

SENATE BILL NO. 321—SENATOR JACOBSEN (BY REQUEST)

MARCH 5, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various changes to provisions relating to correctional officers of department of prisons. (BDR 16-1072)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to the department of prisons; requiring correctional officers of the department of prisons to complete a program of training during their first year of employment; establishing a standardized badge for correctional officers and retired correctional officers of the department; reclassifying peace officers who are superintendents and correctional officers of the department upon the completion of additional training; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 209 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2. 1. *A correctional officer shall, not later than 1 year after he***
4 ***begins his employment with the department, complete a program of***
5 ***training for correctional officers of at least 280 hours.***
6 **2. *The program of training must include:***
7 ***(a) At least 40 hours of instruction in the structure, organization and***
8 ***operation of the facility or institution where he is employed;***
9 ***(b) At least 80 hours of instruction in assisting a supervisor in the***
10 ***management of the facility or institution;***
11 ***(c) At least 80 hours of instruction in:***
12 ***(1) Maintaining order, discipline and security within the housing***
13 ***units of the general population of the facility or institution; and***
14 ***(2) Providing the general population of the facility or institution***
15 ***with a humane, safe and sanitary environment; and***

1 *(d) At least 80 hours of instruction in disciplinary segregation,*
2 *protective segregation and administrative segregation of the general*
3 *population of the facility or institution.*

4 *3. After a correctional officer has completed the program of training*
5 *required by subsection 1, the department shall examine and evaluate the*
6 *correctional officer for at least 40 hours to determine his knowledge of*
7 *the facility or institution where he is employed and his proficiency in*
8 *performing the duties for which he received instruction.*

9 *4. The director shall:*

10 *(a) Provide the program of training for correctional officers required*
11 *by subsection 1; and*

12 *(b) Adopt regulations to carry out the provisions of this section.*

13 **Sec. 3. 1. The director shall ensure that the badges issued by the**
14 **department are issued only to the correctional officers of the department.**

15 **2. Each badge issued by the department to a correctional officer**
16 **must:**

17 *(a) Be designed with seven points;*

18 *(b) Be silver in color with a silver nonenamel state seal for*
19 *correctional officers who have not been assigned permanent*
20 *administrative duties;*

21 *(c) Be gold in color with a silver nonenamel state seal for correctional*
22 *officers who have been assigned permanent administrative duties;*

23 *(d) Have a unique number clearly printed on the badge; and*

24 *(e) Be issued in duplicate.*

25 **3. Except as otherwise provided in subsection 4, the badges issued to**
26 **the correctional officers of the department are the property of the**
27 **department and must be surrendered to the department upon termination**
28 **of employment.**

29 **4. A correctional officer who has retired from the department may,**
30 **upon the payment of a fee, purchase a badge that is identical to the**
31 **badge he was required to wear at the time of his retirement from the**
32 **department, except that the word "retired" must be printed in the place**
33 **where the number on the badge appeared. The director shall, by**
34 **regulation, prescribe a fee for the purchase of such a badge.**

35 **Sec. 4. NRS 481.053 is hereby amended to read as follows:**

36 **481.053 1. The governor shall appoint the peace officers' standards**
37 **and training committee.**

38 **2. The committee consists of seven members, one appointed from**
39 **Clark County, one from Washoe County, three from any other counties, one**
40 **from category II peace officers and one from category III peace officers.**
41 **Members serve terms of 2 years from the date of appointment. Members**
42 **serve without compensation but are entitled to the per diem allowance and**
43 **travel expenses provided by law for state officers and employees generally.**

1 3. The governor shall make the appointments from recommendations
2 submitted by Clark County, Washoe County, professional organizations of
3 sheriffs and police chiefs of this state, category II peace officers and
4 category III peace officers.

5 4. The committee shall:

6 (a) Meet at the call of the chairman, who must be elected by the
7 members of the committee.

8 (b) Provide for and encourage the training and education of peace
9 officers ~~in order~~ to improve the system of criminal justice.

10 (c) Adopt regulations establishing minimum standards for the
11 certification and decertification, recruitment, selection and training of peace
12 officers.

13 (d) Make necessary inquiries to determine whether agencies of the state
14 and of local governments are complying with *the* standards set forth in its
15 regulations.

16 (e) Carry out the duties required of the committee pursuant to NRS
17 432B.610 and 432B.620.

18 5. Regulations adopted by the committee:

19 (a) Apply to all agencies of the state and of local governments which
20 employ persons as peace officers;

21 (b) Must require that all peace officers receive training in the handling
22 of cases involving abuse or neglect of children or missing children; and

23 (c) May require that training be carried on at institutions which it
24 approves in those regulations.

25 6. The director may adopt regulations necessary for the operation of
26 the committee and the enforcement of laws administered by the committee.

27 7. As used in this section:

28 (a) "Category II peace officer" means:

29 (1) The bailiff of the supreme court;

30 (2) The bailiffs of the district courts, justices' courts and municipal
31 courts whose duties require them to carry weapons and make arrests;

32 (3) Constables and their deputies whose official duties require them to
33 carry weapons and make arrests;

34 (4) Inspectors employed by the transportation services authority who
35 exercise those powers of enforcement conferred by chapters 706 and 712 of
36 NRS;

37 (5) Parole and probation officers;

38 (6) Special investigators who are employed full time by the office of
39 any district attorney or the attorney general;

40 (7) Investigators of arson for fire departments who are specially
41 designated by the appointing authority;

42 (8) The assistant and deputies of the state fire marshal;

1 (9) The brand inspectors of the division of agriculture of the
2 department of business and industry who exercise the powers of
3 enforcement conferred in chapter 565 of NRS;

4 (10) Investigators for the state forester firewarden who are specially
5 designated by him and whose primary duties are the investigation of arson;

6 (11) School police officers employed by the board of trustees of any
7 county school district;

8 (12) Agents of the state gaming control board who exercise the
9 powers of enforcement specified in NRS 289.360, 463.140 or 463.1405,
10 except those agents whose duties relate primarily to auditing, accounting,
11 the collection of taxes or license fees, or the investigation of applicants for
12 licenses;

13 (13) Investigators and administrators of the bureau of enforcement of
14 the registration division of the department of motor vehicles and public
15 safety who perform the duties specified in subsection 3 of NRS 481.048;

16 (14) Officers and investigators of the section for the control of
17 emissions from vehicles of the registration division of the department of
18 motor vehicles and public safety who perform the duties specified in
19 subsection 3 of NRS 481.0481;

20 (15) Legislative police officers of the State of Nevada;

21 (16) The personnel of the capitol police division of the department of
22 motor vehicles and public safety appointed pursuant to subsection 2 of
23 NRS 331.140;

24 (17) Parole counselors of the division of child and family services of
25 the department of human resources;

26 (18) Juvenile probation officers and deputy juvenile probation
27 officers employed by the various judicial districts in Nevada or by a
28 department of family, youth and juvenile services established pursuant to
29 NRS 62.1264 whose official duties require them to enforce court orders on
30 juvenile offenders and make arrests;

31 (19) Field investigators of the taxicab authority;

32 (20) Security officers employed full time by a city or county whose
33 official duties require them to carry weapons and make arrests; ~~and~~

34 (21) The chief of a department of alternative sentencing created
35 pursuant to NRS 211A.080 and the assistant alternative sentencing officers
36 employed by that department ~~}; and~~

37 *(22) Superintendents and correctional officers of the department of*
38 *prisons.*

39 (b) "Category III peace officer" means *a* peace ~~officers~~ *officer who is*
40 *not an employee of the department of prisons and* whose authority is
41 limited to correctional services. ~~[-, and includes the superintendents and~~
42 ~~correctional officers of the department of prisons.]~~

1 **Sec. 5.** 1. A correctional officer who has been employed by the
2 department of prisons for less than 1 year as of October 1, 1999, shall
3 complete the program of training for correctional officers required by
4 section 2 of this act before October 1, 2000.
5 2. The department of prisons shall provide to each superintendent and
6 correctional officer of the department the training required by NRS
7 481.053 for category II peace officers before April 1, 2000.
8 3. A superintendent or correctional officer is not required to complete
9 any training required by NRS 481.053 for category II peace officers that
10 the superintendent or correctional officer has completed as a requirement
11 for category III peace officers.
12 4. Superintendents and correctional officers of the department of
13 prisons remain category III peace officers until they complete the training
14 required by NRS 481.053 for category II peace officers pursuant to
15 subsection 2.

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