

**IN THE JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, STATE OF NEVADA**

THE STATE OF NEVADA,

Plaintiff,

vs.

STEVE FEEDER, ID #2802723

Defendant.

CASE NO.: 20-CR-006879

DEPT. NO.: 7

AG CASE NO.: 11801-3123.01

**STATE'S BRIEF IN SUPPORT OF BENCH TRIAL AND PRELIMINARY HEARING**

**I. RELEVANT FACTS AND PROCEDURAL HISTORY**

A trial and preliminary hearing have been set in the present matter for October 6, 2020. The State intends to file an amended criminal complaint in open court (previously provided to defense counsel), charging defendant STEVE FEEDER with the following crimes:

- INTERFERING WITH PUBLIC OFFICER, a gross misdemeanor, in violation of NRS 197.090;
- PROVOKING COMMISSION OF BREACH OF PEACE, a misdemeanor, in violation of NRS 203.030; and
- PUBLISHING MATTER INCITING BREACH OF PEACE OR OTHER CRIME, a gross misdemeanor, in violation of NRS 203.040.

*Exhibit 1* (Amended Criminal Complaint). The charges stem from threatening and inciting statements Defendant posted to the official Facebook page of Nevada Governor Steve Sisolak on or about May 2, 2020, through May 22, 2020. In one comment, Defendant stated:

Good morning my fellow complainers. If you haven't noticed by now all these comments and e-mails fall on deaf ears. I'm tired of ranting so today I'm going to drink my coffee take my medication smoke a cigarette and see how many of you enjoy getting FCKED in the SPHINCTER every morning you wake. If you haven't noticed after 60 days we've been abandoned to defend for ourselves. The TYRANT has declared WAR on the people and like Hong Kong protesters we need to arm ourselves and form a militia and fight back. If your not willing to do so and would rather type complaints here vs fighting I respect that just don't let people fight the fight for you if your not willing to step up. In any WAR which we are now in sheep will be casualties but we must March on. If you enjoy getting FCKED in the

1 SPHINCTER each morning continue to write here and get no results. It's  
2 time to fight back. If not say hello to your new TYRANT leader.

3 *Exhibit 2* (Militia threat) (errors and emphasis in the original). Defendant posted that same threat no less  
4 than 34 times. In another exchange, an individual named Thomas Russell posted the following comment:  
5 “Don’t make us force you out of office. We have our 2<sup>nd</sup> amendment we will give you a choice step down  
6 or be put down. You’re a terrorist to our constitution and voter system”. *Exhibit 3* (“put him down”  
7 threat) (errors in the original). Defendant responded: “Thomas Russell that’s what I’m talking about.  
8 Count me in to put him down. The TYRANT must be stopped at all costs for he has declared WAR on the  
9 people.” *Id.* (errors in the original). Further, Defendant encouraged readers to “fight back with civil  
10 disobedience....” *Exhibit 4* (“civil disobedience” threat).

11 During a status check held on June 24, 2020, statements made by defense counsel clearly indicate  
12 that he intends to raise a First Amendment defense. For the following reasons, that argument – as well as  
13 any frivolous argument based on Defendant’s claim that he is a victim of tyranny – must fail.

## 14 II. DISCUSSION

15 “The protections afforded by the First Amendment . . . are not absolute, and [the United States  
16 Supreme Court] ha[s] long recognized that the government may regulate certain categories of expression  
17 consistent with the Constitution.” *Black v. Virginia*, 538 U.S. 343, 358, 123 S.Ct. 1536, 1547 (2003). “The  
18 First Amendment permits restrictions upon the content of speech in a few limited areas, which are of such  
19 slight social value as a step to the truth that any benefit that may be derived from them is clearly  
20 outweighed by the social interest in order and morality.” *Id.* at 358-59, 123 S.Ct., at 1547 (internal  
21 quotation marks omitted). For example, “[o]verthrow of the Government by force and violence is  
22 certainly a substantial enough interest for the Government to limit speech.” *Dennis v. United States*, 341  
23 U.S. 494, 509, 71 S.Ct. 857, 867 (1951) Thus, “a State may punish those words which by their very  
24 utterance inflict injury *or* tend to incite an immediate breach of the peace.” *Black*, 538 U.S., at 359, 123  
25 S.Ct., at 1547 (emphasis added).

26 “True threats” – speech that inflicts injury by its very utterance and/or tends to incite an  
27 immediate breach of the peace – “encompass those statements where the speaker means to communicate a

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1 serious expression of an intent to commit an act of unlawful violence to a particular individual or group of  
2 individuals.” *Id.* at 359, 123 S.Ct., at 1548. The United States Supreme Court has explained:

3           The speaker need not actually intend to carry out the threat. Rather, a  
4 prohibition on true threats protects individuals from the fear of violence and  
5 from the disruption that fear engenders, in addition to protecting people from  
6 the possibility that the threatened violence will occur. Intimidation in the  
constitutionally proscribable sense of the word is a type of threat, where a  
speaker directs a threat to a person or group of persons with the intent of  
placing the victim in fear of bodily harm or death.

7 *Id.* at 359-60, 123 S.Ct., at 1548 (internal citation and quotation marks omitted).

8           “[T]he line between threats and incitement, especially in cyberspace, is not as clear as [one may]  
9 contend[], and no court has suggested that the categories of unprotected speech are completely distinct  
10 from one another.” *United States v. Wheeler*, 776 F.3d 736, 744-45 (10th Cir., 2015). Moreover,  
11 “[a]llowing defendants to seek refuge in the First Amendment simply by phrasing threats as exhortations  
12 would . . . leave the state powerless against the ingenuity of threateners.” *Id.* at 745 (internal quotation  
13 marks omitted).

14           When conducting a First Amendment analysis, “[a]lleged threats should be considered in light of  
15 their entire factual context, including the surrounding events and reaction of the listeners.” *Planned*  
16 *Parenthood of Columbia/Willamette, Inc. v. Am. Coalition of Life Activists*, 290 F.3d 1058, 1075 (9th Cir.,  
17 2002) (en banc) (quoting *United States v. Orozco-Santillan*, 903 F.2d 1262, 1265 (9th Cir., 1990)).  
18 Threats or exhortations made online tend to create a greater danger to the target of those threats than  
19 threats or exhortations made by other means. As the Tenth Circuit Court of Appeals has explained:

20           Several attributes of the Internet substantially amplify the fear that an  
21 individual can instill via threats or incitement. Such threats have the ability  
22 to reach a vast audience – far more than the traditional speaker or author  
23 published in a single venue. The threats may often come cloaked in  
24 anonymity, allowing authors to make menacing statements they would never  
consider making to an individual in person. And, given the prevalence and  
diversity of Internet fora and discussion boards, such exhortations may often  
find a receptive audience of like-minded individuals – perhaps audiences  
more willing to do the bidding of one urging violent action.

25 *Wheeler*, 776 F.3d, at 745 n.4. With respect to threats conveyed via Facebook, the Court of Appeals of  
26 Indiana rejected a First Amendment defense where: “[The defendant] repeatedly posted about [victim]  
27 Officer Dodd. She accused Officer Dodd of killing her son, urged him to commit suicide, and suggested  
28

1 law enforcement ‘better watch out this mother is on a rampage and ready to shoot to kill.’” *McGuire v.*  
2 *State*, 132 N.E.3d 438, 444 (Ct. App. Ind., 2019).

3         Given these principles and holdings, it is clear that the statements that serve as the basis for the  
4 charges put forth in the present case find no protection in the First Amendment. Defendant implored  
5 others to arm themselves and join him in forming a militia for the purpose of “put[ting] down” Governor  
6 Sisolak, and he encouraged others to engage in “civil disobedience.” The fact that the comments were  
7 posted directly to Governor Sisolak’s Facebook page demonstrates a subjective intent to instill fear in him.  
8 Having conveyed the threat in a popular, public online forum amplifies the fear that Defendant might find  
9 a receptive audience of like-minded individuals willing to carry out such threats. Moreover, the fact that  
10 Defendant posted said statements during a time when tempers were running high throughout the country as  
11 a result of COVID-19 (and its health and economic impact on society) further amplifies that fear.

12         A mere two weeks after Defendant posted his threatening comments, the U.S. Department of  
13 Justice announced that “three alleged members of the ‘Boogaloo’ movement – a term used by extremists to  
14 signify a coming civil war and/or collapse of society – have been charged with violations of federal and  
15 state law for conspiracy to cause destruction during protests in Las Vegas, and possession of an  
16 unregistered device (specifically, an improvised incendiary device commonly known as a Molotov  
17 cocktail).” *Exhibit 5* (U.S. DOJ press release). Exactly one month after Defendant posted his threatening  
18 comments, Governor Sisolak announced that the interim director of the Nevada Department of  
19 Employment, Training and Rehabilitation was resigning from her job due to “threats to her personal  
20 safety.” *Exhibit 6* (Governor Sisolak press release). Days later, The New York Times ran an article  
21 headlined: “Health Officials Had to Face a Pandemic. Then Came the Death Threats.” *Exhibit 7* (New  
22 York Times article). The article talks of the threats leading to the resignations of numerous public health  
23 officials – officials the public so desperately needs now more than any time in recent history. *Id.*

24         It is not meant to suggest that Defendant caused all, or even any, of these events. These events are  
25 described for the sole purpose of illustrating the atmosphere into which Defendant cast his call to arms. It  
26 is an environment on edge, filled with angry, impulsive, and dangerous nutcases, many of whom are armed  
27 and appear ready to take action. It takes only one of these nutcases to be moved by one of these  
28 exhortations and decide to cross the oftentimes fine line separating vitriol from violence. With this context

1 in mind, the State once again quotes the United States Supreme Court to explain why Defendant's conduct  
2 is not shielded by the First Amendment: "[A] prohibition on true threats protects individuals from the fear  
3 of violence *and from the disruption that fear engenders*, in addition to protecting people from the  
4 possibility that the threatened violence will occur. Intimidation in the constitutionally proscribable sense  
5 of the word is a type of threat, where a speaker directs a threat to a person or group of persons with the  
6 intent of placing the victim in fear of bodily harm or death." *Black*, 123 S.Ct., at 1548 (internal quotation  
7 marks omitted) (emphasis added).

8         Aside from Defendant's threats of violence, Defendant clearly broke the law when he encouraged  
9 others to engage in "civil disobedience." *Black's Law Dictionary* defines "civil disobedience" as "[a]  
10 deliberate but nonviolent act of lawbreaking to call attention to a particular law or set of laws of  
11 questionable legitimacy or morality." *Black's Law Dictionary*, at 194 (7th ed., 2000). This is precisely the  
12 type of conduct criminalized under NRS 203.040, which prohibits the issuance of statements encouraging  
13 the commission of any crime.

14         Having dispensed with the First Amendment defense, the State will briefly address Defendant's  
15 absurd call for a Second Amendment response to the Governor's actions. Surely, defense counsel cannot  
16 find any legitimacy in Defendant's call to arms. Nevertheless, there is a possibility that he might make  
17 such an argument in order to appease Defendant.

18         As the United States Supreme Court has explained, "[w]hatever theoretical merit there may be to  
19 the argument that there is a 'right' to rebellion against dictatorial governments is without force where the  
20 existing structure of the government provides for peaceful and orderly change." *Dennis*, 341 U.S., at 501,  
21 71 S.Ct., at 863. No one is interfering with Defendant's ability to effect change through the electoral  
22 process. Nor is anyone interfering with Defendant's ability to challenge the actions of elected officials  
23 through the state or federal court systems. Defendant, however, took a pass on exercising those lawful,  
24 peaceful options in favor of calling for others to join him in committing crimes that constitute the ultimate  
25 affront to democracy.

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1 **III. CONCLUSION**

2 For these reasons, Defendant's statements are not protected by the First Amendment; nor are they  
3 protected by Defendant's ignorant understanding of the concept of tyranny. Instead, they are deliberate and  
4 dangerous statements that create an intolerable risk to the health and safety of our democratically-elected  
5 officials.

6 DATED this 2<sup>nd</sup> day of October, 2020.

7  
8 AARON FORD  
Attorney General

9 By: /s/ Michael Kovac  
10 Michael C. Kovac, Nevada Bar No. 11177  
11 Chief Deputy Attorney General  
12 Office of the Nevada Attorney General  
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18 Attorneys for Plaintiff  
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**CERTIFICATE OF SERVICE**

I certify on this 2<sup>nd</sup> day of October, 2020, I electronically filed the foregoing State’s Brief in Support of Bench Trial and Preliminary Hearing with the Clerk of the Court. I have emailed the foregoing document to the following:

Craig Mueller, Esq.  
CRAIG MUELLER & ASSOCIATES  
723 S. 7<sup>th</sup> Street  
Las Vegas, NV 89101  
receptionist@craigmuellerlaw.com

/s/R. Holm  
An employee of the Office  
of the Attorney General

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# **EXHIBIT 1**

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1 **IN THE JUSTICE COURT, LAS VEGAS TOWNSHIP**

2 **CLARK COUNTY, STATE OF NEVADA**

3 THE STATE OF NEVADA,

4 Plaintiff,

5 vs.

6 STEVE FEEDER, ID #2802723

7 Defendant.

CASE NO.: 20-CR-006879

DEPT. NO.: 7

8  
9 AG CASE NO.: 11801-3123.01

10 **AMENDED CRIMINAL COMPLAINT**

11 AARON FORD, Attorney General of the State of Nevada, by and through Chief Deputy Attorney  
12 General MICHAEL C. KOVAC, complains and charges the above-named Defendant, STEVE FEEDER,  
13 with having committed the crime(s) of:

- 14 • INTERFERING WITH PUBLIC OFFICER, a gross misdemeanor, in violation of NRS 197.090;
- 15 • PROVOKING COMMISSION OF BREACH OF PEACE, a misdemeanor, in violation of NRS  
16 203.030; and
- 17 • PUBLISHING MATTER INCITING BREACH OF PEACE OR OTHER CRIME, a gross  
18 misdemeanor, in violation of NRS 203.040.

19 All of the acts alleged herein were committed or completed on or about May 2, 2020, through May  
20 22, 2020 by the above-named Defendant, within Clark County, Nevada, in the following manner:

21 **COUNT 1**  
22 **INTERFERING WITH PUBLIC OFFICER**  
23 **Gross Misdemeanor – NRS 197.090**

24 That the Defendant, STEVE FEEDER, by means of a threat, force or violence, attempted to deter  
25 or prevent any executive or administrative officer from performing any duty imposed upon the officer by  
26 law, or knowingly resisted by force or violence any executive or administrative officer in the performance  
27 of the officer's duty, to wit:

28 On or about May 2, 2020, through May 22, 2020, Defendant attempted to deter or prevent Nevada  
Governor Steve Sisolak from performing his duties as Governor by posting to Governor Sisolak's official

1 Facebook page one or more comments that threatened Governor Sisolak with acts of violence to be  
2 committed by Defendant and/or other individuals incited by said comment(s).

3 **COUNT 2**  
4 **PROVOKING COMMISSION OF BREACH OF PEACE**  
5 **Misdemeanor – NRS 203.030**

6 That the Defendant, STEVE FEEDER, by word, sign or gesture willfully provoked or attempted to  
7 provoke another person to commit a breach of the peace, to wit:

8 On or about May 2, 2020, through May 22, 2020, Defendant posted to Nevada Governor Steve  
9 Sisolak's official Facebook page one or more comments that encouraged others to join him in maliciously  
10 and willfully disturbing the peace of Governor Sisolak through threats of violence and/or the commission  
11 of actual acts of violence upon Governor Sisolak's person.

12 **COUNT 3**  
13 **PUBLISHING MATTER INCITING BREACH OF PEACE OR OTHER CRIME**  
14 **Gross Misdemeanor – NRS 203.040**

15 That, on or about May 2, 2020, through May 22, 2020, the Defendant, STEVE FEEDER, willfully  
16 printed, published, edited, issued, or knowingly circulated, sold, distributed or displayed any book, paper,  
17 document or written or printed matter, in any form, inciting or having a tendency to incite the commission  
18 of a crime, breach of peace, or act of violence, and/or Defendant aided or abetted and/or counseled,  
19 encouraged, hired, commanded, induced, or otherwise procured another to so act. The allegations set forth  
20 in counts one and two are hereby incorporated by reference. Additionally, Defendant encouraged other to  
21 commit other unspecified crimes.

22 Said Complainant makes this declaration subject to the penalty of perjury.

23 DATED this \_\_\_\_\_ day of September, 2020.

24 AARON FORD  
25 Attorney General

26 By: \_\_\_\_\_  
27 Michael C. Kovac, Nevada Bar No. 11177  
28 Chief Deputy Attorney General  
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mkovac@ag.nv.gov  
Attorneys for Plaintiff

# **EXHIBIT 2**

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Joe Candelaria Just got back from Salt Lake City and everything is open there! Ross, Burlington, Kohl's, Bars, restaurants and even Strip Clubs. The numbers the CDC and yourself do not make sense if your scared then stay home. But let us that aren't live normally

Like Reply 6w



:eve



Steve Feeder Joe Candelaria Good morning my fellow complainers. If you haven't noticed by now all these comments and e-mails fall on deaf ears. I'm tired of ranting so today I'm going to drink my coffee take my medication smoke a cigarette and see how many of you enjoy getting FCKED in the SPHINCTER every morning you wake. If you haven't noticed after 60 days we've been abandoned to defend for ourselves. The TYRANT has declared WAR on the people and like Hong Kong protesters we need to arm ourselves and form a militia and fight back. If your not willing to do so and would rather type complaints here vs fighting I respect that just don't let people fight the fight for you if your not willing to step up. In any WAR which we are now in sheep will be casualties but we must March on. If you enjoy getting FCKED in the SPHINCTER, each morning continue to write here and get no results. It's time to fight back. If not say hello to your new TYRANT leader.

Like Reply 6w

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STATE 000451

Like Reply 6w



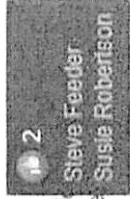
# **EXHIBIT 3**

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Write a reply

5 days 5 months 1 day



Thomas Russell Don't make us force you out of office. W  
2nd amendment we will give you a choice step down or be  
You're a terrorist to our constitution and voter system

Like Reply 5w

ve



Steve Feeder Thomas Russell that's what I'm talking about  
Count me in to put him down. The TYRANT must be stopped  
at all costs for he has declared WAR STATE 0004 15

Like Reply 5w

# EXHIBIT 4

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Steve Feeder I CAN'T MAKE THIS ANY CLEARER MY FRIENDS THE TYRANT HAS DECLARED WAR ON THE PEOPLE NO JOBS. NO UNEMPLOYMENT. NO INCOME. HOLDING US HOSTAGE. YET HIS MAIL ORDER BRIDE IS NOT IN A ENTERMANT CAMP TO GET A TASTE OF THE TYRANT'S DICKTATORSHIP. UNLESS YOU WILLING TO STAND UP FINALLY AND SAY ENOUGH IS ENOUGH AND WE GROUP UP AND FIGHT BACK WITH CIVIL DISOBEDIENCE AND UNREST. IF NOT BOW DOWN TO OUR NEW TYRANT LEADER BELOW.

[https://m.facebook.com/story.php?story\\_fbid=3020989987964511&id=100001606198778](https://m.facebook.com/story.php?story_fbid=3020989987964511&id=100001606198778)

Like Reply 4w



Armando A. Martinez



Like Reply 4w

STATE 000468



# EXHIBIT 5

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United States Department of Justice

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THE UNITED STATES ATTORNEY'S OFFICE  
DISTRICT *of* NEVADA

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Department of Justice

U.S. Attorney's Office

District of Nevada

FOR IMMEDIATE RELEASE

Wednesday, June 3, 2020

## Joint Terrorism Task Force Charges Three Men Who Allegedly Sought To Exploit Protests In Las Vegas And Incite Violence

**LAS VEGAS, Nev.** — U.S. Attorney Nicholas A. Trutanich for the District of Nevada, Clark County District Attorney Steve Wolfson, Special Agent in Charge Aaron C. Rouse for the FBI, and Sheriff Joseph Lombardo of the Las Vegas Metropolitan Police Department announced today that three alleged members of the "Boogaloo" movement — a term used by extremists to signify a coming civil war and/or collapse of society — have been charged with violations of federal and state law for conspiracy to cause destruction during protests in Las Vegas, and possession of an unregistered destructive device (specifically, an improvised incendiary device commonly known as a Molotov cocktail).

"Violent instigators have hijacked peaceful protests and demonstrations across the country, including Nevada, exploiting the real and legitimate outrage over Mr. Floyd's death for their own radical agendas," said U.S. Attorney Trutanich. "Law enforcement is focused on keeping violence and destruction from interfering with free public expression and threatening lives."

Clark County District Attorney Steve Wolfson stated: "My office is committed to aggressively prosecuting those who make it their mission to create chaos and destruction with total disregard for the safety and well-being of our citizens and the law enforcement officers sworn to protect and serve our community. This type of planning and intent on causing mayhem is terroristic and will not be tolerated. Thankfully, the Joint Terrorism Task Force is able to identify and stop such actions. Now it's my job to hold these men accountable."

"This quick and decisive action by the FBI's Joint Terrorism Task Force underscores the exceptional partnership and professionalism of our diverse membership," said FBI Special Agent in Charge Aaron C. Rouse. "Federal, state, and local agencies committed to stopping acts of terrorism before they can occur. Citizens of Nevada can take comfort that the law enforcement partnerships in this state continue to work together every day to protect them no matter the circumstances."

Las Vegas Metropolitan Police Department (LVMPD) Captain Chris Tomaino said: "The LVMPD worked together daily in the Joint Terrorism Task Force with the FBI, U.S. Attorney's Office, and Clark County District Attorney's Office in this investigation that helped protect Southern Nevada's citizens and officers from individuals looking to harm citizens for their own political ends."

Stephen T. Parshall, aka "Kiwi," 35, Andrew Lynam, 23, and William L. Loomis, 40, all of Las Vegas, were each charged in a federal criminal complaint with (a) one count of conspiracy to damage and destroy by fire and explosive; and (b) one count of possession of unregistered firearms, that is, a destructive device. A criminal complaint is a formal accusation of criminal conduct for purposes of establishing probable cause, not evidence of guilt. Every defendant is presumed innocent unless and until proven guilty in a court of law.

If convicted of federal charges, Parshall, Lynam, and Loomis each face a statutory maximum sentence of (a) 20 years in prison and a \$250,000 fine for conspiracy to damage and destroy by fire and explosive; and (b) ten years in prison and a \$250,000 fine for possession of unregistered firearms. The maximum statutory sentences are prescribed by Congress and are provided here for informational purposes only. If convicted of any federal offense, the sentencing of a defendant will be determined by the court based on the advisory Sentencing Guidelines and other statutory factors.

Parshall, Lynam, and Loomis were all arrested in Las Vegas on May 30, 2020, and are currently in state custody. In addition to the federal charges listed above, the Clark County District Attorney's office has filed a state criminal complaint charging the defendants with (a) one count Assist, Solicit or Conspire Conspiracy to Commit an Act of Terrorism (potential sentence of ten years to life in prison with the possibility of parole); (b) one count of Provide Material Support for use in the Commission of an Act of Terrorism (potential sentence of ten years to life in prison with the possibility of parole); (c) one count of Conspiracy to Damage or Destroy a Building by Means of Explosives (potential sentence of two to ten years in prison); and (d) one count of Possession of Component of Explosive or Incendiary Device with Intent to Manufacture Explosive Incendiary Device (potential sentence of one to six years in prison).

The charges stem from an investigation led by the FBI Joint Terrorism Task Force (JTTF) in Las Vegas, which includes the FBI, LVMPD, ATF, North Las Vegas Police Department, and the U.S. National Park Service. Each regional FBI JTTF brings together highly skilled investigators from federal, state, and local law enforcement agencies to investigate and stop terrorism. As directed by Attorney General William P. Barr, law enforcement is using the existing network of 56 regional FBI JTTFs to identify and prosecute the violent criminal organizers and instigators who have taken over peaceful protests.

U.S. Attorney Nicholas D. Dickinson is prosecuting the federal case. Deputy District Attorney Michael Dickerson, who is the primary counter-terrorism prosecutor for the Clark County District Attorney's office, is prosecuting the state's case.

###

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**Topic(s):**

Counterterrorism

**Component(s):**

USAO - Nevada

Updated June 3, 2020

# **EXHIBIT 6**

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COVID-19

Stay at Home Order Stay at Home Order Stay at Home Order Stay at Home Order Stay at Home Order



## Governor Sisolak thanks Heather Korbolic for leadership at Nevada DETR, announces her transition back to Silver State Health Insurance Exchange

Carson City, NV - June 19, 2020

Today, Nevada Governor Steve Sisolak announced that Heather Korbolic, Interim Director of the Nevada Department of Employment, Training and Rehabilitation (DETR), will be transitioning back into her role as the Executive Director of the Silver State Health Insurance Exchange.

As Interim Director of DETR, Korbolic successfully led the department through the launch of the Pandemic Unemployment Assistance program, automated traditional Unemployment Insurance processes, and connected tens of thousands of eligible Nevadans to unemployment benefits. While Director Korbolic has made great strides and enjoyed serving in this interim role, she requested the transition due to threats to her personal safety.

"Director Korbolic jumped right into DETR in early May and immediately demonstrated her leadership and problem-solving skills. Heather's coordinated project management experience has benefited the department and the dedicated staff who work tirelessly to connect Nevadans to unemployment benefits," said **Governor Steve Sisolak**. "I am so grateful to her for taking on this challenging project to make sure Nevadans were able to access their benefits."

In the last seven weeks, DETR has:

- worked through more than 131,000 backlogged unemployment claims,
- hired new employees to assist the Employment Security Division,
- increased call center capacity by implementing a cloud-based phone system,
- launched the Pandemic Emergency Unemployment Compensation to assist those who have exhausted regular UI claims,
- launched the Pandemic Unemployment Assistance program to cover independent contractors, gig workers and others who aren't covered by traditional UI,
- And continued to building strong relationships with state agencies to support the department's efforts.

DETR staff will continue to connect claimants to benefits. An interim director will be determined within the next week.

###

### Contact

Meghin Delaney  
Communications Director  
[press@gov.nv.gov](mailto:press@gov.nv.gov)

Executive

- [Governor](#)
- [Deputy Governor](#)
- [Secretary of State](#)
- [Attorney General](#)
- [State Treasurer](#)
- [State Controller](#)

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- [Senate](#)
- [Assembly](#)
- [Legislative Committee on Governmental Operations](#)
- [Legislative Committee on Health and Human Resources](#)
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# **EXHIBIT 7**

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The New York Times <https://nytimes.com/2020/06/22/us/coronavirus-health-officials.html>

# *Health Officials Had to Face a Pandemic. Then Came the Death Threats.*

State and local health officials have found themselves at the center of regular news briefings amid the coronavirus outbreak, making them targets for harassment and threats.



By Julie Bosman

Published June 22, 2020 Updated June 24, 2020

Leaders of local and state health departments have been subject to harassment, personal insults and death threats in recent weeks, a response from a vocal and angry minority of the public who say that mask requirements and restrictions on businesses have gone too far.

One top health official, Dr. Barbara Ferrer, the director of the Los Angeles County Department of Public Health, issued a statement on Monday condemning attacks on public health directors and disclosing that she faced repeated threats to her safety.

“The death threats started last month, during a Covid-19 Facebook Live public briefing when someone very casually suggested that I should be shot,” Dr. Ferrer said in a statement. “I didn’t immediately see the message, but my husband did, my children did, and so did my colleagues.”

“It is deeply worrisome,” she added, “to imagine that our hardworking infectious disease physicians, nurses, epidemiologists and environmental health specialists or any of our other team members would have to face this level of hatred.”

Across the country, many public health officials entered the coronavirus pandemic with bare-bones staffs and strained budgets, leaving them ill-prepared to handle a mounting crisis. Before the pandemic, they had focused on illness prevention, contact tracing for communicable diseases, vaccinations and campaigns against smoking and vaping.

Now some of them, suddenly facing the public with regular television briefings about efforts to fight the coronavirus, are choosing to leave their positions entirely.

Lori Tremmel Freeman, the chief executive of the National Association of County and City Health Officials, said last week that dozens of top health officials have resigned or been fired since the pandemic began. At least four state health directors have resigned from their posts; Dr. Amy Acton, the state health director of Ohio, stepped down this month after enduring anti-Semitic attacks and demonstrations by armed protesters on her front lawn.

Dr. Umair A. Shah, the executive director of the public health department in Harris County, Texas, which includes Houston, described a tense new role. "Now that we're quite visible and we're part of very difficult decision-making, naturally those decisions are having an incredible impact on community members in a very specific way," Dr. Shah said. "That's where the problem comes in."

Not all of the officials have said why they are leaving, and some have cited personal reasons or planned retirements, but Ms. Freeman said she had heard many accounts of harassment.

"There's a big red target on their backs," Ms. Freeman said. "They're becoming villainized for their guidance. In normal times, they're very trusted members of their community."

Some critics of the public health directors have said that they believe that allowing businesses to operate is worth the risk of spreading the coronavirus, and that health directors are too cautious about reopenings. Others have cited conspiracy theories that claim that the coronavirus is a hoax; that the development of a vaccine is part of a massive effort to track citizens and monitor their movements; and that wearing a mask or cloth face covering is a practice that impedes personal freedom.

In Washington State, where rural counties are struggling with new outbreaks and trying to warn residents to take basic precautions to stem the spread of the virus, pleas from local health officials have often been answered with hostility and threats.

In Yakima County, which has more than six times as many cases per capita as the county that includes Seattle, hospitals have reached capacity and patients were being taken elsewhere for medical care. Gov. Jay Inslee warned over the weekend that "we are frankly at the breaking point," and has said he would require Yakima residents to wear face coverings in an effort to slow the virus's spread.

"I've been called a Nazi numerous times," said Andre Fresco, the executive director of the Yakima Health District. "I've been told not to show up at certain businesses. I've been called a Communist and Gestapo. I've been cursed at and generally treated in a very unprofessional way. It's very difficult."

In California, angry protesters have tracked down addresses of public health officers and gathered outside their homes, chanting and holding signs. Last week, a group called the Freedom Angels did just that in Contra Costa County, Calif., filming themselves and posting the videos on Facebook.

“We came today to protest in front of our county public health officer’s house, and some people might have issues with that, that we took it to their house,” one woman said in a video. “But I have to tell you guys, they’re coming to our houses. Their agenda is contact tracing, testing, mandatory masks and ultimately an injection that has not been tested,” she said, apparently referring to a vaccine even though none have been approved.

Dr. Nichole Quick, the chief health officer for Orange County, Calif., resigned as protests and harassment intensified after an order to require face masks in certain businesses, including grocery stores and pharmacies. Emily Brown, director of the Rio Grande County Public Health Department in rural Colorado, was fired when she encountered community resistance to the stricter rules she had encouraged.

The departures across the country have prompted industry officials to ask whether a dearth of leadership is ahead for health departments, even as they combat the pandemic.

“We’ve never seen this level of vitriol before,” said Kat DeBurgh, the executive director of the Health Officers Association of California. “I’m worried not just about the present but about the future. When they’re subject to such harassment, who is going to step into these jobs?”

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