

ASSEMBLY BILL NO. 500—ASSEMBLYMEN WILLIAMS, GIUNCHIGLIANI,
LESLIE, GOLDWATER, PARKS, ANDERSON, BACHE, BUCKLEY,
CHOWNING, MANENDO AND OHRENSCHALL

MARCH 19, 2001

Referred to Committee on Judiciary

SUMMARY—Directs Attorney General to conduct study of traffic stops by Nevada Highway
Patrol and by law enforcement officers in certain counties. (BDR 23-386)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE § 2
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 law enforcement; directing the Attorney General to conduct a statistical
study regarding traffic stops by the Nevada Highway Patrol and by law
enforcement officers in certain counties; 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 289 of NRS is hereby amended by adding a new
2 section thereto to read as follows:
3 1. *A peace officer shall not engage in racial profiling.*
4 2. *No retaliatory or punitive action may be taken against a peace*
5 *officer who discloses information concerning racial profiling.*
6 3. *For purposes of this section, “racial profiling” means reliance by*
7 *a peace officer upon the race, ethnicity or national origin of a person as*
8 *a factor in initiating action when the race, ethnicity or national origin of*
9 *the person is not part of an identifying description of a specific suspect*
10 *for a specific crime.*
11 **Sec. 2.** 1. The Attorney General shall conduct a study of traffic stops
12 by the Nevada Highway Patrol and in counties whose population is
13 100,000 or more by metropolitan police departments, sheriffs and their
14 deputies, and city police chiefs and their officers. Each such law
15 enforcement agency shall cooperate fully in the study.
16 2. To carry out this study, the Attorney General shall, based upon the
17 recommendations of the Director of the Department of Motor Vehicles and



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1 Public Safety and the heads of the affected local law enforcement agencies,
2 prescribe the form and manner of collecting and transmitting information
3 regarding each traffic stop. However, a local law enforcement agency must
4 not be required to use a specific computer program or system to collect and
5 transmit information regarding each traffic stop. The information required
6 to be collected and transmitted to the Attorney General must include,
7 without limitation:
8 (a) The traffic violation or infraction alleged to have been committed
9 that caused the driver to be stopped.
10 (b) The identifying characteristics of the driver who was stopped,
11 including, without limitation, the driver's race, ethnicity and gender and
12 whether the driver was an adult or juvenile.
13 (c) A statement of whether the immigration status of the driver was
14 questioned, including whether immigration documents were requested by
15 the officer or whether an inquiry was made to the Immigration and
16 Naturalization Service of the United States Department of Justice with
17 regard to the immigration status of any person in the motor vehicle.
18 (d) A statement of whether a search was instituted as a result of the
19 stop, including, without limitation, whether consent was requested for the
20 search or whether a particular alleged criminal behavior by the driver
21 justified the search.
22 (e) A report of any items seized during a search of the vehicle,
23 including, without limitation, a report of any contraband or money that was
24 seized.
25 (f) A statement of whether any warning or citation was issued as a result
26 of the stop.
27 (g) A statement of whether an arrest was made as a result of either the
28 stop itself or any search conducted during the stop, and the justification for
29 any such arrest.
30 3. The Attorney General may collect reports from individual law
31 enforcement officers regarding traffic stops made by other law
32 enforcement officers and from drivers who were the subject of a traffic
33 stop. Any such report may be submitted anonymously, and must be kept
34 confidential.
35 4. On or before February 1, 2003, the Attorney General shall compile
36 the results of the information collected pursuant to subsections 2 and 3 and
37 report it in statistical form. All identifying information regarding the
38 particular law enforcement officers who made the stops and the drivers
39 who were stopped must remain confidential.
40 5. The Attorney General shall submit a copy of the report to the
41 Director of the Legislative Counsel Bureau for transmittal to the 72nd
42 session of the Nevada Legislature.
43 6. As used in this section, "traffic stop" means any occasion when the
44 driver of a motor vehicle is halted by a law enforcement officer for an
45 alleged traffic violation or infraction, or any other purpose.
46 **Sec. 3.** 1. This section and section 2 of this act become effective
47 upon passage and approval for the purposes of the creation of the form
48 required pursuant to section 2 of this act, and on July 1, 2001, for all other
49 purposes.



- 1 2. Section 1 of this act becomes effective on July 1, 2001.

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