

**ADOPTED REGULATION OF THE PEACE OFFICERS’
STANDARDS AND TRAINING COMMISSION**

LCB File No. R110-08

Effective August 26, 2008

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

AUTHORITY: §§1-5, NRS 289.510.

A REGULATION relating to peace officers; revising certain provisions concerning minimum standards of training for peace officers; and providing other matters properly relating thereto.

Section 1. 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. Law and legal procedures, specifically:
 - (a) Civil liability;
 - (b) Constitutional law;
 - (c) Crimes against persons;
 - (d) Crimes against property;
 - (e) Juvenile law;
 - (f) Laws governing coroners;
 - (g) Laws relating to arrest;
 - (h) Laws relating to drugs, including, without limitation, current trends in drugs;
 - (i) Miscellaneous crimes;
 - (j) Probable cause;

(k) Rights of victims;

(l) Search and seizure;

(m) Traffic laws; and

(n) Use of force.

2. Patrol operations and investigations, specifically:

(a) Abuse of elderly persons;

(b) Accident investigations;

(c) Basic patrol procedures;

(d) Child abuse and sexual abuse of a child;

(e) Domestic violence and stalking;

(f) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;

(g) Principles of investigation;

(h) Techniques of interviewing and interrogation;

(i) The DWI Detection and Standardized Field Sobriety Testing course approved by the

National Highway Traffic Safety Administration; and

(j) Unknown-risk and high-risk vehicle stops.

3. Performance skills, specifically:

(a) Health, fitness and wellness;

(b) Interpersonal communications;

(c) ~~Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;~~

~~—(d)]~~ Operation of emergency vehicles;

~~[(e)]~~ (d) Provision of emergency first aid and cardiopulmonary resuscitation;

~~[(e)]~~ (e) Searching of buildings;

~~[(g)]~~ (f) *Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;*

(g) *Training concerning active assailants;*

(h) Training in the use of firearms; and

~~[(h)]~~ (i) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Care of persons in custody;

(b) Community policing;

(c) Counter-terrorism and weapons of mass destruction;

(d) Courtroom demeanor, including, without limitation, the giving of testimony;

(e) Crisis intervention;

(f) Ethics in law enforcement;

(g) Handling of persons who are mentally ill;

(h) History and principles of law enforcement;

(i) Management of stress;

(j) National Crime Information Center procedures;

(k) Survival of peace officers;

(l) Systems of criminal justice; and

(m) The realities of law enforcement.

5. Course administration and examinations.

Sec. 2. 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. Law and legal procedures, specifically:
 - (a) Civil liability;
 - (b) Constitutional law;
 - (c) Crimes against persons;
 - (d) Crimes against property;
 - (e) Juvenile law;
 - (f) Laws relating to arrest;
 - (g) Laws relating to drugs, including, without limitation, current trends in drugs;
 - (h) Miscellaneous crimes;
 - (i) Probable cause;
 - (j) Rights of victims;
 - (k) Search and seizure; and
 - (l) Use of force.
2. Operations and investigations, specifically:
 - (a) Abuse of elderly persons;
 - (b) Child abuse and sexual abuse of a child;
 - (c) Domestic violence and stalking;
 - (d) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
 - (e) Principles of investigation; and
 - (f) Techniques of interviewing and interrogation.
3. Performance skills, specifically:

- (a) Health, fitness and wellness;
- (b) Interpersonal communications;
- (c) Provision of emergency first aid and cardiopulmonary resuscitation;
- (d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;

(e) *Training concerning active assailants;*

(f) Training in the use of firearms; and

~~(f)(g)~~ (g) Writing of reports.

4. The functions of a peace officer, specifically:

- (a) Care of persons in custody;
- (b) Counter-terrorism and weapons of mass destruction;
- (c) Courtroom demeanor, including, without limitation, the giving of testimony;
- (d) Crisis intervention;
- (e) Ethics in law enforcement;
- (f) Handling of persons who are mentally ill;
- (g) History and principles of law enforcement;
- (h) Management of stress;
- (i) National Crime Information Center procedures;
- (j) Survival of peace officers;
- (k) Systems of criminal justice; and
- (l) The realities of law enforcement.

5. Course administration and examinations.

Sec. 3. 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.
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 ~~and~~ ; *and*

(g) Training concerning active assailants.

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. 4. 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. Law and legal procedures, specifically:

- (a) Civil liability;
- (b) Constitutional law;

- (c) Crimes against persons;
 - (d) Crimes against property;
 - (e) Juvenile law;
 - (f) Laws relating to arrest;
 - (g) Laws relating to drugs, including, without limitation, current trends in drugs;
 - (h) Miscellaneous crimes;
 - (i) Probable cause;
 - (j) Search and seizure;
 - (k) Traffic laws; and
 - (l) Use of force.
2. Patrol operations and investigations, specifically:
- (a) Abuse of elderly persons;
 - (b) Basic patrol procedures;
 - (c) Child abuse and sexual abuse of a child;
 - (d) Domestic violence and stalking;
 - (e) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
 - (f) Principles of investigation; and
 - (g) Unknown-risk and high-risk vehicle stops.
3. Performance skills, specifically:
- (a) Health, fitness and wellness;
 - (b) Provision of emergency first aid and cardiopulmonary resuscitation;
 - (c) Searching of buildings;

(d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;

(e) *Training concerning active assailants;*

(f) Training in the use of firearms; and

~~(f)(g)~~ (g) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Community policing;

(b) Counter-terrorism and weapons of mass destruction;

(c) Courtroom demeanor, including, without limitation, the giving of testimony;

(d) Crisis intervention;

(e) Ethics in law enforcement;

(f) Handling of persons who are mentally ill;

(g) History and principles of law enforcement; and

(h) Survival of peace officers.

5. Course administration and examinations.

Sec. 5. 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 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 that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

- (1) Abuse of elderly persons;
- (2) *Active assailants;*
- (3) *Child abuse and sexual abuse of a child;*
- (4) Civil liability;
- ~~[(3)]~~ (5) Constitutional law;
- ~~[(4)]~~ (6) Counter-terrorism and weapons of mass destruction;
- ~~[(5)]~~ (7) Crimes against persons;

- ~~[(6)]~~ (8) Crimes against property;
- ~~[(7)]~~ (9) Cultural awareness;
- ~~[(8)]~~ (10) Domestic violence and stalking;
- ~~[(9)]~~ (11) Ethics in law enforcement or for correctional officers;
- ~~[(10)]~~ (12) Juvenile law;
- ~~[(11)]~~ (13) Laws relating to arrest;
- ~~[(12)]~~ (14) Laws relating to drugs, including, without limitation, current trends in drugs;
- ~~[(13)]~~ (15) Miscellaneous crimes;
- ~~[(14)]~~ (16) Probable cause;
- ~~[(15)]~~ (17) Rights of victims;
- ~~[(16)]~~ (18) Search and seizure;
- ~~[(17)]~~ (19) Sexual harassment; and
- ~~[(18)]~~ (20) Use of force.

(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) Law and legal procedures, specifically:

(I) Laws governing coroners; and

(II) Traffic laws;

(2) Patrol operations and investigations, specifically:

(I) Accident investigations;

(II) Basic patrol procedures;

(III) The DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration; and

(IV) Unknown-risk and high-risk vehicle stops;

(3) Performance skills, specifically:

(I) Operation of emergency vehicles;

(II) Searching of buildings; ~~and~~

(III) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons; and

(IV) Training concerning active assailants; and

(4) The functions of a peace officer, specifically relating to counter-terrorism and weapons of mass destruction; 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.

5. Except as otherwise provided in subsection 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.

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.

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 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 5. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

8. Upon satisfactory completion of the requirements listed in subsection 1, 2, 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 Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

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.

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.

**ADOPTED REGULATION OF THE PEACE OFFICERS’
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AUTHORITY: §§1-5, NRS 289.510.

A REGULATION relating to peace officers; revising certain provisions concerning minimum standards of training for peace officers; and providing other matters properly relating thereto.

Section 1. 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. Law and legal procedures, specifically:
 - (a) Civil liability;
 - (b) Constitutional law;
 - (c) Crimes against persons;
 - (d) Crimes against property;
 - (e) Juvenile law;
 - (f) Laws governing coroners;
 - (g) Laws relating to arrest;
 - (h) Laws relating to drugs, including, without limitation, current trends in drugs;
 - (i) Miscellaneous crimes;
 - (j) Probable cause;

(k) Rights of victims;

(l) Search and seizure;

(m) Traffic laws; and

(n) Use of force.

2. Patrol operations and investigations, specifically:

(a) Abuse of elderly persons;

(b) Accident investigations;

(c) Basic patrol procedures;

(d) Child abuse and sexual abuse of a child;

(e) Domestic violence and stalking;

(f) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;

(g) Principles of investigation;

(h) Techniques of interviewing and interrogation;

(i) The DWI Detection and Standardized Field Sobriety Testing course approved by the

National Highway Traffic Safety Administration; and

(j) Unknown-risk and high-risk vehicle stops.

3. Performance skills, specifically:

(a) Health, fitness and wellness;

(b) Interpersonal communications;

(c) ~~Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;~~

~~—(d)]~~ Operation of emergency vehicles;

~~[(e)]~~ (d) Provision of emergency first aid and cardiopulmonary resuscitation;

~~[(e)]~~ (e) Searching of buildings;

~~[(g)]~~ (f) *Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;*

(g) *Training concerning active assailants;*

(h) Training in the use of firearms; and

~~[(h)]~~ (i) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Care of persons in custody;

(b) Community policing;

(c) Counter-terrorism and weapons of mass destruction;

(d) Courtroom demeanor, including, without limitation, the giving of testimony;

(e) Crisis intervention;

(f) Ethics in law enforcement;

(g) Handling of persons who are mentally ill;

(h) History and principles of law enforcement;

(i) Management of stress;

(j) National Crime Information Center procedures;

(k) Survival of peace officers;

(l) Systems of criminal justice; and

(m) The realities of law enforcement.

5. Course administration and examinations.

Sec. 2. 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. Law and legal procedures, specifically:
 - (a) Civil liability;
 - (b) Constitutional law;
 - (c) Crimes against persons;
 - (d) Crimes against property;
 - (e) Juvenile law;
 - (f) Laws relating to arrest;
 - (g) Laws relating to drugs, including, without limitation, current trends in drugs;
 - (h) Miscellaneous crimes;
 - (i) Probable cause;
 - (j) Rights of victims;
 - (k) Search and seizure; and
 - (l) Use of force.
2. Operations and investigations, specifically:
 - (a) Abuse of elderly persons;
 - (b) Child abuse and sexual abuse of a child;
 - (c) Domestic violence and stalking;
 - (d) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
 - (e) Principles of investigation; and
 - (f) Techniques of interviewing and interrogation.
3. Performance skills, specifically:

- (a) Health, fitness and wellness;
- (b) Interpersonal communications;
- (c) Provision of emergency first aid and cardiopulmonary resuscitation;
- (d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;

(e) *Training concerning active assailants;*

(f) Training in the use of firearms; and

~~(f)(g)~~ (g) Writing of reports.

4. The functions of a peace officer, specifically:

- (a) Care of persons in custody;
- (b) Counter-terrorism and weapons of mass destruction;
- (c) Courtroom demeanor, including, without limitation, the giving of testimony;
- (d) Crisis intervention;
- (e) Ethics in law enforcement;
- (f) Handling of persons who are mentally ill;
- (g) History and principles of law enforcement;
- (h) Management of stress;
- (i) National Crime Information Center procedures;
- (j) Survival of peace officers;
- (k) Systems of criminal justice; and
- (l) The realities of law enforcement.

5. Course administration and examinations.

Sec. 3. 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.
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 ~~and~~ ; *and*

(g) Training concerning active assailants.

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. 4. 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. Law and legal procedures, specifically:

- (a) Civil liability;
- (b) Constitutional law;

- (c) Crimes against persons;
 - (d) Crimes against property;
 - (e) Juvenile law;
 - (f) Laws relating to arrest;
 - (g) Laws relating to drugs, including, without limitation, current trends in drugs;
 - (h) Miscellaneous crimes;
 - (i) Probable cause;
 - (j) Search and seizure;
 - (k) Traffic laws; and
 - (l) Use of force.
2. Patrol operations and investigations, specifically:
- (a) Abuse of elderly persons;
 - (b) Basic patrol procedures;
 - (c) Child abuse and sexual abuse of a child;
 - (d) Domestic violence and stalking;
 - (e) Investigation of crime scenes, collection and preservation of evidence and fingerprinting;
 - (f) Principles of investigation; and
 - (g) Unknown-risk and high-risk vehicle stops.
3. Performance skills, specifically:
- (a) Health, fitness and wellness;
 - (b) Provision of emergency first aid and cardiopulmonary resuscitation;
 - (c) Searching of buildings;

(d) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons;

(e) *Training concerning active assailants;*

(f) Training in the use of firearms; and

~~(f)(g)~~ (g) Writing of reports.

4. The functions of a peace officer, specifically:

(a) Community policing;

(b) Counter-terrorism and weapons of mass destruction;

(c) Courtroom demeanor, including, without limitation, the giving of testimony;

(d) Crisis intervention;

(e) Ethics in law enforcement;

(f) Handling of persons who are mentally ill;

(g) History and principles of law enforcement; and

(h) Survival of peace officers.

5. Course administration and examinations.

Sec. 5. 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 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 that satisfies the requirements established by the Commission pursuant to subsection 1 of NAC 289.300 in:

- (1) Abuse of elderly persons;
- (2) *Active assailants;*
- (3) *Child abuse and sexual abuse of a child;*
- (4) Civil liability;
- ~~[(3)]~~ (5) Constitutional law;
- ~~[(4)]~~ (6) Counter-terrorism and weapons of mass destruction;
- ~~[(5)]~~ (7) Crimes against persons;

- ~~[(6)]~~ (8) Crimes against property;
- ~~[(7)]~~ (9) Cultural awareness;
- ~~[(8)]~~ (10) Domestic violence and stalking;
- ~~[(9)]~~ (11) Ethics in law enforcement or for correctional officers;
- ~~[(10)]~~ (12) Juvenile law;
- ~~[(11)]~~ (13) Laws relating to arrest;
- ~~[(12)]~~ (14) Laws relating to drugs, including, without limitation, current trends in drugs;
- ~~[(13)]~~ (15) Miscellaneous crimes;
- ~~[(14)]~~ (16) Probable cause;
- ~~[(15)]~~ (17) Rights of victims;
- ~~[(16)]~~ (18) Search and seizure;
- ~~[(17)]~~ (19) Sexual harassment; and
- ~~[(18)]~~ (20) Use of force.

(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) Law and legal procedures, specifically:

(I) Laws governing coroners; and

(II) Traffic laws;

(2) Patrol operations and investigations, specifically:

(I) Accident investigations;

(II) Basic patrol procedures;

(III) The DWI Detection and Standardized Field Sobriety Testing course approved by the National Highway Traffic Safety Administration; and

(IV) Unknown-risk and high-risk vehicle stops;

(3) Performance skills, specifically:

(I) Operation of emergency vehicles;

(II) Searching of buildings; ~~and~~

(III) Tactics for the arrest and control of suspects, including, without limitation, methods for arrest and the use of less than lethal weapons; and

(IV) Training concerning active assailants; and

(4) The functions of a peace officer, specifically relating to counter-terrorism and weapons of mass destruction; 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.

5. Except as otherwise provided in subsection 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.

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.

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 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 5. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

8. Upon satisfactory completion of the requirements listed in subsection 1, 2, 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 Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

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.

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.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R110-08

The Peace Officers' Standards and Training Commission adopted regulations assigned as LCB File No. R110-08 which pertains to chapter 289 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and an explanation how persons may obtain a copy of the summary.

The Commission on Peace Officer' Standards and Training noticed its intent to amend certain regulations through notices of one (1) public workshop held at 3:00 p.m. on July 16, 2008 and one (1) Public Comment Hearing held at 1:00 p.m. on July 17, 2008, at Prospector Hotel and Casino, 1501 East Aultman, Ghost Train Room, Ely, Nevada, all in compliance with NRS 233B.0603.

Notice of the Public Comment hearings were sent via U.S., inter-departmental mail or faxed to all identified law enforcement agencies.

Notice for the Public Comment Hearing was posted at all Nevada county libraries, POST Administrative Offices, Carson City; Nevada State Capitol Building, Carson City; State Personnel-Blasdel Building, Carson City; Nevada State Library, Carson City; Grant Sawyer Building, Las Vegas; emailed to all Nevada criminal justice agency administrators, and posted on the Nevada POST website at www.post.state.nv.us pursuant to NRS 241.020(4).

Persons who wished to comment on the proposed action of the Commission on Peace Officers' Standards and Training were invited to appear at the scheduled public hearings or were invited to address their comments, data, views or arguments, in written form, to Richard P. Clark c/o POST Commission, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

No written comments were received by the Commission prior to the hearing. At the hearing there was one person who testified inquiring if the active assailant regulation was going to impact what their agency was currently providing for this topic. The response was that this should not adversely affect what they are currently providing for training. The curriculum information will be provided to agencies to integrate into their training.

2. The number of persons who:

(a) Attended the Public Comment Hearing;

July 17, 2008 (3)

(b) Testified at the Public Comment Hearing;

July 17, 2008 (1)

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary;

Comment was solicited as provided in section one.

Interested agencies or persons employed by law enforcement agencies had an opportunity to submit written comments or testify at the workshop and the public comment hearing. Persons wishing to obtain a copy of any written comments, may request copies by calling (775) 687-7678 or by writing to the Commission on Peace Officers' Standards and Training, Executive Director, 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulations were adopted at the POST Commission meeting on July 17, 2008 following public comments and commission deliberations, the proposed regulation included the following changes:

Section:

1. Amended NAC 289.140 to add the topic of Active Assailant to the minimum standards of training for officers in training category I.
2. Amended NAC 289.150 to add the topic of Active Assailant to the minimum standards of training for officers in training category II.
3. Amended NAC 289.160 to add the topic of Active Assailant to the minimum standards of training for officers in training category III.
4. Amended NAC 289.170 to add the topic of Active Assailant to the minimum standards of training for Reserve Officers
5. Amended NAC 289.200(2) to add the topic of Active Assailant and the topic of Child Abuse and Sexual Abuse of a Child to the minimum training standards for the 80 hour course required for basic certification of peace officers who have been previously certified by another state or the federal government.
6. Amended NAC 289.200(3) to add the topic of Active Assailant to the minimum training standards required for peace officers who are upgrading their Category II basic certificates to Category I Basic Certificates.

IMPORTANT NOTICE-EFFECTIVE DATE: When the Commission adopted the regulation change for Sections 1, 2, 3, 4, 5 and 6 on July 17, 2008 they are to go into effect immediately upon filing. It is the intent of the Commission that Sections 1, 2, 3, 4, 5 and 6 apply to all basic training programs that commence training after the filing date. Basic Training programs that commenced training prior to the filing and that are still in session at the time of filing are excluded from compliance for that training session only.

5. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These reasons must be stated separately, and in each case must include:

(a) Both adverse and beneficial effects;

Adverse effects:

Sec. 1: There is no adverse effect, basic training providers will need to add the topic of Active Assailant into their curriculum.

Sec. 2: There is no adverse effect, basic training providers will need to add the topic of Active Assailant into their curriculum.

Sec. 3: There is no adverse effect, basic training providers will need to add the topic of Active Assailant into their curriculum.

Sec. 4: There is no adverse effect, basic training providers will need to add the topic of Active Assailant into their curriculum.

Sec. 5: There is no adverse effect, basic training providers will need to add the topic of Active Assailant and Child Abuse and Sexual Abuse of a Child into their curriculum.

Sec. 6: There is no adverse effect, basic training providers will need to add the topic of Active Assailant into their curriculum.

Beneficial effects:

Sec. 1: The revisions include the topic into the Category I Basic Training requirements as a recognized need throughout the state of Nevada which has arisen from incidents nationwide.

Sec. 2: The revisions include the topic into the Category II Basic Training requirements as a recognized need throughout the state of Nevada which has arisen from incidents nationwide.

Sec. 3: The revisions include the topic into the Category III Basic Training requirements as a recognized need throughout the state of Nevada which has arisen from incidents nationwide.

Sec. 4: The revisions include the topic into the Reserve Basic Training requirements as a recognized need throughout the state of Nevada which has arisen from incidents nationwide.

Sec. 5: The revisions include the topic into the minimum training standards for the 80 hour course required for basic certification of peace officers who have been previously certified by another state or the federal government as a recognized need throughout the state of Nevada which has arisen from incidents nationwide. To meet the requirements of NRS 432B.610 which require each category I peace officer to complete a program of training for the detection and investigation of and response to cases of sexual abuse or sexual exploitation of children under the age of 18 years.

Sec. 6: The revisions include the topic into the minimum training standards required for peace officers who are upgrading their Category II basic certificates to Category I Basic Certificates as a recognized need throughout the state of Nevada which has arisen from incidents nationwide.

(b) Both immediate and long-term effects.

Same as stated above.

6. The estimated cost to the agency for enforcement of the proposed adopted regulations.

There is no anticipated cost associated with change to this regulation.

7. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The Commission has no knowledge of any regulations imposed by other state, government or federal agencies, which overlap or duplicate this regulation.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

The Commission is not aware of any Federal regulation that may be associated with this same activity.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The adopted regulation neither establishes nor increases any existing fee.

10. Is the proposed regulation likely to impose a direct and significant economic burden upon small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?

The Commission on Peace Officers' Standards and Training has determined that the proposed regulation does not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination the Commission on Peace Officers' Standards and Training considered the fact that the proposed amendments only applies to activity by state and local law enforcement agencies and imposes no direct requirements on any private businesses.