

PROPOSED REGULATION OF THE PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION

LCB File No. R085-10

NAC 289.110 1. No person may be appointed to perform the duties of a peace officer unless he:

- (a) Has undergone a complete and documented investigation of his background which verifies that he has good moral character and meets the minimum standards established by the Commission;
- (b) Is a citizen of the United States;
- (c) Is at least 21 years of age at the time of his appointment;
- (d) Has successfully completed the 12th grade or has been certified by an appropriate authority as having an equivalent education; and
- (e) Has undergone a medical examination performed by a licensed physician who confirms in writing that no physical condition exists which would adversely affect his performance of the duties of a peace officer. The employing agency shall inform the examining physician of the specific functions required by the position to be filled.

2. The investigation of the background of a person required pursuant to subsection 1 ~~may include the use of a lie detector as defined in NRS 613.440 and~~ must include, without limitation:

- (a) An investigation of the current and past employment history of the person, including, without limitation, an examination of the duties that have been assigned to the person and any performance evaluations of the person;
- (b) An inquiry into the criminal history of the person in the State of Nevada and in any other state where the person is known to have resided, which must include, without limitation, any warrants issued for the person and the submission of the person's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;
- (c) An inquiry to the Department of Motor Vehicles and the appropriate entity in each other state in which the person is known to have resided regarding any driver's licenses the person has held and the driving record of the person;
- (d) A financial history of the person;
- (e) The educational background of the person;
- (f) The history of any military service of the person;
- (g) A history of each physical address where the person has resided;
- (h) A drug screening test; ~~and~~
- (i) A psychological evaluation; *and*
- (j) *The use of a lie detector as defined in NRS 613.440 for a peace officer being appointed to a category I, category II or reserve officer position. The background investigation for a peace officer being appointed to a category III position may include the use of a lie detector as defined in NRS 613.440.*

3. A person may not be appointed to perform the duties of a peace officer if he has:

- (a) Been convicted of a felony in this State or of any offense which would be a felony if committed in this State;
- (b) Been convicted of an offense involving moral turpitude or the unlawful use, sale or possession of a controlled substance; or

- (c) A documented history of physical violence.

NAC 289.260 Management certificate. (NRS 289.510) The Executive Director shall grant a management certificate to an officer upon submission of proof satisfactory to the Executive Director that the officer meets the following minimum requirements:

1. A current basic certificate.
2. A current intermediate certificate.
3. A current advanced certificate.
4. *A current supervisor certificate*

~~{4.}~~ 5. Six years of experience as a peace officer, including at least 1 year of experience ~~{as a first-line supervisor}~~ *in a management level position* and a current assignment ~~{as a first-line supervisor}~~ *in a management level position. The applicant must present proof of authority that meets the definition of management level position by submitting a letter with the application which is signed by the administrator of the agency. The letter must include an organizational chart which demonstrates the applicant's position within the agency and must describe the manner in which he meets the definition of management level position.*

~~{5.}~~ 6. Six units of credit from an accredited college or university in addition to the units required for the intermediate and advanced certificates.

~~{6.}~~ 7. Two hundred hours of training which includes courses in the following subjects or their equivalent:

- (a) Introduction to management;
- (b) Public administration or business administration;
- (c) Financial administration;
- (d) Personnel administration;
- (e) Management and labor relations;
- (f) Supervision; and
- (g) Policy formulation.

NAC 289.270 Executive certificate. (NRS 289.510)

1. The Commission will grant an executive certificate to an officer upon submission of proof satisfactory to the Commission that the officer meets the following minimum requirements:

- (a) A current basic certificate.
- (b) A current intermediate certificate.
- (c) A current advanced certificate.

(d) A current supervisor certificate. A person whose management certificate was issued on or before the effective date of this regulation change is not required to have a current supervisor certificate.

~~{(d)}~~ *(e)* A current management certificate.

~~{(e)}~~ *(f)* Six years of experience as a peace officer, including at least 1 year of experience ~~{at the command}~~ *in a executive level position* and a current assignment ~~{at the command}~~ *in a executive level position.*

~~{(f)}~~ *(g)* Two hundred hours of training in advanced management in addition to the training completed for the basic, intermediate, advanced, *supervisor* and management certificates.

~~{(g)}~~ *(h)* ~~{Authority to develop and approve policies of the agency.}~~ The applicant must present proof of ~~{such}~~ authority *that meets the definition of executive level position* by submitting a letter with the application which is signed by the administrator of the agency. The letter must include an organizational chart which demonstrates the applicant's position within the

agency and must describe the manner in which he *meets the definition of executive level position* ~~[develops and approves policies for the agency]~~.

2. In making a determination pursuant to subsection 1, the Commission will review and consider each applicant individually.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99)

NAC 289.300 Basic training courses. ~~[Effective January 1, 2007.]~~ (NRS 289.510, 289.590)

1. The Executive Director shall certify basic training courses 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 for which the Commission has not established standardized performance objectives must have specifically defined objectives for the performance of the students which are based upon known work requirements;

(2) Each topic of instruction for which the Commission has established standardized performance objectives must include, at a minimum, the standardized performance objectives established by the Commission;

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

(4) 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) 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. After the Commission has established standardized performance objectives for a topic of instruction, the Executive Director has the authority to approve revisions to those standardized performance objectives which become effective upon the Executive Director's approval. All revisions to standardized performance objectives approved by the Executive Director automatically expire unless the revisions are ratified by the Commission at its next regularly scheduled meeting.

~~3.~~ 4. 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.~~ 5. 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.

New section under definitions.

Definition: *Management level position is a position in which the peace officer supervises first line supervisors or above.*

Definition: *Executive level position is a position in which the peace officer supervises two or more management level positions, and is in charge of the entire agency or a major division(s) within the agency.*