

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

**LCB File No. R100-02**

August 28, 2002

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

AUTHORITY: §§1-6, NRS 289.510.

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

*“Weapons of mass destruction” has the meaning ascribed to it in 18 U.S.C. § 2332a(c)(2).*

**Sec. 2.** NAC 289.010 is hereby amended to read as follows:

289.010 As used in NAC 289.010 to 289.380, inclusive, unless the context otherwise requires, the words and terms defined in NAC 289.015 to ~~289.080,~~ *289.075*, inclusive, *and section 1 of this regulation* have the meanings ascribed to them in those sections.

**Sec. 3.** 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; ~~{and}~~

(j) Crisis intervention ~~H~~; *and*

*(k) Weapons of mass destruction.*

3. Skills of officers, specifically:

(a) Techniques of interviewing and interrogation;

(b) Writing of reports;

(c) Fingerprinting;

(d) Methods of arrest;

(e) Nonlethal 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. 4.** 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 or a course of training which the commission or its designee determines to be at least equivalent to 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. A peace officer is deemed to have completed a course of training that is at least equivalent to the basic training course for basic certification if:

(a) The peace officer has been certified by a certifying entity of another state or by the Federal Government to perform the duties of a peace officer and 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 ~~24~~ 60 months have lapsed since the peace officer was employed in the other jurisdiction; and

(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; ~~[and]~~
- (19) Laws relating to stalking and aggravated stalking ~~[.]~~; *and*
- (20) Weapons of mass destruction.*

3. Except as otherwise provided in subsection 4, an officer must pass the state physical fitness examination ~~[to complete a course successfully:~~

~~—(a) Within] not earlier than~~ 16 weeks ~~[after the date on which he enters a basic training course certified pursuant to NAC 289.300 if he is in training category II or III; or~~

~~—(b) Within] before, or not later than~~ 16 weeks after , the date on which he was hired . ~~[if he has completed a course of training which the commission or its designee determines to be at least equivalent to the basic training course for basic certification.]~~

4. If a ~~[student enrolled in a basic training course certified pursuant to NAC 289.300]~~ *person* sustains a bona fide physical injury ~~[rendering]~~ *not earlier than 16 weeks before, or not later than 16 weeks after, the date on which he was hired that renders* him incapable of ~~[performing the physical requirements to complete the course successfully,]~~ *completing the requirements of the state physical fitness examination,* an agency may submit a request for an extension of time for the ~~[student]~~ *person* to complete the ~~[requirement.]~~ *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}~~ *person* is incapable of ~~[performing the physical requirements of the course.]~~ *completing the requirements of the state physical fitness examination.* If the executive director determines that an extension of time is warranted, ~~[he]~~ *the executive director* shall authorize an extension of time for a period not to exceed 12 months after the date on which ~~[he received the request.]~~ *the person was hired.*

5. Upon satisfactory completion of the requirements listed in subsection 1, 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;
- (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 NAC 289.010 to 289.380, inclusive; and
- (d) The statement concerning child support prescribed by the welfare division of the department of human resources pursuant to NRS 425.520.

6. 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 ~~[2]~~ *5* consecutive years, the person must renew his basic certificate by successfully completing the ~~[state certification examination, an 80-hour course of training that is approved by the executive director and the state physical fitness examination.]~~ *requirements set forth in subsection 1.*

**Sec. 5.** NAC 289.300 is hereby amended to read as follows:

289.300 1. The executive director shall certify courses of basic training presented by agencies *or approved by the commission* which meet the following requirements:

(a) The length of the course must meet the minimum standards for training established by the commission.

(b) Each course submitted to the executive director for certification must have a curriculum that contains the following elements:

(1) Each topic of instruction must have specifically defined objectives for the performance of the students which are based upon known work requirements;

(2) Each topic of instruction must have a detailed lesson plan that specifically describes what the student is taught; and

(3) Each topic of instruction must be assigned a specific amount of time.

(c) Each course must employ performance-oriented instructional methods that provide opportunities for each student to demonstrate achievement of the objectives.

(d) For each course there must be a system of written or practical examinations, or both, that will measure on a pass or fail basis the success of each student in achieving the objectives, including an examination at the beginning and end of each course.

(e) Each agency submitting a course for certification shall provide an instructional facility that meets the following requirements:

(1) A classroom with adequate heating, cooling, ventilation, lighting and space and an environment conducive to learning;

(2) Comfortable chairs with tables or arms for writing;

(3) Audiovisual equipment necessary to support the course;

(4) Instructional films and videotapes necessary to support the course; and

(5) A firing range adequate to train officers safely in the use of firearms.

(f) ~~Each course must include the state physical fitness examination. To pass the examination, a student 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.~~

~~(g)]~~ If an agency authorizes the use of the carotid restraint or the lateral vascular neck restraint, the course must include at least 8 hours of instruction in that restraint and include presentations on the use of force, the rules of the agency relating to safety, medical implications, approved techniques, and instruction on care and control measures. The course provided by such an agency must also include a written test of at least 10 questions requiring a minimum score of 70 percent and a proficiency test requiring a minimum score of 85 percent. The agency shall maintain records of each student's performance in the course.

2. Certification of courses will be made and maintained on the basis of on-site inspections conducted by the executive director or his staff. Inspections will be conducted at the discretion of the executive director. The agency shall notify the executive director of any proposed changes regarding courses, instructors and facilities.

3. The executive director shall deny, suspend or revoke the certification of any course for failure of the agency to maintain the minimum curriculum, qualified instructors or requirements

for the facility established by the commission. The executive director shall automatically suspend the certification of a course that ceases operation for 24 consecutive months.

4. An agency requesting certification of a course shall make the request in writing to the executive director at least 60 days before the course is scheduled to begin. The training course must be reviewed and the request signed by the administrator of the agency and the legal adviser. The executive director shall acknowledge receipt of the request within 5 working days. The executive director shall respond with a detailed review of the course within 30 days and rule on the request within 45 days after his receipt of the request.

**Sec. 6.** NAC 289.080 is hereby repealed.

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**TEXT OF REPEALED SECTION**

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**289.080** “State physical fitness examination” defined. (NRS 289.510) “State physical fitness examination” means the test of the physical fitness of a person conducted pursuant to paragraph (f) of subsection 1 of NAC 289.300.