pg 35 #'s 139, 140, 141, 143, pg 37 # 149, pg 38 # 151, 152, Pg 39 #'s 156, 157, pg 46 #185, pg 52 #'s 207, 208, 209, 210, pg 53, pg 55 # 217, pg 56 # 218, Pg 58 #227, Pg 59 # 228 Pg 60 #'s 231, 232, 233, 234, pg 61 #'s 235, 237, 238, pg 62 # 241, pg 63 # 244, , pg 65-70.

Defendants, the Board of Prison Commissioners who oversee NDOC and they must, as a part of their Duties "Worked to ensure" **Nevada's prison system is operated in a manner that protects the safety and rights of the Correctional facility employees, as well, as the humane and legally mandated treatment of inmates."** This statement was made by Board of Prison Commissioner Secretary of State Ross Miller on his campaign web site for Attorney General, Attached.

So, yes my questions are relevant based on the POLICY SET BY Secretary of State Ross Miller for the Board of Prison Commissioners. Their policy does not allow the Defendants to have my testimony and evidence stricken and removed from the record that I submitted as evidence to support my testimony of the inhumane and illegally mandated treatment of inmates, blocked anyone from viewing or making or receiving copies of the documents the March 19, 2013 and my Attachment of mine to show the computer glitch Audit finding was incomplete.

I have had inmates families contact me regarding the Audit and I referred them to those documents only to learn a few weeks ago that Defendants blocked anyone from accessing them. After I filed with the Court on August 18, 2014 my Motions the documents were released by unknown person.

The Defendants behavior is being done under the guise of my documents are confidential to the Settlement Agreement signed on March 30, 2012, which as they know the documents were not deemed confidential by the Settlement Agreement because they personally received them and we discussed them during the May 17, 2012 Board of Prison Commissioners meeting, and again, Defendant have refused to place on the record the all of the documents, exonerate our names that was a part of the Settlement Agreement. This falls under the DUTY as defined by Secretary State Ross Miller. They had a duty for everyone to review the testimony of Dr. Karen Gedney that I submitted under an AR regarding contiguous diseases that was being discussed. Instead, they claimed that was document was confidential when they had the Settlement Agreement in their hands and was being discussed. My evidence has yet to see the light day on the Board of Prison Commissioners website for inmates and families and citizens can review it. So yes, my questions are relevant and need to be answered by them.

I presented this evidence to the Board of Prison Commissioners during my public comment of the Board of Prison Commissioners meetings. My documents supported that crimes are being committed against inmates, the false computer glitch was incomplete and inmates were affected by it, the withholding of evidence by the Attorney General's Office in inmates civil cases against the State of Nevada, being exposed to highly infectious deadly diseases and the treatment that was being provided was not a proper treatment thereby, exposing it the visitors and the outside community. The Defendants have prevented any of my documents that is evidence to be placed on the record that supported my testimony.

My documents is my evidence and they withheld my evidence from view claiming confidentiality. Defendants did not contact state agencies to redact the information regarding the 2005 -2007 Fred Hustons that we were exonerated from. Those investigations still remain in the files that will ultimately effect a Posthumous Pardon For Mr. Klein from his wrongful 1989 conviction, because the of the Washoe County District Attorney's Office had withheld all of the 200 + documents mostly exculpatory evidence from the defense found in 2009 just to Mr. Klein's death. If you would have read this my Answers first you would have known that I was dealing Governor's attorney and Director Cox prior to and after the signed March 30, 2012 Settlement Agreement.

My answers and documents support a breach of Settlement Agreement after the March 30, 2012 signed Settlement Agreement when I, again, on May 17, 2012 placed onto the record in my attachment. This would include and discussed what happened at the December 5, 2011 Board of Prison Commissioners meeting and having documents placed on the record, calling for an investigation into Mr. Geddes and Ms. Traut withholding evidence from inmates federal cases, a complaint to be filed with the State Bar of Nevada against Mr. Geddes for his actions in the 2005 Klein v Helling case where Mr. Geddes withheld the exculpatory evidence exonerating Mr. Klein and I. Mr. Geddes actions resulted in a grossly inaccurate reporting regarding Mr. Nolan Klein and Tonja Brown to be made and Spencer's federal civil cases

My answers also pointed out that after the signed the Settlement Agreement the Mr. Geddes went to Ms. Angela Hartzler at the LCB and informed that Dr. Karen Gedney Deposition was confidential and could not be placed on the record of the April 2012 Advisory Commission of the Administration of Justice. It was confirmed that it was deemed by the legal division of LCB that the Settlement Agreement was not a confidential record and was then placed on the record. When Brown brought this document that pertained to the treatment of inmates that was a part of the discussion for passing the Administrative Regulation, this refused to have this document placed on the record claiming confidentiality which it was not. This is in the record with in the May 17, 2012 Board of Prison Commissioners and again have not complied with the terms of the Settlement Agreement.

This was not done until 16 months after that meeting and I sued Defendants. Again, I provided you all of the documents that have not been placed on the record as of today.

I reiterated my requests again for all of the documents I submitted for the December 5, 2011 Board of Prison Commissioners meeting to be placed on the at the May 17, 2012 Board of Prison Commissioners meeting the December 5, 2011 meeting and requested that they conduct an investigation into the Attorney General's Office for withholding evidence in Mr. Klein's case. I provided several documents of the record including the Professionally transcribed Minutes that Brown paid a service to transcribed. Therefore, it was placed before the Board of Prison Commissioners again after the March 30, 2012 Settlement Agreement was signed.

I presented my documents, my evidence that showed that the computer glitch was incomplete, not due to the LCB, but, Assemblyman Horne who asked for an investigation that only touched the service of the computer glitch. Defendants blocked my attachment that I submitted for the people to review. It's only been released recently. Defendants as the Board of Prison Commissioners went out side the scope of their professional duties. You claim they have immunity and I claim they do not. I'm not an attorney but I have common sense and this is what it tells me and I believe that citizens would agree with me. I guess well see what the Judge says. Rest assure, one way the other, the truth is going to be told in the updated version of my 2005 of the my book To Prove His Innocence. The release will be called "To Prove His Innocence, A Sister's love" Detailing **everything** since 2005 to present.

Ms. Hickman, you have **10 days** to read my Answers to your Interrogatories to me, Exhibits, and Opposition and refer to them in answering my Interrogatories. Then I will file a Motion to Compel to Answer my questions to the Court.

Sincerely,

Tonja Brown

Tonja Brown
2907 Lukens Lane
Carson City, NV 89706
882-2744

About Ross Miller

As a former criminal prosecutor, Ross Miller knows how and when to take on difficult legal issues, and is prepared to take on the tough fights to protect the people of Nevada.

As a former Deputy District Attorney and the youngest person ever elected Secretary of State of Nevada, Ross Miller is uniquely qualified to serve as the state's next Attorney General.

Prior to being elected Secretary of State, Ross served as deputy district attorney in Clark County. Ross prosecuted thousands of cases, winning convictions for offenses including murder, sexual assault, armed robbery, drug trafficking, kidnapping, and child molestation. Some of Miller's higher-profile prosecutions include jury-trial murder convictions of Donald Sjolseth, Joe Armstead and Daniel Wolff. Sjolseth and Wolff are now serving sentences of life without the possibility of parole.

As a Secretary of State, Miller has developed and enforced policies that serve and protect all of his constituents, from individual Nevadans to the state's business community.

In his capacity as Nevada's Chief Officer of Elections, Miller has aggressively enforced election law and campaign finance violations. The multi-jurisdictional Elections Integrity Task Force he created has been identified as a national model by the FBI and the Department of Justice for enforcing election or voter registration complaints.

As Secretary of State, Ross has put the law first, and prosecuted election law violations without regard for politics. The comprehensive investigation he led in 2008 into the Association of Community Organizations for Reform Now (ACORN) resulted in the filing of 39 felony criminal counts, and the eventual convictions against ACORN and two key field directors.

A champion for accountability and transparency in government, Ross has also successfully fought for campaign finance and ethics reforms, including Nevada's searchable campaign finance database "Aurora," which was the product of the most comprehensive legislative campaign finance and transparency package in Nevada's history.

In addition to enforcing election law, Nevada's Secretary of state also oversees Nevada's securities marketplace and serves on the Nevada Board of State Prison Commissioners. Under Miller's direction, the Nevada Securities Division has recovered billions of dollars in restitution for victims of fraudulent securities scams – and secured prison sentences and substantial fines to punish the perpetrators. As a Prison Commissioner, Ross has worked to ensure Nevada's prison system is operated in a manner that protects the safety and rights of correctional facility employees, as well as the humane and legally mandated treatment of inmates.

***Every bit counts** and you can help by pledging your show of support with a small campaign contribution.*

Contribute (https://act.myngp.com/Forms/-7470908831854231552

Miller's leadership has been recognized across the country. He was elected President of the National Association of Secretaries of State for 2012-2013; selected as one of "24 Rising Stars" in American governance by the Aspen Institute; and awarded the Rodel Fellowship in Public Leadership. Miller has also been named as one of the "Top 20 Under 40" by the Reno Gazette Journal, and one of the "Men to Watch" by the Nevada Press Women.

Ross holds dual post-grad degrees, a law degree and a MBA, from Loyola Marymount University in Los Angeles, as well as a Bachelor of Arts from Stanford University. While at Stanford, Ross served as a White House intern in the Clinton administration. He also attended the Monterrey Technological Institute in Monterrey, Mexico where he and his teammates won the Collegiate Mexican National Basketball championship. In 2012, Miller competed in his first sanctioned mixed martial arts fight at the World Championship of Fighting in Lake Tahoe in a light heavyweight bout. He won by second round knock out.

Born in Las Vegas, and raised in Carson City, Ross is the son of former Nevada Governor Bob Miller and First Lady Sandy Miller. Ross met his wife Lesley when they were both law students at Loyola Marymount. Lesley is an attorney with Kaempfer Crowell Renshaw Gronauer & Fiorentino. Ross and Lesley have two daughters, Cameron, 7, Geneva, 5, and son Reece, 2.

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