

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

LCB File No. R065-15

Effective June 28, 2016

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

AUTHORITY: §1, NRS 289.510 and section 1 of Senate Bill No. 147, chapter 120, Statutes of Nevada 2015, at page 448 (NRS 289.595).

A REGULATION relating to peace officers; setting forth the minimum standards for training certain peace officers who are required to be trained in effective responses to incidents involving dogs or where dogs are present; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations setting forth the minimum standards for training peace officers who are required to be trained in effective responses to incidents involving dogs or where dogs are present. (Section 1 of Senate Bill No. 147, chapter 120, Statutes of Nevada 2015, at page 448 (NRS 289.595)) This regulation sets forth those minimum standards of training, including, without limitation, differentiating between aggressive and nonthreatening dog behaviors, nonlethal methods of handling potentially dangerous dogs and the role and capabilities of local animal control agencies.

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

Training for a peace officer who is required, pursuant to section 1 of Senate Bill No. 147, chapter 120, Statutes of Nevada 2015, at page 448 (NRS 289.595), to be trained in effective responses to incidents involving dogs or where dogs are present must include, without limitation, the following minimum standards:

- 1. Differentiating between aggressive and nonthreatening dog behaviors;*

2. *Nonlethal methods of handling potentially dangerous dogs; and*
3. *The role and capabilities of local animal control agencies.*

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R065-15

1. A clear and concise explanation of the need for the adopted regulation.

Existing law requires the Commission on Peace Officer Standards and Training (Commission) to set forth the minimum standards for training peace officers. SB 147 requires the Commission to adopt regulation setting forth the minimum standards of training, for peace officers who are required to be trained in effective responses to incidents involving dogs or where dogs are present. This regulation sets forth those minimum standards of training, including without limitation, differentiating between aggressive and nonthreatening dog behaviors, nonlethal methods of handling potentially dangerous dogs and the role and capabilities of local animal control agencies.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Public comment was solicited through a Notice of Workshop and Notice of Intent to Adopt Regulations dated March 9, 2016. The Notices provided information on how the public could submit their comments about the proposed regulation in writing and/or attend the Workshop and Public Comment Hearing to provide their comments in person. The notices were sent to all law enforcement agencies, law enforcement training academies, all county library main branches (Notice of Intent Only), and posted at all meeting locations, on the POST website, Public Notice website and the LCB website. The Workshop was held on November 3, 2015, at the Palace Station Hotel Casino, Salon F, 2411 W. Sahara Avenue, Las Vegas, Nevada. The public comment hearing was held on May 5, 2016, at the Commission on Peace Officers Standards and Training Commission Offices, 5587 Wa Pai Shone Avenue, Classroom 2, Carson City, Nevada.

There were no written comments received on the proposed regulation. The only public comment came at the May 5, 2016 Commission Meeting. The comment was in the form of a question regarding whether this training was required as part of the annual continuing education requirements for all peace officers. . It was clarified that all peace officers are not required to take the training as part of their continuing education requirements. Instead, it is up to each agency administrator to determine the content of the training (so long as the training, at a minimum, covers the topics set out in the regulation), and the officers within the agency required to take the training. For those officers required to take the training, the training can be used toward required continuing education hours. A Summary of the public comments can be received by contacting Scott Johnston at (775) 687-7678, Ext. 3335, Commission on Peace Officers' Standards and Training at 5587 WA Pai Shone Avenue, Carson City, Nevada 89701.

3. The number of persons who:

(a) Attended each hearing:

Workshop: 19

Public Comment Hearing: 11

Regular Commission Meeting: 9

- (b) **Testified at each hearing:** 1
- (c) **Submitted written comments:** 0

4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

- (a) **Name;**
Regular Commission Meeting: Daniel Thompson, Reno Police Department
- (b) **Telephone number;**
Regular Commission Meeting: N/A
- (c) **Business address;**
Regular Commission Meeting: 455 E. 2nd Reno, NV 89507
- (d) **Business telephone number;**
Regular Commission Meeting: 775-789-5429
- (e) **Electronic mail address; and**
Regular Commission Meeting: thompsond@reno.gov
- (f) **Name of entity or organization represented.**
Regular Commission Meeting: Reno Police Department

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

This regulation has no impact on private sector businesses. At each meeting the public is provided with the opportunity to provide comment. The impact is on law enforcement agencies whose functions may encounter situations described in SB 147. Agencies were notified of the meetings pertaining to this regulation.

6. **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 final proposed language for adoption was drafted by the Legislative Counsel Bureau (LCB) legal draft writers. The Commission adopted the regulation as proposed.

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

(1) Both adverse and beneficial effects; and

Agencies:

Adverse Effects: None

Beneficial effect: An increased awareness for officers, through training in differentiating between aggressive and nonthreatening dog behaviors, nonlethal methods of handling potentially dangerous dogs and the role and capabilities of local animal control agencies.

Public:

Adverse Effects: All encounters with aggressive and nonthreatening dog behaviors won't be eliminated or may not end with no action taken.

Beneficial effect: Increased awareness for officers resulting in a more positive less lethal outcome.

(2) Both immediate and long-term effects.

Agencies:

Intermediate effects: An increased awareness for officers through training.

Long-term effects: Fewer incidents which involve a lethal outcome.

Public:

Intermediate effects: Fewer incidents which involve a lethal outcome.

Long-term effects: Fewer incidents which involve a lethal outcome.

- 8. The estimated cost to the agency for enforcement of the proposed regulation:**
None, the Commission has already implemented, a no cost, on line training program to cover the requirements of this regulation.
- 9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**
N/A no other regulations addressing this provision.
- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
N/A no other regulations addressing this provision.
- 11. 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.**
N/A no fees associated with this regulation.