

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

LCB File No. R003-17

June 21, 2017

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

AUTHORITY: §§1, 2, 4 and 5, NRS 289.510 and 289.600; §3, NRS 289.510.

A REGULATION relating to peace officers; revising provisions relating to the minimum standard of training required for peace officers and reserve officers; revising requirements for the training course certain peace officers are required to complete before being awarded a basic certificate; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510) Existing law also requires the Commission to require each peace officer, as a condition of certification, to be trained in dealing with the crimes of stalking and aggravated stalking. (NRS 289.600)

Existing regulations establish the minimum standard of training for peace officers in training categories I, II and III and reserve officers. (NAC 289.140-289.170) **Sections 1-4** of this regulation make various changes concerning the minimum standard of training required for peace officers in training categories I, II and III and reserve officers, respectively.

Existing regulations establish the requirements for the awarding of a basic certificate to a peace officer and authorize the Executive Director of the Commission to award a basic certificate to a peace officer who is certified in another state or has successfully completed certain training approved by the Commission in certain circumstances. (NAC 289.200) **Section 5** of this regulation revises the requirements for the training course such a peace officer is required to complete before being awarded a basic certificate.

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 correctional institutions;*
 - (i) Laws relating to drugs, including, without limitation, current trends in drugs;
 - ~~(j)~~ (j) Miscellaneous crimes;
 - ~~(k)~~ (k) Probable cause;
 - ~~(l)~~ (l) Rights of victims;
 - ~~(m)~~ (m) Search and seizure;
 - ~~(n)~~ (n) *Searches of offender institutions;*
 - (o) Traffic laws; and
 - ~~(p)~~ (p) Use of force.
2. Patrol operations and investigations, specifically:
 - (a) Abuse of ~~elderly~~ *older* persons;
 - (b) ~~Accident investigations;~~
 - ~~(c)~~ Basic patrol procedures;

~~[(d)]~~ (c) Child abuse and sexual abuse of a child;

~~[(e)]~~ (d) *Crash investigations;*

(e) Domestic violence , ~~[(and)]~~ stalking ~~[(;)]~~ *and aggravated 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;)]~~ *Fire safety and use of equipment;*

(b) Interpersonal communications;

(c) *Lifetime fitness;*

(d) Operation of emergency vehicles;

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

~~[(e)]~~ (f) *Public and media relations;*

(g) Searching of buildings;

~~[(f)]~~ (h) Tactics for the arrest and control of suspects, including, without limitation, methods

for arrest and the use of less than lethal weapons;

~~[(g)]~~ (i) Training concerning active assailants;

~~[(h)]~~ (j) Training in the use of firearms; and

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

4. The functions of a peace officer, specifically:

- (a) Care of persons in custody;
 - (b) *Classification and receiving of offenders;*
 - (c) Community policing;
 - ~~[(e)]~~ (d) Counter-terrorism and weapons of mass destruction;
 - ~~[(d)]~~ (e) Courtroom demeanor, including, without limitation, the giving of testimony;
 - ~~[(e)]~~ (f) Crisis intervention;
 - ~~[(f)]~~ (g) *Cultural awareness;*
 - (h) Ethics in law enforcement;
 - ~~[(g)]~~ (i) *Games offenders play;*
 - (j) *Gangs and cults;*
 - (k) Handling of persons with mental illness;
 - ~~[(h)]~~ (l) History and principles of law enforcement;
 - ~~[(i)] Management of stress;~~
 - (m) *Modern correctional philosophy;*
 - ~~[(j)]~~ (n) National Crime Information Center procedures;
 - ~~[(k)]~~ (o) *Records of offenders in institutions;*
 - (p) *Supervision of offenders;*
 - (q) Survival of peace officers;
 - ~~[(l)]~~ (r) Systems of criminal justice; and
 - ~~[(m)]~~ (s) 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 correctional institutions;*
 - (h) Laws relating to drugs, including, without limitation, current trends in drugs;
 - ~~(h)~~ (i) Miscellaneous crimes;
 - ~~(i)~~ (j) Probable cause;
 - ~~(j)~~ (k) Rights of victims;
 - ~~(k)~~ (l) Search and seizure; ~~and~~
 - ~~(l)~~ (m) *Searches of offender institutions; and*
 - (n) Use of force.
2. Operations and investigations, specifically:
 - (a) Abuse of ~~elderly~~ *older* persons;
 - (b) Child abuse and sexual abuse of a child;
 - (c) Domestic violence , ~~and~~ stalking ~~;~~ *and aggravated 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;~~ ***Fire safety and use of equipment;***

(b) Interpersonal communications;

(c) ***Lifetime fitness;***

(d) Provision of emergency first aid and cardiopulmonary resuscitation;

~~(d)~~ (e) ***Public and media relations;***

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

~~(e)~~ (g) Training concerning active assailants;

~~(f)~~ (h) Training in the use of firearms; and

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

4. The functions of a peace officer, specifically:

(a) Care of persons in custody;

(b) ***Classification and receiving of offenders;***

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

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

~~(d)~~ (e) Crisis intervention;

~~(e)~~ (f) ***Cultural awareness;***

(g) Ethics in law enforcement;

~~(f)~~ (h) ***Games offenders play;***

(i) ***Gangs and cults;***

(j) Handling of persons with mental illness;

~~{(g)}~~ **(k)** History and principles of law enforcement;

~~{(h)}~~ ~~Management of stress;~~

~~—{(i)}~~ **(l)** *Modern correctional philosophy;*

(m) National Crime Information Center procedures;

~~{(j)}~~ **(n)** *Records of offenders in institutions;*

(o) *Supervision of offenders;*

(p) Survival of peace officers;

~~{(k)}~~ **(q)** Systems of criminal justice; and

~~{(l)}~~ **(r)** 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;}~~ **liability;**

(b) ~~{Searches of offender}~~ **Laws relating to correctional** institutions;

(c) ~~{Laws relating to correctional}~~ **Searches of offender** institutions; **and**

(d) ~~{Laws relating to stalking and aggravated stalking; and~~

~~—{(e)}~~ Use of force.

2. Procedures in the field, specifically:

(a) **Care of persons in custody;**

(b) Classification and receiving of offenders;

(c) Crisis intervention;

(d) Games offenders play;

(e) Gangs and cults;

~~[(b)]~~ *(f) Records of offenders in institutions; and*

(g) 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;~~

~~—(f) Physical conditioning; and~~

~~—(g)] (b) Lifetime fitness;~~

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

(d) Training concerning active assailants ††;

(e) Training in the use of firearms; and

(f) Writing of reports.

4. Investigation, specifically:

(a) ~~{Crime scene and}~~ *Domestic violence, stalking and aggravated stalking;*

(b) *Handling of persons with mental illness;*

(c) *Investigation of crime scenes, collection and preservation of* evidence †;

~~—(b) Investigation of narcotics and abuse of controlled substances;~~

~~—(c) Investigation of allegations of stalking and aggravated stalking;}~~ *and fingerprinting;* and

(d) ~~{Personality disorders and prevention of suicide.}~~ *Laws relating to drugs, including,*

without limitation, current trends in drugs.

5. Community relations, specifically:

(a) ~~{Ethics for correctional officers;~~

~~—(b)}~~ Cultural awareness;

(b) *Ethics in law enforcement;*

(c) Interpersonal communications; and

(d) Public and media relations.

6. Miscellaneous subjects, specifically:

(a) *Counter-terrorism and weapons of mass destruction;*

(b) Modern correctional philosophy;

~~{(b) First}~~

(c) *Provision of emergency first aid* †;

~~—(e) ~~Cardiopulmonary}~~ *and cardiopulmonary* resuscitation; *and*~~

(d) ~~{Criminal}~~ *Systems of criminal* justice . ~~{system; and~~

~~—(e) Counter terrorism and weapons of mass destruction.}~~

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~~ *older* persons;
 - (b) Basic patrol procedures;
 - (c) Child abuse and sexual abuse of a child;
 - (d) Domestic violence , ~~and~~ *stalking* ~~;~~ *and aggravated 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,}~~ *Lifetime* 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

(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 with mental illness;

(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 of at least 70 percent; and

(c) Passed the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

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 Centers of the United States Department of Homeland Security 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}~~ *older* persons;

(2) ~~{Active assailants};~~

~~—(3)}~~ Child abuse and sexual abuse of a child;

~~{(4)}~~ (3) Civil liability;

~~{(5)}~~ (4) *Classification and receiving of offenders;*

(5) Constitutional law;

- (6) Counter-terrorism and weapons of mass destruction;
- (7) Crimes against persons;
- (8) Crimes against property;
- (9) Cultural awareness;
- (10) Domestic violence , ~~and~~ stalking ~~;~~ *and aggravated stalking;*
- (11) Ethics in law enforcement ; ~~for for correctional officers;~~
- (12) *Fire safety and use of equipment;*
- (13) *Games offenders play;*
- (14) *Gangs and cults;*
- (15) Juvenile law;
- ~~(13)~~ (16) Laws relating to arrest;
- ~~(14)~~ (17) *Laws relating to correctional institutions;*
- (18) Laws relating to drugs, including, without limitation, current trends in drugs;
- ~~(15)~~ (19) Miscellaneous crimes;
- ~~(16)~~ (20) *Modern correctional philosophy;*
- (21) Probable cause;
- ~~(17)~~ (22) *Public and media relations;*
- (23) *Records of offenders in institutions;*
- (24) Rights of victims;
- ~~(18)~~ (25) Search and seizure;
- ~~(19) Sexual harassment;~~
- (26) *Searches of offender institutions;*
- (27) *Supervision of offenders;*

(28) Training concerning active assailants; and

~~+(20)+~~ *(29) Use of force;*

(e) The peace officer passes the state certification examination with a score of at least 70 percent; and

(f) The peace officer passes the state physical fitness examination for the appropriate category of peace officer as described in NAC 289.205.

3. 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 of at least 70 percent; and

(c) Passed the state physical fitness examination described in subsection 1 of NAC 289.205.

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

(a) If the officer is not eligible for certification pursuant to subsection 2, not later than 16 weeks after the first day of the officer's basic training course certified or approved pursuant to NAC 289.300; or

(b) If the officer is eligible for certification pursuant to subsection 2, not later than 16 weeks after the date on which the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status.

5. 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 or her 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 or her reserve status.

6. 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 the officer was hired or, if the officer is a reserve officer, the date of activation of his or her reserve status, ↪ the employing agency of the officer may submit a request to the Executive Director to waive the requirements of subsection 4. 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. The Executive Director may, for good cause shown, grant a request submitted pursuant to this subsection.

7. Upon satisfactory completion of the requirements listed in subsection 1, 2 or 3, 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 or her 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.

8. 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 or her basic certificate by successfully completing the requirements set forth in subsection 1.

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

10. Except as otherwise provided in this subsection, to satisfactorily complete a basic training course for the purposes of this section, the person must successfully complete all of the requirements in one course. If a person is discharged from a basic training course for any reason that is not disciplinary, the person may complete any remaining requirements in a later course provided by the same entity if the person has not previously been discharged from a course and if:

(a) The administrator of the basic training course recommends that the person complete the requirements in a later course, the administrator of the employing agency of the person requests

that the person be allowed to complete the requirements in a later course and the Executive Director gives approval;

(b) The subsequent course is provided in a manner which ensures that the person completes all of the requirements for a basic training course for which the course is certified; and

(c) The subsequent course begins not later than 120 days after the discharge.