

**PROPOSED REGULATION OF THE
PEACE OFFICERS' STANDARDS AND
TRAINING COMMISSION**

LCB File No. R146-05

October 26, 2005

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-6, NRS 289.510.

A REGULATION relating to training of peace officers; requiring a peace officer to complete training in counter-terrorism as a condition of obtaining a basic certificate; authorizing the Executive Director of the Peace Officers' Standards and Training Commission to award a basic certificate in training category I to a peace officer who holds a certificate in training category II under certain circumstances; and providing other matters properly relating thereto.

Section 1. Chapter 289 of NAC is hereby amended by adding thereto a new section to read as follows:

“Less than lethal weapon” means a weapon that is designed and manufactured with the intent that it not create a substantial risk of causing death or serious bodily injury when a person with appropriate training uses the weapon in accordance with the instructions of the manufacturer.

Sec. 2. NAC 289.140 is hereby amended to read as follows:

289.140 The minimum standard of training for officers in training category I is successful completion of a basic course that includes 480 hours of training in:

1. Legal subjects, specifically:

(a) Constitutional law;

- (b) Probable cause;
- (c) Search and seizure;
- (d) Laws of arrest;
- (e) Crimes against property;
- (f) Crimes against persons;
- (g) Laws governing coroners;
- (h) Traffic laws;
- (i) Laws relating to narcotics;
- (j) Civil liability;
- (k) Use of force;
- (l) Laws relating to child abuse;
- (m) Laws relating to the abuse of elderly persons;
- (n) Laws relating to domestic violence;
- (o) Laws relating to stalking and aggravated stalking;
- (p) Laws relating to juveniles;
- (q) Miscellaneous crimes; and
- (r) Operation of emergency vehicles.

2. Procedures for patrol, specifically relating to:

- (a) Basic patrol procedures;
- (b) Stopping and citing of drivers of vehicles;
- (c) Survival of officers;
- (d) Searching of buildings;
- (e) Domestic violence;

- (f) Stalking and aggravated stalking;
- (g) Child abuse;
- (h) Abuse of elderly persons;
- (i) Handling persons who are mentally ill;
- (j) Crisis intervention; ~~and~~
- (k) Weapons of mass destruction ~~and~~; *and*

(l) Counter-terrorism.

3. Skills of officers, specifically:

- (a) Techniques of interviewing and interrogation;
- (b) Writing of reports;
- (c) Fingerprinting;
- (d) Methods of arrest;
- (e) ~~Nonlethal~~ *Less than lethal* weapons;
- (f) Retention of weapons;
- (g) Qualification for use of firearms;
- (h) Defensive tactics; and
- (i) Operation of emergency vehicles.

4. Investigation, specifically:

- (a) Principles of investigation;
- (b) Investigation of crime scenes;
- (c) Collection and preservation of evidence;
- (d) Investigation of drivers who are under the influence of alcohol or a controlled substance;
- (e) Investigation of accidents;

- (f) Investigation of allegations of the abuse of elderly persons; and
- (g) Investigation of allegations of stalking and aggravated stalking.

5. Community relations, specifically:

- (a) Ethics in law enforcement;
- (b) Victim's rights;
- (c) History and principles of law enforcement; and
- (d) Interpersonal communication.

6. Miscellaneous subjects, specifically:

- (a) Stress;
- (b) Criminal justice process;
- (c) Courtroom demeanor;
- (d) Emergency first aid;
- (e) Cardiopulmonary resuscitation;
- (f) National Crime Information Center procedure; and
- (g) Physical conditioning.

7. Course administration and examinations.

Sec. 3. NAC 289.150 is hereby amended to read as follows:

289.150 The minimum standard of training for officers in training category II is successful completion of a basic course that includes 200 hours of training in:

1. Legal subjects, specifically:

- (a) Constitutional law;
- (b) Probable cause;
- (c) Search and seizure;

- (d) Laws of arrest;
- (e) Crimes against property;
- (f) Crimes against persons;
- (g) Laws relating to narcotics;
- (h) Miscellaneous crimes;
- (i) Civil liability;
- (j) Use of force;
- (k) Laws relating to child abuse;
- (l) Laws relating to the abuse of elderly persons;
- (m) Laws relating to domestic violence;
- (n) Laws relating to stalking and aggravated stalking; and
- (o) Laws relating to juveniles.

2. Procedures in the field, specifically:

- (a) Survival of officers;
- (b) Domestic violence;
- (c) Stalking and aggravated stalking;
- (d) Child abuse;
- (e) Abuse of elderly persons;
- (f) Handling persons who are mentally ill;
- (g) Crisis intervention; ~~and~~
- (h) Care and custody of prisoners ~~and~~;
- (i) Weapons of mass destruction; and*
- (j) Counter-terrorism.*

3. Skills of officers, specifically:

- (a) Techniques of interviewing and interrogation;
- (b) Writing of reports;
- (c) Fingerprinting;
- (d) Physical methods of arrest and defensive tactics;
- (e) Retention of weapons;
- (f) Qualification for use of firearms; and
- (g) Physical conditioning.

4. Investigations, specifically:

- (a) Principles of investigation;
- (b) Investigation of crime scenes;
- (c) Investigation of allegations of the abuse of elderly persons;
- (d) Investigation of allegations of stalking and aggravated stalking; and
- (e) Collection and preservation of evidence.

5. Community relations, specifically:

- (a) Ethics in law enforcement;
- (b) Victim's rights;
- (c) History and principles of law enforcement; and
- (d) Communication skills.

6. Miscellaneous subjects, specifically:

- (a) Stress;
- (b) Criminal justice process;
- (c) Courtroom demeanor;

- (d) Emergency first aid;
- (e) Cardiopulmonary resuscitation; and
- (f) National Crime Information Center procedure.

7. Course administration and examinations.

Sec. 4. NAC 289.160 is hereby amended to read as follows:

289.160 The minimum standard of training for officers in training category III is successful completion of a basic course that includes 160 hours of training in:

1. Legal subjects, specifically:

- (a) Civil rights of offenders;
- (b) Searches of offender institutions;
- (c) Laws relating to correctional institutions;
- (d) Laws relating to stalking and aggravated stalking; and
- (e) Use of force.

2. Procedures in the field, specifically:

- (a) Gangs and cults;
- (b) Supervision of offenders;
- (c) Classification and receiving of offenders;
- (d) Transportation of offenders;
- (e) Crisis intervention;
- (f) Records of offenders in institutions; ~~and~~
- (g) Games offenders play ~~and~~;
- (h) Weapons of mass destruction; and*
- (i) Counter-terrorism.*

3. Skills of officers, specifically:
 - (a) Writing of reports for correctional institutions;
 - (b) Fire safety and use of emergency equipment;
 - (c) Fingerprinting;
 - (d) Defensive tactics;
 - (e) Introduction of restraints; and
 - (f) Physical conditioning.
4. Investigation, specifically:
 - (a) Crime scene and evidence;
 - (b) Investigation of narcotics and abuse of controlled substances;
 - (c) Investigation of allegations of stalking and aggravated stalking; and
 - (d) Personality disorders and prevention of suicide.
5. Community relations, specifically:
 - (a) Ethics for correctional officers;
 - (b) Cultural awareness;
 - (c) Interpersonal communications; and
 - (d) Public and media relations.
6. Miscellaneous subjects, specifically:
 - (a) Modern correctional philosophy;
 - (b) First aid;
 - (c) Cardiopulmonary resuscitation; and
 - (d) Criminal justice system.
7. Course administration and examination.

Sec. 5. NAC 289.170 is hereby amended to read as follows:

289.170 The minimum standard of training for reserve officers is successful completion of a basic course that includes 120 hours of training in:

1. Legal subjects, including an overview of:
 - (a) Constitutional law;
 - (b) Probable cause;
 - (c) Search and seizure;
 - (d) Laws of arrest;
 - (e) Crimes against property;
 - (f) Crimes against persons;
 - (g) Traffic laws;
 - (h) Laws relating to narcotics;
 - (i) Civil liability;
 - (j) Use of force;
 - (k) Laws relating to child abuse;
 - (l) Laws relating to the abuse of elderly persons;
 - (m) Laws relating to domestic violence;
 - (n) Laws relating to stalking and aggravated stalking;
 - (o) Laws relating to juveniles; and
 - (p) Miscellaneous crimes.
2. Procedures for patrol, specifically relating to:
 - (a) Basic patrol procedures;
 - (b) Stopping and citing of drivers of vehicles;

- (c) Survival of officers;
- (d) Searching of buildings;
- (e) Domestic violence;
- (f) Handling persons who are mentally ill;
- (g) Crisis intervention; ~~and~~
- (h) Weapons of mass destruction ~~and~~; *and*
- (i) *Counter-terrorism.*

3. Skills of officers, specifically:

- (a) Writing of reports;
- (b) Fingerprinting;
- (c) Methods of arrest;
- (d) ~~Nonlethal~~ *Less than lethal* weapons;
- (e) Retention of weapons;
- (f) Qualification for use of firearms; and
- (g) Defensive tactics.

4. Investigation, specifically:

- (a) Principles of investigation;
- (b) Investigation of crime scenes; and
- (c) Collection and preservation of evidence.

5. Community relations, specifically:

- (a) Ethics in law enforcement;
- (b) History and principles of law enforcement;
- (c) Courtroom demeanor;

- (d) Emergency first aid;
- (e) Cardiopulmonary resuscitation; and
- (f) Physical conditioning.

6. Course administration and examinations.

Sec. 6. NAC 289.200 is hereby amended to read as follows:

289.200 1. The Executive Director shall award a basic certificate to any peace officer who meets the minimum standards for appointment established pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for basic certification;
- (b) Passed the state certification examination with a score at or above the 70th percentile; and
- (c) Passed the state physical fitness examination. To pass the examination, a person must:
 - (1) Complete a vertical jump of not less than 14 inches;
 - (2) Complete not less than 15 sit-ups in 1 minute;
 - (3) Complete not less than 18 push-ups;
 - (4) Run 300 meters in not more than 77 seconds; and
 - (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.

2. The Executive Director may award a basic certificate to any peace officer who has been previously certified by the certifying entity of another state or has successfully completed a Federal Law Enforcement Training Center training program approved by the Commission and who meets the minimum standards for appointment established pursuant to NAC 289.110 if:

- (a) The Commission or its designee has determined that the course of training required for the certification was at least equivalent to the basic training course for basic certification;
- (b) The certification of the peace officer in the other jurisdiction has not been revoked or suspended;

(c) Not more than 60 months have lapsed since the peace officer was employed in the other jurisdiction;

(d) The peace officer has satisfactorily completed a training course that is approved by the Executive Director which consists of a minimum of 80 hours of training in:

- (1) Constitutional law;
- (2) Probable cause;
- (3) Search and seizure;
- (4) Laws of arrest;
- (5) Crimes against property;
- (6) Crimes against persons;
- (7) Laws relating to narcotics;
- (8) Civil liability;
- (9) Use of force;
- (10) Laws relating to child abuse;
- (11) Laws relating to domestic violence;
- (12) Laws relating to juveniles;
- (13) Miscellaneous crimes;
- (14) Rights of victims;
- (15) Ethics in law enforcement or for correctional officers;
- (16) Sexual harassment;
- (17) Cultural awareness;
- (18) Laws relating to abuse of elderly persons;
- (19) Laws relating to stalking and aggravated stalking; ~~and~~

(20) Weapons of mass destruction ~~(H)~~; *and*

(21) Counter-terrorism;

(e) The peace officer passes the state certification examination with a score at or above the 70th percentile; and

(f) The peace officer passes the state physical fitness examination. To pass the examination, a person must:

- (1) Complete a vertical jump of not less than 14 inches;
- (2) Complete not less than 15 sit-ups in 1 minute;
- (3) Complete not less than 18 push-ups;
- (4) Run 300 meters in not more than 77 seconds; and
- (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.

3. *The Executive Director may award a basic certificate in training category I to a peace officer who holds a basic certificate in training category II issued by the Commission if the peace officer:*

(a) Is currently employed as a peace officer by an agency;

(b) Has satisfactorily completed a training course approved by the Executive Director that consists of a minimum of 280 hours of training in:

(1) Legal subjects, specifically:

(I) Laws governing coroners;

(II) Traffic laws; and

(III) Operation of emergency vehicles;

(2) Procedures for patrol, specifically relating to:

(I) Basic patrol procedures;

(II) Stopping and citing of drivers of vehicles;

(III) Searching of buildings;

(IV) Weapons of mass destruction; and

(V) Counter-terrorism;

(3) Skills of officers, specifically:

(I) Less than lethal weapons; and

(II) Operation of emergency vehicles;

(4) Investigations, specifically:

(I) Investigation of drivers who are under the influence of alcohol or a controlled substance; and

(II) Investigation of accidents; and

(c) Passes the state certification examination for training category I with a score at or above the 70th percentile.

4. The Executive Director may award a reserve basic certificate to any reserve officer who meets the minimum standards for appointment pursuant to NAC 289.110 and has:

- (a) Satisfactorily completed the basic training course for a reserve certificate;
- (b) Passed the state certification examination with a score at or above the 70th percentile; and
- (c) Passed the state physical fitness examination. To pass the examination, a person must:
 - (1) Complete a vertical jump of not less than 14 inches;
 - (2) Complete not less than 15 sit-ups in 1 minute;
 - (3) Complete not less than 18 push-ups;
 - (4) Run 300 meters in not more than 77 seconds; and
 - (5) Walk or run 1.5 miles in not more than 17 minutes and 17 seconds.

~~[4.]~~ 5. Except as otherwise provided in subsection ~~[5 or 6.]~~ 6 or 7, an officer must pass the state physical fitness examination:

(a) While enrolled in a basic training course certified or approved pursuant to NAC 289.300;
or

(b) Not earlier than 16 weeks before, or not later than 16 weeks after, the date on which he was hired or, if the officer is a reserve officer, the date of activation of his reserve status.

~~[5.]~~ 6. If a student enrolled in a basic training course certified or approved pursuant to NAC 289.300 sustains a bona fide physical injury that renders him incapable of completing the requirements of the state physical fitness examination, an agency may submit a request for an extension of time for the student to complete the examination. The agency shall submit such a request to the Executive Director. The request must include, without limitation, written verification by a physician that the student is incapable of completing the requirements of the state physical fitness examination. If the Executive Director determines that an extension of time is warranted, the Executive Director shall authorize an extension of time for a period not to exceed 12 months after the date on which the student was hired or, if the student is a reserve officer, the date of activation of his reserve status.

~~[6.]~~ 7. If an officer passes the state physical fitness examination:

(a) While not enrolled in a basic training course certified or approved pursuant to NAC 289.300; and

(b) More than 16 weeks, but less than 12 months , after the date on which he was hired or, if the officer is a reserve officer, the date of activation of his reserve status,

↳ the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection ~~[4.]~~ 5. The request must include, without limitation, the reason the

officer was unable to pass the state physical fitness examination within the periods described in subsection ~~4.~~ 5. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

~~7.~~ 8. Upon satisfactory completion of the requirements listed in subsection 1, 2 ~~or 3.~~, 3 or 4, the employing agency shall submit a request for certification to the Executive Director. The request must include:

(a) The name, social security number and date of hire of the officer or, if the officer is a reserve officer, the date of activation of his reserve status;

(b) Documentary evidence that the officer has successfully completed an approved basic training course;

(c) Verification by the administrator of the agency that the officer meets the minimum standards established by this chapter; and

(d) The statement concerning child support prescribed by the Welfare Division of the Department of Human Resources pursuant to NRS 425.520.

~~8.~~ 9. The basic certificate of an officer whose employment is terminated for any reason will be placed on inactive status. If such a person is again employed as a full-time peace officer, the employing agency shall request that the person's basic certificate be returned to active status. If the certification of such a person is on inactive status for more than 5 consecutive years, the person must renew his basic certificate by successfully completing the requirements set forth in subsection 1.

~~9.~~ 10. If a person who successfully completes a basic training course for the purpose of obtaining a basic certificate is not employed by an agency within 24 months after he completes

the course, the person must repeat all of the requirements for basic certification set forth in subsection 1.