

ASSEMBLY BILL NO. 634—COMMITTEE ON EDUCATION

MARCH 26, 2001

Referred to Committee on Education

SUMMARY—Authorizes creation of review board to advise board of regents of University of Nevada on issues concerning peace officers of police department for University and Community College System of Nevada. (BDR 34-862)

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

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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 University and Community College System of Nevada; authorizing the board of regents of the University of Nevada to create a review board to advise the board of regents on issues concerning peace officers of the police department for the system; 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 396 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 5, inclusive, of this act.
3 **Sec. 2. 1. *The board of regents may create a review board to advise***
4 ***the board of regents on issues concerning peace officers of the police***
5 ***department for the system.***
6 ***2. A review board created pursuant to subsection 1 must consist of***
7 ***15, 20 or 25 members.***
8 ***3. The review board must be appointed by the board of regents from***
9 ***a list of names submitted by interested persons. If an insufficient number***
10 ***of names of persons interested in serving on the review board are***
11 ***submitted, the board of regents shall appoint the remaining members in***
12 ***the manner it deems appropriate.***
13 ***4. A person appointed to the review board:***
14 ***(a) Must be a resident of this state;***
15 ***(b) Must not be employed as a peace officer;***
16 ***(c) Must complete training relating to law enforcement before serving***
17 ***as a member of the review board, including, without limitation, training***
18 ***in the policies and procedures of the police department for the system,***
19 ***the provisions of NRS 289.010 to 289.120, inclusive, and the terms and***
20 ***conditions of employment of the peace officers of the system; and***



1 (d) Shall serve without salary, but may receive from the system such
2 per diem allowances and travel expenses as are authorized by the board
3 of regents.

4 **Sec. 3.** A review board created pursuant to section 2 of this act:

5 1. Does not have jurisdiction over any matter in which it is alleged
6 that a crime has been committed.

7 2. Shall not abridge the rights of a peace officer of the police
8 department for the system that are granted pursuant to a contract or by
9 law.

10 **Sec. 4.** 1. A review board created pursuant to section 2 of this act
11 shall meet in panels of five members to carry out its duties.

12 2. Members must be selected randomly to serve on a panel, and each
13 panel shall select one of its members to serve as chairman of the panel.

14 3. A panel of the review board may:

15 (a) Refer a complaint against a peace officer of the police department
16 for the system to the police department for the system.

17 (b) Review an internal investigation of such a peace officer and make
18 recommendations regarding any disciplinary action against the peace
19 officer that is recommended by the police department for the system,
20 including, without limitation:

21 (1) Increasing or decreasing the recommended level of discipline;
22 and

23 (2) Exonerating the peace officer who has been the subject of the
24 internal investigation.

25 4. The police department for the system shall make available to a
26 panel of the review board any personnel file or other material necessary
27 for the panel to conduct a review.

28 5. When reviewing an internal investigation of a peace officer of the
29 system pursuant to subsection 3, the panel shall provide the peace officer
30 with notice and an opportunity to be heard. The peace officer may
31 represent himself at the hearing before the panel or be represented by an
32 attorney or other person of his own choosing. The review board and the
33 police department for the system are not responsible for providing such
34 representation.

35 6. The chairman of a panel of a review board shall report the
36 findings and recommendations of the panel regarding disciplinary action
37 to the board of regents and the police department for the system.

38 7. A proceeding of a panel of the review board must be closed to the
39 public.

40 8. The findings and recommendations of a panel of the review board
41 are public records.

42 **Sec. 5.** 1. A panel of a review board created pursuant to section 2
43 of this act may:

44 (a) Administer oaths;

45 (b) Take testimony;

46 (c) Within the scope of its jurisdiction, issue subpoenas to compel the
47 attendance of witnesses to testify before the panel;

48 (d) Require the production of books, papers and documents; and

49 (e) Issue commissions to take testimony.



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1 2. *If a witness refuses to attend or testify or produce books, papers or*
2 *documents as required by the subpoena, the panel may petition the*
3 *district court to order the witness to appear or testify or produce the*
4 *requested books, papers or documents.*

