

Assembly Bill No. 634—Committee on Education

CHAPTER.....

AN ACT relating to the University and Community College System of Nevada; authorizing the board of regents of the University of Nevada to create campus review boards to review allegations of misconduct against 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:

Section 1. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. 1. *The board of regents may create on each campus of the system a campus review board to advise the president or other chief administrative officer of the campus and, upon request, the board of regents on issues concerning allegations made against peace officers of the police department for the system involving misconduct while serving on the campus.*

2. A campus review board created pursuant to subsection 1 must consist of not less than 15 members.

3. A campus review board must be appointed by the board of regents from a list of names submitted by interested persons within the system and in the general public. If an insufficient number of names of persons interested in serving on a campus review board are submitted, the board of regents shall appoint the remaining members in the manner it deems appropriate.

4. A person appointed to a campus review board:

(a) Must be a resident of this state;

(b) Must not be employed as a peace officer;

(c) Must complete training relating to law enforcement before serving as a member of the campus review board, including, without limitation, training in the policies and procedures of the police department for the system, the provisions of chapter 284 of NRS, the regulations adopted pursuant thereto and NRS 289.010 to 289.120, inclusive, and the terms and conditions of employment of the peace officers of the system; and

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

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

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

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

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

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

3. A panel of a campus review board may:

(a) Refer a complaint against a peace officer of the police department for the system who has served on the campus to the office of the police department for the system on the campus.

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

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

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

4. The police department for the system shall make available to a panel of a campus review board any information within a personnel file that is specific to a complaint against a peace officer of the police department for the system who has served on the campus, or any other material that is specific to the complaint.

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

6. The chairman of a panel of a campus review board shall report the findings and recommendations of the panel regarding disciplinary action to the office of the police department for the system on the campus, the president or other chief administrative officer of the campus and, upon request, the board of regents.

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

8. The findings and recommendations of a panel of a campus review board are public records unless otherwise declared confidential by state or federal law.

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

(a) Administer oaths;

(b) Take testimony;

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

(d) Require the production of books, papers and documents specific to a complaint; and

(e) Issue commissions to take testimony.

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