

SUMMARY- Revises provisions relating to “School resource officer” (BDR – TBD)

I. Intent of proposed Bill: The intent of this bill is to include school police officers in the Nevada definition of “School resource officer”

II. Justification or purpose:

Nevada’s definition of “School resource officer” was created by 2017 Nevada Legislature ABR 127 and excludes school police officers in the definition. The industry standard definition as well as the definition used the U.S. Department of Justice includes school police officers in the definition of “School resource officer.” The new Nevada law creates confusion regarding the definition. This bill would amend the Nevada definition would eliminate the confusion.

SRO Defined (US Department of Justice/Industry Standard):

Part Q of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, defines the SRO as “a career law enforcement officer, with sworn authority, deployed in community-oriented policing, and assigned by the employing police department or agency to work in collaboration with school and community-based organizations.” [US Department of Justice - OJJDP Fact Sheet March 2001 #5] **(School police officers are included by the definition)**

The Center for the Prevention of School Violence further defines an SRO as "a certified law enforcement officer who is permanently assigned to provide coverage to a school or set of schools. The SRO is specifically trained to perform three roles: law enforcement officer; law-related counselor; and law-related teacher. **(School police officers are included by the definition)**

SRO Defined (Nevada Law – Chapter 388 – 2017 Nevada Legislature AB 127):

Sec. 3. “School resource officer” means a deputy sheriff or other peace officer employed by a local law enforcement agency who is assigned to duty at one or more schools, interacts directly with pupils and whose responsibilities include, without limitation, providing guidance and information to pupils, families and educational personnel concerning the avoidance and prevention of crime. **(School police officers are excluded by the definition)**

III. NRS, Title, Chapter and section Affected (If applicable) : Chapter 388 of NRS –additional specific info is not available at this time as the changes from 2017 Legislature NRS are still in Nevada Statutes Form (2017 Statutes of Nevada, 405, AB 127, Page 2725-2734,) and have not yet been published by the Nevada Law Library.

IV. Effective Date: July 1, 2019

V Suggested Language (Optional):

Explanation – Matter in ***bold italics*** is new; matter between brackets ~~fomitted material~~ material to be omitted

Section 1. Chapter 388 of NRS is hereby amended to read as follows:

“School resource officer” means a deputy sheriff or other peace officer employed by a local law enforcement agency ***or school police department*** who is assigned to duty at one or more schools, interacts directly with pupils and

SUMMARY- Revises provisions relating to definition of a law enforcement agency as it pertains to portable event recording device (BDR – TBD)

I. Intent of proposed Bill: The intent of this bill is to include school police departments in the Nevada definition of “Law enforcement agency” for the purpose of NRS 289.030 which requires certain peace officers to wear a portable event recording device and requires certain law enforcement agencies to adopt policies and procedures governing the use of portable event recording devices.

II. Justification or purpose: Because school police departments are required to provide uniform police services similar to traditional law enforcement agencies that are included in 289.830, there is an expectation of the public that these officers and agencies would be required to conform to the same law. These services include but are not limited to interaction with the public on calls for services, officer initiated activities, directed patrol, traffic stops, the arrests of individuals and the use of force in order to reasonable perform these services.

III. NRS, Title, Chapter and section Affected (If applicable) : NRS 289.830

IV. Effective Date: July 1, 2019

V Suggested Language (Optional):

Explanation – Matter in *bold italics* is new; matter between brackets ~~omitted material~~ material to be omitted

Section 1. NRS 289.830 is hereby amended to read as follows:

289.830 1. A law enforcement agency shall require uniformed peace officers that it employs and who routinely interact with the public to wear a portable event recording device while on duty. Each law enforcement agency shall adopt policies and procedures governing the use of portable event recording devices, which must include, without limitation:

(a) Except as otherwise provided in paragraph (d), requiring activation of a portable event recording device whenever a peace officer is responding to a call for service or at the initiation of any other law enforcement or investigative encounter between a uniformed peace officer and a member of the public;

(b) Except as otherwise provided in paragraph (d), prohibiting deactivation of a portable event recording device until the conclusion of a law enforcement or investigative encounter;

(c) Prohibiting the recording of general activity;

(d) Protecting the privacy of persons:

(1) In a private residence;

(2) Seeking to report a crime or provide information regarding a crime or ongoing investigation anonymously; or

(3) Claiming to be a victim of a crime;

(e) Requiring that any video recorded by a portable event recording device must be retained by the law enforcement agency for not less than 15 days; and

(f) Establishing disciplinary rules for peace officers who:

(1) Fail to operate a portable event recording device in accordance with any departmental policies;

(2) Intentionally manipulate a video recorded by a portable event recording device; or

SUMMARY- Revises provisions relating to school police officers. (BDR – TBD)

FISCAL NOTE: Effect on Local Government: No
Effect on the State: No

Explanation – Matter in *bold italics* is new; matter between brackets ~~omitted material~~ material to be omitted

Section 1. NRS 289.470 is hereby amended to read as follows:

NRS 289.470 “Category II peace officer” defined. “Category II peace officer” means:

1. The bailiffs of the district courts, justice courts and municipal courts whose duties require them to carry weapons and make arrests;
2. Subject to the provisions of NRS 258.070, constables and their deputies;
3. Inspectors employed by the Nevada Transportation Authority who exercise those powers of enforcement conferred by chapters 706 and 712 of NRS;
4. Special investigators who are employed full-time by the office of any district attorney or the Attorney General;
5. Investigators of arson for fire departments who are specially designated by the appointing authority;
6. The brand inspectors of the State Department of Agriculture who exercise the powers of enforcement conferred by chapter 565 of NRS;
7. The field agents and inspectors of the State Department of Agriculture who exercise the powers of enforcement conferred by NRS 561.225;
8. Investigators for the State Forester Firewarden who are specially designated by the State Forester Firewarden and whose primary duties are related to the investigation of arson;
9. ~~—~~ ~~School police officers employed by the board of trustees of any county school district;~~
- ~~—~~ ~~10.~~ Agents of the Nevada Gaming Control Board who exercise the powers of enforcement specified in NRS 289.360, 463.140 or 463.1405, except those agents whose duties relate primarily to auditing, accounting, the collection of taxes or license fees, or the investigation of applicants for licenses;
- ~~11.~~ ~~10.~~ Investigators and administrators of the Division of Compliance Enforcement of the Department of Motor Vehicles who perform the duties specified in subsection 2 of NRS 481.048;
- ~~12.~~ ~~11.~~ Officers and investigators of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles who perform the duties specified in subsection 3 of NRS 481.0481;
- ~~13.~~ ~~12.~~ Legislative police officers of the State of Nevada;
- ~~14.~~ ~~13.~~ Parole counselors of the Division of Child and Family Services of the Department of Health and Human Services;
- ~~15.~~ ~~14.~~ Juvenile probation officers and deputy juvenile probation officers employed by the various judicial districts in the State of Nevada or by a department of juvenile justice services established by ordinance pursuant to NRS 62G.210 whose official duties require them to enforce court orders on juvenile offenders and make arrests;
- ~~16.~~ ~~15.~~ Field investigators of the Taxicab Authority;
- ~~17.~~ ~~16.~~ Security officers employed full-time by a city or county whose official duties require them to carry weapons and make arrests;

~~18.~~ 17. The chief of a department of alternative sentencing created pursuant to NRS 211A.080 and the assistant alternative sentencing officers employed by that department;
~~19.~~ 18. Criminal investigators who are employed by the Secretary of State; and
~~20.~~ 19. The Inspector General of the Department of Corrections and any person employed by the Department as a criminal investigator.

Section 2. NRS 432B.610 is hereby amended to read as follows:

NRS 432B.610 Training of certain peace officers for detection and investigation of and response to cases of sexual abuse or sexual exploitation of children; regulations.

1. The Peace Officers' Standards and Training Commission shall:
 - (a) Require each category I peace officer to complete a program of training for the detection and investigation of and response to cases of sexual abuse or sexual exploitation of children under the age of 18 years.
 - (b) Not certify any person as a category I peace officer unless the person has completed the program of training required pursuant to paragraph (a).
 - (c) Establish a program to provide the training required pursuant to paragraph (a).
 - (d) Adopt regulations necessary to carry out the provisions of this section.
2. As used in this section, "category I peace officer" means:
 - (a) Sheriffs of counties and of metropolitan police departments, their deputies and correctional officers;
 - (b) Personnel of the Nevada Highway Patrol whose principal duty is to enforce one or more laws of this State, and any person promoted from such a duty to a supervisory position related to such a duty;
 - (c) Marshals, police officers and correctional officers of cities and towns;
 - (d) Members of the Police Department of the Nevada System of Higher Education;
 - (e) Employees of the Division of State Parks of the State Department of Conservation and Natural Resources designated by the Administrator of the Division who exercise police powers specified in NRS 289.260;
 - (f) The Chief, investigators and agents of the Investigation Division of the Department of Public Safety; and
 - (g) The personnel of the Department of Wildlife who exercise those powers of enforcement conferred by title 45 and chapter 488 of NRS~~17~~;
 - (h) School police officers employed by the board of trustees of any county school district.*

SUMMARY- Revises provisions relating to jurisdiction of school police officers. (BDR – TBD)

FISCAL NOTE: Effect on Local Government: No
 Effect on the State: No

Explanation – Matter in *bold italics* is new; matter between brackets ~~omitted material~~ material to be omitted

NRS 391.282 Jurisdiction of school police officers; law enforcement agency to respond to request for assistance by school district which does not have school police according to agency protocol.

1. The jurisdiction of each school police officer of a school district extends to all school property, buildings and facilities within the school district and, if the board of trustees has entered into a contract with a charter school for the provision of school police officers pursuant to NRS 388A.384, all property, buildings and facilities in which the charter school is located, for the purpose of:

- (a) Protecting school district personnel, pupils, or real or personal property; or
- (b) Cooperating with local law enforcement agencies in matters relating to personnel, pupils or real or personal property of the school district.

2. In addition to the jurisdiction set forth in subsection 1, a school police officer of a school district has jurisdiction:

(a) Beyond the school property, buildings and facilities when in hot pursuit of a person believed to have committed a crime *or while investigating matters relating to personnel, pupils or real or personal property of the school district*;

(b) At activities or events sponsored by the school district that are in a location other than the school property, buildings or facilities within the school district; and

(c) ~~When authorized by the superintendent of schools of the school district,~~ *O*on the streets that are adjacent to the school property, buildings and facilities within the school district for the purpose *of enforcing* ~~of issuing traffic citations for~~ violations of traffic laws and ordinances ~~during the times that the school is in session or school-related activities are in progress~~.

3. A law enforcement agency that is contacted for assistance by a public school or private school which does not have school police shall respond according to the protocol of the law enforcement agency established for responding to calls for assistance from the general public.

(Added to NRS by 1971, 2078; A 1979, 1606; 1989, 630; 2007, 927, 1921; 2015, 1739) —
(Substituted in revision for NRS 391.275)