

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

1 **Hearing discussion and possible action regarding complaint seeking disciplinary**
2 **action against Donna J. Lawrence d/b/a V.I.P. Massage, 3053 Valley View**
3 **Boulevard, Las Vegas, Clark County, Nevada, for violations of the Las Vegas**
4 **Municipal Code – Ward 1 (Tarkanian)**

5

6 **APPEARANCE LIST**

7 OSCAR GOODMAN, Mayor

8 BILL HENRY, Sr. Litigation Counsel

9 REAGAN ALEXANDER, Sergeant, Las Vegas Metropolitan Police Department

10 LINDA KRUEGER, Las Vegas Metropolitan Police Department (Metro) Forensic Lab

11 JIM DiFIORE, Manager, Business Services

12 LOIS TARKANIAN, Councilwoman

13 STEVE WOLFSON, Councilman

14 STEVEN ROSS, Councilman

15

16 (00:56:40 – 01:06:51)

17 10 minutes

18

19 Typed by: Shamika Webb

20 Proofed by: Vicky Darling

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

21 **MAYOR GOODMAN**

22 All right, Item 50, 58 – is hearing, discussion and possible action regarding complaint
23 seeking disciplinary action against Donna J. Lawrence doing business as V.I.P. Massage,
24 at 30-53 South Valley View Boulevard, Las Vegas, Clark County, Nevada, for violations
25 of the Las Vegas Municipal Code. This is in Ward 1. Mr. Henry.

26

27 **WILLIAM HENRY**

28 Good morning, Mayor.

29

30 **MAYOR GOODMAN**

31 Morning.

32

33 **WILLIAM HENRY**

34 Members of the City Council. Preliminarily, well, initially I would state that this is
35 before you on hearing on the disciplinary complaint against the massage license.
36 Preliminarily, I would like to file with the Clerk proof of service of notice of today's
37 hearing. And, you might recall, Mayor, that the licensee didn't show up at the last
38 hearing and you inquired about the method of service.

39

40 **MAYOR**

41 Yes.

42

43 **WILLIAM HENRY**

44 And, I apind (sic) that it was good, although we had done it under the statue by mailing.
45 In this instance we had our investigators go out and find the licensee, and serve her with
46 the Order Approving Complaint and Notice of Hearing. And, actually, I have a copy of
47 their field notes, where they copied down her license, Nevada license number, and also
48 obtained her signature, which appears to be the same as on our documents.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

49 **MAYOR GOODMAN**

50 Okay, that's fine. Is Donna Lawrence here? Anybody here on behalf of Donna
51 Lawrence? Okay, well I'm satisfied that the service is good.

52

53 **WILLIAM HENRY**

54 I would ask to just take a couple of minutes of your time, to prove up this matter very
55 quickly. And I would ask Officer Reagan Alexander to come forward. Let's share this I
56 guess. Would you state your name please, and spell your last name, for – the Council.

57

58 **REAGAN ALEXANDER**

59 Yes, Sergeant Reagan Alexander, A L E X A N D E R.

60

61 **WILLIAM HENRY**

62 You're a Metropolitan Police officer?

63

64 **REAGAN ALEXANDER**

65 Yes, I supervise on special investigation section.

66

67 **WILLIAM HENRY**

68 I direct your attention to page four of the Disciplinary Complaint, where it's alleged that
69 on March 30th, of two thousand and six, a vice officer of the Metropolitan Police,
70 operating in a undercover capacity, was solicited for an act of prostitution, by a masseuse
71 at V.I.P. Massage. Have you familiarized yourself with the – relevant reports. And can
72 you tell the Council that that allegation is correct, based on the reports of the
73 Metropolitan Police?

74

75 **REAGAN ALEXANDER**

76 Yes, that allegation is true, based upon the reports that you have before you.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

77 **WILLIAM HENRY**

78 And likewise, on April 13, two thousand and six it's alleged on page four, that a vice
79 officer, again operating – in an undercover capacity at V.I.P. Massage was solicited by a
80 masseuse for an act of prostitution. And, is that likewise accurate, based upon your
81 reading of the reports?

82

83 **REAGAN ALEXANDER**

84 Yes, the reports that you have, that information is true and correct, can be counted on.

85

86 **WILLIAM HENRY**

87 I have no further questions, Council –

88

89 **MAYOR GOODMAN**

90 All right, basically under the Administrative Procedure Act, and Councilman Wolfson,
91 correct me if I'm wrong, this type of testimony, which is hearsay, is permissible? Very
92 good.

93

94 **WILLIAM HENRY**

95 It is, under the City Code, Your Honor.

96

97 **MAYOR GOODMAN**

98 Right, okay. You don't, you have no personal knowledge of this, you're relying on the
99 reports that have been submitted, is that correct?

100

101 **REAGAN ALEXANDER**

102 Mayor Goodman, that is correct. Thank you, Sir.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

103 **MAYOR GOODMAN**

104 Very good, no problem. Okay, are there any questions of Sergeant, or Mr. Henry? All
105 right.

106

107 **WILLIAM HENRY**

108 Your Honor, I'd state that I chose – not to ask vice officers to appear –, for the obvious
109 reason –

110

111 **MAYOR GOODMAN**

112 – there's no reason, I – would hope that, had the licensee attended, that she would've had
113 the opportunity to cross examine those who prepared the reports. But for, she's not here,
114 she's been properly served. Far as I'm concerned, this is permissible evidence, and will be
115 considered by us.

116

117 **WILLIAM HENRY**

118 My next and last witness, is Linda Krueger, who's the director of the, I'm gonna say
119 Crime Lab, but I'm sure she'll correct – me.

120

121 **MAYOR GOODMAN**

122 Ms. Krueger.

123

124 **LINDA KRUEGER**

125 Morning.

126

127 **MAYOR GOODMAN**

128 Good morning.

129

130 **LINDA KRUEGER**

131 It's actually the Las Vegas Metropolitan Police Department's Forensic Lab, Sir.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

132 **WILLIAM HENRY**

133 Thank you. Would you state your name please, and spell your last name.

134

135 **LINDA KRUEGER**

136 My name is Linda Krueger, K R U E G E R.

137

138 **WILLIAM HENRY**

139 Ms. Krueger, it's alleged again on page four of the Complaint, that on April 18th, of two
140 thousand and six, Metropolitan Police crime scene analysis personnel processed the
141 massage rooms, I believe rooms two and three, at V.I.P. Massage. And, determined that
142 there were fluid stains on – the walls. Submitted these to presumptive test, and
143 determined that they were certain bodily fluids. Would you tell us if that's correct, based
144 on the reports that you have.

145

146 **LINDA KRUEGER**

147 Yes, Sir, that is correct.

148

149 **WILLIAM HENRY**

150 At my request, did you then take these samples and submit them to further testing, so we
151 have something more than presumptive test here?

152

153 **LINDA KRUEGER**

154 Yes, Sir. They, the samples were then submitted to further analysis, at the Forensic
155 Laboratory. And that testing is confirmative testing, for the presence of similar fluid.

156

157 **WILLIAM HENRY**

158 Thank you. I have no further questions.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

159 **MAYOR GOODMAN**

160 Very good. Are there any questions of the young lady? All right. Thank you very much,
161 ‘preciate it.

162

163 **WILLIAM HENRY**

164 If I could ask Jim DiFiore to step forward, just to attest to the licensing information.

165

166 **MAYOR GOODMAN**

167 No problem.

168

169 **JIM DiFIORE**

170 My name is Jim DiFiore, D I capital F I O R E, the manager of Business Services, for the
171 City of Las Vegas.

172

173 **WILLIAM HENRY**

174 Mr. DiFiore, there’re certain allegations made on pages one and two of the Disciplinary
175 Complaint about City Licenses held by Donna J. Lawrence dba V.I.P. Massage. And,
176 about persons listed as manager or principles, are those allegations true, based upon your
177 records?

178

179 **JIM DIFIORE**

180 Yes, they are.

181

182 **WILLIAM HENRY**

183 Thank you. I have no further questions.

184

185 **MAYOR GOODMAN**

186 All right. Any questions of Mr. DiFiore? All right. Would you like to sum up or not?

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

187 **WILLIAM HENRY**

188 The last thing, I'd – like to do is, direct the Council's attention to an – alternative – basis,
189 for making a finding, which is contained – in six point 88 point 100, of the Las Vegas
190 City Code, entitled; Failure to Answer or Appear, and relevantly reads, failure to timely
191 answer, fail, pardon me, failure to timely file his answer or failure of a respondent or his
192 counsel to appear at the hearing, shall constitute admission of all such matters and facts
193 contained in the complaint filed with respect to such respondent. In such cases, the City
194 Council may take action, based upon such admission. Based on the testimony here today,
195 and those provisions, of 6, 88, 100, I would ask you to find the disciplinary offenses have
196 occurred – and, I would ask – you to revoke the licenses, at issue.

197

198 **MAYOR GOODMAN**

199 All right. I'll make a finding that the disciplinary allegations have been met, and it's up to
200 motion by Councilwoman Tarkanian, as to the – penalty.

201

202 **COUNCILWOMAN TARKANIAN**

203 I move to follow staff's recommendation, **have the license revoked.**

204

205 **MAYOR GOODMAN**

206 All right, let's vote on that please. Post.

207

208 **WILLIAM HENRY**

209 Thank you.

210

211 **MAYOR GOODMAN**

212 Motion carries. Thank you. Thank you, Mr. Henry.

213

214 **COUNCILMAN WOLFSON**

215 Your Honor, I have a question.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

216 **MAYOR GOODMAN**

217 Yes, certainly.

218

219 **COUNCILMAN WOLFSON**

220 Does this, Mr. Henry, does this finding go some where, in – any of our Business License
221 databanks, or Metro's databanks? So if this lady, in the future, whether it be in the City
222 of Las Vegas or Clark County, for example, were to apply for any other kind of
223 specialized license, that this would, a red flag would show up, so that everybody would
224 be aware? And – the next question is, is it available to other licensing bodies in other
225 states?

226

227 **WILLIAM HENRY**

228 I – think Mr. DiFiore can probably give a more definitive answer, so I'm gonna hand the
229 microphone to him.

230

231 **JIM DiFIORE**

232 Mayor and Councilman Wolfson, to answer your question, yes, this does in our, into our
233 databanks, for a business license issue. She's precluded from a year, for a year, to file
234 another application, if she wishes to open up. Additionally, if Metropolitan Police
235 Department, as you know, does the investigations on massage for both the City and
236 County. So, they will have this in their database, as well. Any law enforcement agency
237 or any business licensing agency that may contact us, now, since this is public record, we
238 would be able to disseminate that information to them, about the – proceedings today.

239

240 **COUNCILMAN ROSS**

241 And, Your Honor, if I may?

242

243 **MAYOR GOODMAN**

244 Certainly.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 58

245 **COUNCILMAN ROSS**

246 Mr. DiFiore, does that include the other individuals stated in the complaint? Are those
247 names also recorded and tracked, for future reference?

248

249 **JIM DiFIORE**

250 Yes they are. We, we've – already taken administrative action on one of the individuals
251 that's named in the complaint. And, she does have a right to appeal a denial of her
252 license that may come forward here, shortly.

253

254 **STEVE ROSS**

255 Thank you.

256

257 **MAYOR GOODMAN**

258 Thank you. Any other comments or questions?

259

260 **WILLIAM HENRY**

261 I'd only add one thing, Councilman Wolfson, is at the end of these proceedings, if there's
262 a finding, the discipline is taken. I prepare findings of fact, conclusions of law and order,
263 and submit it to the Mayor, for his signature. And that goes on file, becomes a public
264 document, as well.

265

266 **MAYOR GOODMAN**

267 Very good. Thank you, Mr. Henry.

268

(END OF DISCUSSION)

269 /sw;vwd