

INFORMATIONAL STATEMENT

R091-24

A clear and concise explanation of the need for the adopted regulation:

Existing law requires the Peace Officer 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 requires the Peace Officer 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)

Under existing regulations, the basic certificate of a peace officer whose employment is terminated for any reason must be placed on inactive status. If such a person is again employed as a peace officer, existing regulations require the employing agency to request that the person's basic certificate be returned to active status. If the peace officer is not employed again within 60 months of separation from employment, their basic certificate expires. Currently, if they choose to return to a peace officer position after 60 months, they must meet all requirements under NAC 289.200(1).

This regulation change will create a program that will allow Nevada peace officers that have been out of law enforcement for more than 60 months, but less than 10 years, a program they can attend to update their training and certification, without being required to attend a full entry level basic academy. This regulation change will allow law enforcement agencies to rehire experienced, knowledgeable officers to once again serve Nevada and its citizens.

Recruitment is continually an issue for law enforcement agencies in Nevada, and this will allow agencies the option to bring back experienced officers that can be beneficial to the agency.

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

A workshop was held May 2, 2024, where public comment was accepted during the workshop and regularly scheduled meeting held immediately after the workshop. The notice and regulation to be amended, pursuant to NRS 233B.0607, were provided via electronic means to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice was physically posted at the Commission on Peace Officer Standards and Training Administrative Office at 5587 Wa Pai Shone Ave., Carson City, NV 89701, and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended were available upon request by contacting the POST Standards Division at (775) 687-3335.

A Public Hearing was held October 17, 2024, where public comment was accepted during the Public Hearing and regularly scheduled meeting held immediately after the Public Hearing. The notice and regulation to be amended, pursuant to NRS 233B.0607, were provided via electronic means to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice was physically posted at the Commission on Peace Officer Standards and Training Administrative Office at 5587 Wa Pai Shone Ave., Carson City, NV 89701, and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended were available upon request by contacting the POST Standards Division at (775) 687-3335.

The number of persons who:

- 1) **Attended Workshop: 12**
- 2) **Testified at Workshop: 0**
- 3) **Submitted to the agency written statements: 0**

The number of persons who:

- 1) **Attended the Public Hearing:12**
- 2) **Testified at the Public Hearing: 1**
- 3) **Submitted to the agency written statements: 0**

Contact information of each person that testified at each hearing or submitted statements to the agency. (If no contact information was provided state “not provided”):

Sheriff Jesse Watts, Eureka Sheriff’s Office, jjwatts@eurekacountynv.gov

Summary Public Response:

Sheriff Watts provided public comment in opposition to this language. His opinion is that our current regulations are adequate, and 10 years is too long. His opinion is that this will not solve current recruiting issues. This may also create issues within the department by bringing back someone that has been out of law enforcement for more than 5 years.

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:

Because this regulation amends Nevada Administrative Code Chapter 289, the proposed amendment to NAC 289 will have no impact on small business.

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

This regulation meets the requirements and was adopted with no changes.

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:

a) Both the adverse and beneficial effects

- (1) Adverse effects: No adverse economic effects.
- (2) Beneficial effects: Greatly increase the pool of applicants and allow Nevada law enforcement agencies to hire experienced peace officers that want to return to the profession.

b) Both immediate and long-term effects

- (1) The immediate effects: Agencies will have a larger pool of applicants to fill vacant positions in the agency.
- (2) The long-term effects: Allow agency fill vacant positions with experienced law enforcement officers.

The estimated cost to the agency for enforcement of the proposed regulation:

No estimated costs to agency

A description of any regulations 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 proposed regulation does not overlap or duplicate any regulations of state, local or federal governmental agency regulating the same activity.

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

N/A

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:

No new or increased fees.