

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
RENO, NEVADA

TRANSCRIPT OF ELECTRONICALLY-RECORDED INTERVIEW
KRISTIN MCNEEL
AUGUST 1, 2014
RENO, NEVADA

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1 RENO, NEVADA, FRIDAY, AUGUST 1, 2014, P.M. SESSION

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4 MS. DAVIES: Today is August 1st, 2014. This is
5 an interview taking place at the Reno office of the attorney
6 general with myself, Jennifer Davies, Deputy Chief
7 Investigator, and Chief of Staff for the Washoe County School
8 District Kristin McNeel.

9 Kristin, you know that I'm tape recording this;
10 right?

11 THE WITNESS: Yes, I do.

12 MS. DAVIES: And I have your permission; correct?

13 THE WITNESS: Yes, I do.

14 BY MS. DAVIES:

15 Q. Perfect. So just a couple quick questions in
16 reference to obviously everything surrounding Pedro Martinez.
17 And if you can just give me a little bit of history on what
18 your day -- what happened on July 22nd of this year.

19 A. Sure. So we started off the day in what we
20 typically call a work session, and that's -- you know, we have
21 different items on the agendas. You know, it can be for -- if
22 we have to explain something in larger depth, like for
23 example, in March, we had a two-day budget work session.

24 Q. Okay.

25 A. So typically, they're longer than a typical board

1 meeting.

2 Q. Okay.

3 A. But it allows the trustees time to discuss things
4 in much more detail than they would in a normal board meeting.
5 So we had several agenda items.

6 Q. Okay.

7 A. So we started off the meeting with an ethics
8 training, and then we went into -- what was the second item on
9 the agenda?

10 Q. That's okay. There was something else.

11 A. Yeah, there were like two or three items.

12 We had the governance manual. We were going to
13 talk about events in the afternoon, and then we had a Board
14 policy meeting, which was on a separate agenda. So we had
15 basically two agendas for the day.

16 Q. Okay.

17 A. And so we had gone through the ethics training.
18 We took a little bit of a break, came back, and then we went
19 into the second part of that day. And I can't -- it's -- it's
20 bothering me I can't remember. We had three items on the
21 agenda, but now I can't remember what it was.

22 It was ethics training. We had the governance
23 manual.

24 Well, anyways, it was around like 11:30ish,
25 somewhere around that time. President Clark walked in.

1 There weren't many staff at that point in time.
2 There was more staff at the ethics training.

3 Q. Okay.

4 A. And then more staff left, and then we started the
5 second part of the agenda. And President Clark walked in and
6 said they were going into a legal meeting there for the -- all
7 staff needs to leave.

8 Q. Okay.

9 A. So, I got up and went out and went up to my
10 office --

11 Q. Okay.

12 A. -- and just started to get some work done.

13 Q. Okay. So you weren't part of that legal meeting
14 at all?

15 A. No, I am not supposed to be part of that legal
16 meeting.

17 Q. Okay.

18 A. Typically it's just the trustees and their
19 attorney and, obviously, the superintendent.

20 Q. So, obviously, you were aware that there was a
21 School Board meeting that took place on the 22nd?

22 A. Yes, yes. We had a work session agendized.

23 Q. Okay. Did you -- do you know typically in
24 advance of items that are on the agenda? Do you see the
25 agenda prior to it being posted for --

1 A. Oh, yes.

2 Q. -- the public?

3 A. Yes. Yes. My office works very closely with the
4 legal staff in setting up the agendas.

5 My office is actually in charge of posting those
6 agendas to make sure that we're on time for the posting.

7 Q. Okay. Do you know which trustees were in
8 attendance for the board meeting or were any of them, all of
9 them?

10 A. For -- well, they came -- there were some that
11 were present for the ethics, and then there was some that was
12 present for the second item. And then the only one that
13 wasn't present for the entire day was Estela Gutierrez.

14 Q. Okay. Perfect.

15 And typically, on an agenda -- you said your
16 office posts them. Would you have seen and reviewed an agenda
17 that was being, you know, placed, whether it be for the 22nd
18 meeting or any meeting prior or even in the future?

19 A. Yes.

20 Q. Okay. So you would be aware of the items on that
21 agenda that were listed for discussion, were listed for
22 possible action?

23 A. Correct.

24 Q. Okay. And was there an agenda item on the
25 July 22nd that made notice that the Board was going to

1 discuss -- whether it be have discussion or take possible
2 action on Superintendent Pedro Martinez?

3 A. No, there was no item like that.

4 Q. Okay. Prior to the July 22nd meeting, were you
5 aware of any allegations regarding Superintendent Pedro
6 Martinez -- about his character, any alleged misconduct, his
7 professional competence --

8 A. No.

9 Q. -- anything?

10 A. (No audible response.)

11 Q. Okay. Just a follow-up to that. Were you aware
12 of any sort of investigation that took place in reference to
13 Superintendent Martinez that would have been done internally
14 within --

15 A. No. My office is not connected with that.

16 Q. Okay. So let's fast forward a little bit.

17 So you're in your office doing your work. Do you
18 go back to the board meeting? Do you -- kind of take me
19 through what happens now.

20 A. So we had scheduled a Board policy. And so we
21 had staff starting to line up because, you know, they needed
22 to know if their policies were going to come up for
23 discussion, and that's in the second meeting of the day.

24 So the clock was ticking, and I was getting a
25 little concerned. And then it was probably I want to say

1 around -- I think around 2, 3, somewhere like that, maybe
2 around -- closer to 2. My -- my executive assistant came up
3 and said, "We're going to cancel Board policy."

4 Q. Okay.

5 A. And, you know, I was, what's going on? Why would
6 we cancel Board policy? And then it was shortly after that
7 time Mr. Martinez called me down to his office. And I want to
8 say that was probably closer to 3.

9 And he had -- he had walked out of his office.
10 So he has his office and then our office, and so I was sitting
11 here in the couch area, and he walked out and he said, "The
12 Board is trying to get me out of my contract. I need you to
13 go down and talk to Jason Trevino," our interim school police
14 chief.

15 So I went to go talk to Jason, and I came back
16 from that, and I tried to get in to the office to the -- he
17 has two doors in his office.

18 Q. Okay.

19 A. So I tried get in this one, and it was locked.
20 And there were three trustees in the hallway, and they said,
21 "Kristin, come here," and so I turned around, and it was
22 President Clark, Trustee Ruggiero and Trustee McLaury. And
23 they said, "Follow me." So I followed them and went down the
24 hallway into the board room.

25 Q. Okay.

1 A. Walked into the board room, and the other six
2 trustees were in there, and I believe Randy Drake was in
3 there, our chief legal counsel, and I want to say our chief
4 communications officer, Eileen Payne. But that may have been
5 the next phase of this.

6 So I walked in, leaned against the wall, and they
7 said, "You no longer report to Pedro. He's no longer your
8 superintendent."

9 Q. Okay. You think this was probably late in the
10 afternoon, 3 o'clock-ish?

11 A. Yes.

12 Q. Okay.

13 A. Yeah.

14 Q. Who told you that you no longer report to Pedro?

15 A. Barbara Clark.

16 Q. Okay. And was that -- is that as you remember
17 what she said to you? Is that as clear and almost exact --

18 A. Yes. "You no longer report to Pedro. He's no
19 longer your superintendent."

20 Q. Okay. Did she ever say that Superintendent
21 Martinez was fired?

22 A. No, she never used that word.

23 Q. Okay. Did she ever say that Superintendent
24 Martinez was being placed on administrative leave?

25 A. No, she never said that.

1 Q. Okay. Just simply that you no longer report to
2 Pedro, that he's no longer the superintendent?

3 A. Yeah. And I think -- and, you know, there's been
4 so much that goes on. I mean, I know in their -- in their
5 statement that they put out, they said "relieved of duties."

6 And I do know that she -- so after that, then
7 Tracy Davis and I were summoned into Mr. Martinez's office,
8 and he had already left the building.

9 Q. Okay.

10 A. So the two of us were summoned into his office by
11 the Board. It was a phone call from the secretary to tell
12 Tracy and me to come down into the office.

13 So we walk in, sit down. So -- like there's two
14 of us sitting here and the rest of the trustees, you know,
15 were kind of sitting, standing. Eileen Payne was there, and
16 legal counsel was down at the very end --

17 Q. Okay.

18 A. -- in that room.

19 And Barbara Clark again stated that "Pedro's no
20 longer your superintendent," and I think at that time, she
21 said, "Relieved of his duties as" -- "immediately, and you two
22 are being appointed as co-managers, Tracy over academics,
23 Kristin over operations."

24 It was at that point in time that Trustee Aiazzi,
25 "Well, let's wait," and he said something like "If they want

1 don't want to step up" or "Let's give them some time," you
2 know, to basically process what was happening.

3 Q. Okay. In relation to you and Tracy --

4 A. Right.

5 Q. -- accepting those extra duties?

6 A. Right.

7 Q. Okay.

8 A. And obviously, you know, we're going to step up.
9 We have work to do.

10 Q. Sure.

11 A. And so we said okay. We were basically
12 dismissed, and then they had to -- you know, we just went back
13 up.

14 Then I got an e-mail -- all of us did on the
15 leadership team. We got an e-mail that said something like:
16 Be down in the board room at 4:30.

17 Q. Okay.

18 A. And then -- so all of leadership was in the
19 meeting, and President Clark did the talking. The -- Trustee
20 Rosenberg was here sitting at the table, and I think Trustee
21 Mayer and McLaury were there. I don't remember Trustee Aiazzi
22 or Trustee Ruggiero at that meeting with leadership, and they
23 told leadership that Pedro was no longer our superintendent,
24 that he had been relieved of his duties, and that reporting,
25 the co-manager for a period of time was here and here.

1 Q. Okay. So what was your impression of the
2 information that you had received from President Clark
3 regarding the events that kind of took place?

4 A. My impression?

5 Q. Did you believe that -- that the decision that
6 the Board and the trustees made, was that a permanent
7 decision? Did you think that it was a temporary decision?

8 A. No, we were all pretty much on the same page that
9 this was a permanent decision.

10 Q. Okay.

11 A. There was no -- you know, I think the word they
12 used just for our two positions: "In the short term." But it
13 was pretty clear to all of us that it was final.

14 Q. Okay. So it was President Clark -- or I should
15 say: Was it President Clark that told you that you and Tracy
16 Davis would be co-managers?

17 A. Yes.

18 Q. Okay. And were you told just verbally? Were you
19 told in writing? Was there any sort of follow-up after that
20 meeting?

21 A. Well, they sent out a connect end to all the
22 families.

23 Q. Correct.

24 A. They sent out an e-mail, so that was in writing.
25 They sent out a media release, so that was in writing.

1 Q. Okay.

2 A. So that was --

3 Q. Okay.

4 A. -- basically it.

5 Q. Did President Clark give you any sort of
6 instructions on what your future duties would be? Did she
7 tell you or was that something that you guys --

8 A. Somebody had requested that Tracy and I outline
9 what our responsibilities are, and then with were to meet with
10 her on that -- let's see. This was Tuesday. I think on
11 Wednesday.

12 We had a meeting calendared with her, and she
13 also wanted -- President Clark also wanted Trustee McLaury in
14 that meeting. And then Tracy and I had discussed -- we wanted
15 to wait and see what was going to happen because this was
16 before the July 29th board meeting.

17 Q. Okay.

18 A. So we wanted to wait.

19 I called up President Clark because this was
20 during the time when we were trying to set the agenda for
21 July 29th, and they weren't quite sure what was going to be on
22 that agenda.

23 Q. Okay.

24 A. So I talked to President Clark and I said, "Tracy
25 and I would like to postpone this meeting," so we actually had

1 our meeting calendared for this Friday -- or this Monday,
2 August 4th at 4 o'clock. And that was going to be with myself
3 and Tracy and then Trustee McLaury and President Clark.

4 Q. And obviously, with the recent events that
5 Superintendent Martinez has come -- had started work back
6 today, which -- August 1st --

7 A. Right.

8 Q. -- then that meeting scheduled for the 4th --

9 A. I've taken it off my calendar.

10 Q. Okay. Did Pedro -- just backtracking a little
11 bit, did Pedro, when he called you down the very first time
12 and said that they were trying to get him out of his contract,
13 did he ever -- was he ever specific about that: They just
14 fired me, you know, I'm no longer employed, or did he say
15 anything else other than --

16 A. Yeah. Well, the purpose of my visit down there,
17 the school chief of police reports directly to the
18 superintendent.

19 Q. Okay.

20 A. And that's by NRS. And they were -- from my
21 understanding were asking our interim chief of police to
22 escort Pedro out.

23 Q. Okay.

24 A. And so my direction from Pedro was: Go down and
25 tell Jason he is not to do that because I'm still

1 superintendent and, you know, he can't -- he can't do that.

2 That was during the time -- there was just a lot
3 of like traffic in and out, you know.

4 Q. I'm sure.

5 A. Like with chief legal counsel coming in and staff
6 coming in, and it was just -- it was craziness --

7 Q. Oh, I'm sure.

8 A. -- down there, so --

9 Q. Okay. Did President Clark ever give you strict
10 instructions to not speak with Pedro any longer?

11 A. After that day?

12 Q. Yeah, like after that meeting that she said:
13 He's no longer, you know, superintendent. You don't report to
14 him, did she ever tell you you're not to have any
15 communication with Pedro?

16 A. That was never told verbally to me.

17 Q. Okay.

18 A. No.

19 Q. Have you spoken to Pedro about the decision that
20 was made by the Board since the July 22nd meeting?

21 A. Yes.

22 Q. Okay. And what did you guys share?

23 A. Just basically it didn't make sense, and we
24 didn't know what was happening. And Tracy and I felt that it
25 put the District at tremendous risk, and we weren't really

1 quite sure what to do at that point in time.

2 Q. Okay.

3 A. And it was also -- because as typical, when
4 there's a vacuum, people want to kind of jump in and say:
5 Well, I had this meeting, and he agreed to this or he agreed
6 to this. And so we wanted to make sure, you know: Did you
7 agree to this before we're sitting here in these seats saying:
8 Okay, yes. Press forward.

9 Q. Right.

10 A. So a lot of those conversations were
11 clarification-type things. But some of it was around: I
12 can't believe this is happening; you know, what's going to
13 happen? We don't understand. You know, staff is upset, those
14 types of things.

15 Q. Okay. Did you know anything more than what's
16 been shared prior to the July 22nd meeting about this
17 anonymous complaint that came in regarding Pedro's CPA
18 certificate, slash, license?

19 A. No, I mean -- I think -- I know I did get the
20 majority of my information from the newspaper articles and the
21 news.

22 Q. Okay. But you had never heard any rumblings
23 throughout the office that there was --

24 A. No.

25 Q. -- this anonymous complaint?

1 A. Hum-um.

2 Q. And do you have any idea -- since, have you heard
3 as to its validity or anybody specific who might have -- who
4 might have turned it in?

5 A. Well, I know it went through our internal auditor
6 because it was reported in the paper that way. But there was
7 no -- you know, my office doesn't deal with that, so --

8 Q. Okay. There was a comment made by Trustee
9 Rosenberg that he mentioned in the media that: This goes much
10 deeper -- the issues go much deeper than the CPA issue.

11 Do you have any idea what he was referring to or
12 what he was talking about?

13 A. I didn't know what he was referring to. You
14 know, and then I guess like the next day is when -- the next
15 day or two days -- I think it was two days later when they
16 were countersued or counter stay of action, whatever you want
17 to call it, came out with their issues.

18 Q. Okay.

19 A. Which it was.

20 Q. Okay.

21 A. But, yeah, that was -- I had no idea what he was
22 talking about.

23 Q. Okay. Are you given a District cell phone for
24 work purposes to conduct work, business?

25 A. No, we get stipends.

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Q. Okay.

A. We get stipends for it.

Q. And how does that work?

A. So we get -- you have a form that you can fill out depending on how many minutes you need a month.

Q. Okay.

A. You get a certain amount of --

Q. Like a reimbursement?

A. Yeah.

Q. Okay. So then do you use your own personal cell phone for work purposes?

A. Yes.

Q. And then you get reimbursed for a percentage of that?

A. It's a state -- it's a set amount every single month. So like 30 or 40 dollars for every single month. But you sign up. Your supervisor has to approve how much you get.

Q. Okay. Okay.

A. And it's based on like the number of minutes.

Q. Got you.

So did you and Superintendent Martinez have occasion to communicate by cell phone during work hours, after work hours?

A. Oh, that's part of my job.

Q. Okay.

1 A. It's 24/7.

2 Q. Okay.

3 A. I have to be able to get a hold of Pedro.

4 Q. So you've talked to him at all hours of the day,
5 weekends --

6 A. Um-hum.

7 Q. -- about work issues?

8 A. (No audible response.)

9 Q. Okay. And did you also have occasion to send
10 text messages back and forth regarding work issues --

11 A. Um-hum.

12 Q. -- to Superintendent Martinez?

13 A. Um-hum.

14 Q. Okay. Do you know if the board members -- or I
15 guess they're called trustees. Do you know if the trustees
16 are given that same stipend for cell phones or do they use --

17 A. Theirs is a little bit different. They do, I
18 believe -- and we do have a policy around it. And I apologize
19 for not -- so they can have -- we will buy -- the District
20 will buy them a phone if they want to do it that way, but then
21 they also get the reimbursement too.

22 Q. Okay.

23 A. So they have that as well.

24 Q. Okay. So have you had any occasion to
25 communicate with one of the trustees, you know, during work

1 hours or after work hours by cell phone --

2 A. Um-hum.

3 Q. -- whether it be verbally or by text message?

4 A. Yeah.

5 Q. Okay. Do you happen to know -- I know this is
6 kind of an odd question, but do you happen to know who your
7 Internet service provider is?

8 A. Who my Internet --

9 Q. For the District.

10 A. For the District.

11 Q. Yeah, for the District.

12 A. Is it AT&T?

13 Q. One of those? One of the two?

14 A. Yeah.

15 Q. Okay. It's kind of an odd question.

16 A. I mean, it's (inaudible). I don't know that.

17 Q. No.

18 A. AT&T is doing, I know, our way-in service. It
19 could be Charter.

20 Q. Okay. That's all right.

21 A. It's either one of those two.

22 Q. That's fine.

23 Are you aware of any documents that either prove
24 or suggest when Superintendent Martinez was put on
25 administrative leave with pay? Were there any sort of

1 documents that circulated throughout the office, e-mails,
2 memos?

3 A. No, just the statement that the Board came out
4 with a couple days later.

5 Q. Okay.

6 A. That was all we had.

7 Q. Okay. But in your meetings with President Clark,
8 she never specifically said he was put on administrative leave
9 with pay, she just said he was no longer a superintendent?

10 A. Correct.

11 Q. Okay.

12 A. In those -- like the 22nd meetings, there was
13 nothing about leave of absence with pay, administrative pay.
14 That was never mentioned in there.

15 The first time I found out about that was in the
16 paper.

17 Q. Okay.

18 A. It was a couple days later.

19 Q. Okay. Are you aware of any sort of documents,
20 then, that prove or suggest that -- that he was terminated,
21 that his contract was terminated besides what you read in the
22 press or what President Clark told you, any sort of documents
23 that --

24 A. I wouldn't be privy to those.

25 Q. Okay.

1 A. There was an e-mail, I think, from our
2 communications department that had gone around, and they had
3 copied Tracy and me, and it was about a statement. So they
4 were having -- they were having the trustees review the
5 statement, how does this sound type thing.

6 Q. Okay.

7 A. So there's an e-mail that has, I think, myself,
8 Tracy, Randy Drake and then all the trustees, communications,
9 looking at a statement. And then they wanted the trustees'
10 input.

11 Q. On that statement?

12 A. Yeah.

13 Q. And was that statement what was going to be
14 presented to the press --

15 A. I think so, yeah.

16 Q. -- regarding the events that took place?

17 A. Yep.

18 Q. Okay. So -- and I know that you have answered
19 this question more than once, but just to make sure that I'm
20 clear that it was your impression -- I don't want to put words
21 in your mouth. So correct me if I'm wrong, but it was your
22 impression that the decision made by President Clark and the
23 other trustees regarding Pedro Martinez's employment was that
24 his -- that he was no longer employed. He no longer had a job
25 at the District as superintendent.

1 A. That is correct.

2 Q. Okay.

3 A. That was my impression.

4 Q. And that it was a permanent decision and that the
5 decision was final?

6 A. Yes.

7 Q. Okay.

8 A. Um-hum.

9 Q. Okay.

10 MS. DAVIES: I don't have any other questions for
11 you.

12 Do you have any questions that you have?

13 MS. MCNEEL: No. This is just really bothering
14 me I can't remember that second agenda item.

15 MS. DAVIES: You can't --

16 MS. MCNEEL: I'm the chief of staff, and you
17 would think that maybe it's just because it has been such a
18 crazy, hellish week. You know?

19 MS. DAVIES: There's a whole lot of things going
20 on in your world this week.

21 MS. MCNEEL: But no, I don't have any other
22 questions.

23 MS. DAVIES: So at this time, I'll go ahead and
24 end your interview.

25 The time is 3:49 p.m. It is August 1st, 2014,

1 and I'm going to end the interview.

2 (Proceedings concluded.)

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I, Michel Loomis, do hereby certify:

That on August 1, 2014, an interview was held in the within-entitled matter in the office of Attorney General.

That said interview was recorded on JAVS, and said JAVS CD-ROM was delivered to me for transcription;

That the foregoing transcript, consisting of pages 1 through 24, is a full, true and correct transcript of said recorded JAVS CD-ROM performed to the best of my ability.

Dated at Carson City, Nevada, this 26th day of August, 2014.

Michel Loomis, Transcriber