
SENATE BILL NO. 236—SENATOR D. HARRIS

MARCH 15, 2021

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to public safety.
(BDR 23-217)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 1, 17)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to public safety; requiring law enforcement agencies to establish early warning systems to identify peace officers who display bias indicators or other problematic behavior; authorizing the Peace Officers' Standards and Training Commission to adopt regulations relating to such early warning systems; revising the qualifications for certification as a peace officer by the Commission; imposing liability on peace officers who subject another person or cause another person to be subjected to the deprivation of certain constitutional rights; establishing provisions relating to the recording, collection and review of information concerning traffic stops and other stops made by law enforcement officers; imposing certain duties on the Department of Public Safety and law enforcement agencies regarding the recording, collection and review of such information; authorizing the Department to adopt regulations relating to the recording, collection and review of such information; requiring the Legislative Commission to appoint a committee to conduct an interim study relating to the establishment of crisis response call centers; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law sets forth provisions governing peace officers and establishes the
2 Peace Officers' Standards and Training Commission (hereinafter "POST"), which
3 generally provides for the training and education of peace officers. (Chapter 289 of
4 NRS) **Section 1** of this bill requires every law enforcement agency to establish an
5 early warning system for the purpose of identifying peace officers employed by the
6 law enforcement agency who display bias indicators or other problematic behavior.
7 **Section 1** requires that if a peace officer is identified by the early warning system
8 as displaying bias indicators or other problematic behavior, the law enforcement
9 agency that employs the peace officer is required to increase its supervision of the
10 peace officer and provide additional training and, if appropriate, counseling to the
11 peace officer. If a peace officer is repeatedly identified by the early warning system
12 as displaying bias indicators or other problematic behavior, the law enforcement
13 agency that employs the peace officer is required to consider the consequences that
14 should be imposed, including transferring the peace officer from any high-profile
15 assignments or subjecting the peace officer to any discipline. **Section 1** also
16 authorizes POST to adopt any regulations necessary to carry out the provisions
17 relating to such early warning systems.

18 Existing law generally requires a person upon whom some or all of the powers
19 of a peace officer are conferred to be certified by POST. (NRS 289.550) **Section 2**
20 of this bill provides that before such a person may be certified, the person is
21 required to have: (1) at a minimum, received an associate's degree; or (2)
22 completed at least 2 years of military service. **Section 2** also specifies that a person
23 does not need to satisfy such a requirement before he or she participates in any
24 training required as a condition of certification as a peace officer.

25 Existing law establishes provisions relating to the liability of and actions
26 against this State, its agencies and its political subdivisions. (NRS 41.0305-
27 41.0309) **Section 3** of this bill imposes liability on any peace officer who subjects
28 another person or causes another person to be subjected to the deprivation of any
29 individual constitutional rights that create binding obligations on government
30 actors. **Section 3** also provides that in an action brought as a result of a deprivation
31 of such constitutional rights, qualified immunity can only be used as a defense in
32 certain circumstances. **Section 3** additionally requires the employer of a peace
33 officer to indemnify the peace officer for any liability incurred by, and any
34 judgment or settlement entered against, the peace officer unless the actions of the
35 peace officer were malicious, wanton or willful.

36 Existing law establishes provisions relating to the rules of the roads in this
37 State, including rules pertaining to pedestrians. (Chapter 484B of NRS) **Sections 7-**
38 **21** of this bill establish provisions relating to the recording, collection and review of
39 information concerning traffic stops and other stops made by law enforcement
40 officers. **Section 17** of this bill requires the Department of Public Safety to develop
41 and implement, not later than January 1, 2022: (1) a standardized method to be used
42 by law enforcement officers to record certain information concerning any such
43 stop, including certain demographic information of the person who was stopped;
44 and (2) training and procedures to facilitate the collection of such information.
45 **Section 17** also requires: (1) law enforcement officers that make a traffic or other
46 stop to record such information beginning on January 1, 2022; and (2) law
47 enforcement agencies that retain such information to report such information for
48 each calendar year to the Department beginning not later than February 1, 2023.
49 **Section 17** additionally requires that any such information be used for statistical
50 purposes only and not contain any identifying information relating to a law
51 enforcement officer who performed a traffic stop or other stop or a person who was
52 stopped. **Section 17** provides that any information that could reveal the identity of
53 such a law enforcement officer or person is exempt from public disclosure.



54 **Section 18** of this bill authorizes the Department, to the extent that money is
55 available, to contract with a third party to review all public information reported by
56 law enforcement agencies concerning traffic stops and other stops and conduct a
57 statistical analysis of the data to identify patterns or practices of profiling. **Section**
58 **18** requires the Department to seek any available gifts, grants or donations to assist
59 in enabling the Department to contract with a third party to conduct such a
60 statistical analysis. **Section 18** also requires such a third party with whom the
61 Department contracts to submit, during the year in which a statistical analysis is
62 conducted, a report of the results of the analysis to the Governor, the Department
63 and the Chairs of the Senate and Assembly Standing Committees on Judiciary. **Section 19**
64 **Section 19** of this bill authorizes the Department, after reviewing the report, to
65 provide advice or technical assistance to any law enforcement agency mentioned in
66 the report and, if such advice or technical assistance is provided, requires the
67 Department to present to POST a summary of the advice or technical assistance
68 given.

69 **Section 20** of this bill requires the Department to record information collected
70 from law enforcement agencies concerning traffic stops and other stops in a central
71 repository created by the Department to track data electronically concerning such
72 stops on a statewide basis. However, **section 25** of this bill provides that, unless the
73 Department is able to create such a central repository and record such information
74 using existing resources, such a requirement only becomes effective on the date on
75 which federal funding is obtained for the recording, collection and review of
76 information concerning traffic stops and other stops made by law enforcement
77 officers.

78 **Section 21** of this bill authorizes the Department to adopt any regulations
79 necessary to carry out the provisions relating to the recording, collection and review
80 of information concerning traffic stops and other stops made by law enforcement
81 officers.

82 **Section 22** of this bill requires the Legislative Commission to appoint a
83 committee to conduct an interim study relating to the establishment of crisis
84 response call centers. **Section 22** requires that such a study include: (1) an
85 examination of certain proposals relating to responses to non-violent and non-
86 emergency situations; (2) a determination of how information should be provided to
87 the public regarding when to call an emergency number, a non-emergency number
88 or another help line; (3) the consideration of alternative models regarding responses
89 to crises that do not require armed law enforcement officers; and (4) a
90 determination of the feasibility of establishing a pilot program relating to crisis
91 response call centers. **Section 22** requires the interim committee to submit a report
92 of its findings and any recommendations for legislation to the Governor and the
93 Director of the Legislative Counsel Bureau for transmittal to the 82nd Session of
94 the Nevada Legislature.

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
2 thereto a new section to read as follows:

3 *1. Each law enforcement agency shall establish an early*
4 *warning system for the purpose of identifying peace officers*
5 *employed by the law enforcement agency who:*

6 *(a) Display bias indicators by, for example:*

7 *(1) Having a large number of citizen complaints;*



1 (2) *Being part of a large number of incidents involving the*
2 *use of force;*

3 (3) *Making a large number of arrests for resisting an*
4 *officer;*

5 (4) *Having a large number of the arrests that he or she has*
6 *made result in no charges being filed because of issues such as*
7 *improper searches or detentions; or*

8 (5) *Having a negative attitude regarding programs that*
9 *enhance relations between law enforcement and the community.*

10 (b) *Display other problematic behavior by, for example:*

11 (1) *Having a large number of motor vehicle crashes;*

12 (2) *Abusing sick leave; or*

13 (3) *Showing any other behavioral signs that are indicative*
14 *of a decline in performance.*

15 2. *If a peace officer is identified by the early warning system*
16 *as displaying bias indicators or other problematic behavior, the*
17 *law enforcement agency that employs the peace officer shall:*

18 (a) *Increase its supervision of the peace officer; and*

19 (b) *Provide additional training and, if appropriate, counseling*
20 *to the peace officer.*

21 3. *If a peace officer is repeatedly identified by the early*
22 *warning system as displaying bias indicators or other problematic*
23 *behavior, the law enforcement agency that employs the peace*
24 *officer shall consider the consequences that should be imposed,*
25 *including, without limitation, whether the peace officer should be*
26 *transferred from any high-profile assignments or subject to any*
27 *discipline.*

28 4. *The Peace Officers' Standards and Training Commission*
29 *may adopt any regulations necessary to carry out the provisions of*
30 *this section.*

31 **Sec. 2.** NRS 289.550 is hereby amended to read as follows:

32 289.550 1. Except as otherwise provided in subsection ~~2~~ 3
33 and NRS 3.310, 4.353, 258.007 and 258.060, a person upon whom
34 some or all of the powers of a peace officer are conferred pursuant
35 to NRS 289.150 to 289.360, inclusive, must be certified by the
36 Commission within 1 year after the date on which the person
37 commences employment as a peace officer unless the Commission,
38 for good cause shown, grants in writing an extension of time, which
39 must not exceed 6 months, by which the person must become
40 certified. A person who fails to become certified within the required
41 time shall not exercise any of the powers of a peace officer after the
42 time for becoming certified has expired.

43 2. *Before a person may be certified by the Commission*
44 *pursuant to this section, the person must have, at a minimum,*
45 *received an associate's degree, or completed not less than 2 years*



1 *of military service. A person does not need to satisfy such a*
2 *requirement before he or she participates in any training required*
3 *as a condition of certification as a peace officer.*

4 3. The following persons are not required to be certified by the
5 Commission:

6 (a) The Chief Parole and Probation Officer;

7 (b) The Director of the Department of Corrections;

8 (c) The Director of the Department of Public Safety, the deputy
9 directors of the Department and the chiefs of the divisions of the
10 Department other than the Investigation Division and the Nevada
11 Highway Patrol;

12 (d) The Commissioner of Insurance and the chief deputy of the
13 Commissioner of Insurance;

14 (e) Railroad police officers; and

15 (f) California correctional officers.

16 **Sec. 3.** Chapter 41 of NRS is hereby amended by adding
17 thereto a new section to read as follows:

18 1. *Any peace officer who subjects another person or causes*
19 *another person to be subjected to the deprivation of any individual*
20 *constitutional rights that create binding obligations on*
21 *government actors is liable to the injured party for legal, equitable*
22 *or other relief.*

23 2. *Notwithstanding any other provision of law, if an action*
24 *brought pursuant to this section seeks:*

25 (a) *Only equitable relief, qualified immunity is not a defense to*
26 *liability pursuant to this section.*

27 (b) *Monetary damages, qualified immunity is a defense only if,*
28 *at the time of the conduct of the peace officer, the peace officer*
29 *had a good faith belief that his or her conduct did not violate the*
30 *law.*

31 3. *Notwithstanding any other provision of law and except as*
32 *otherwise provided in this subsection, the employer of a peace*
33 *officer shall indemnify the peace officer for any liability incurred*
34 *by the peace officer and for any judgment or settlement entered*
35 *against the peace officer for claims arising pursuant to this*
36 *section. If any act of the peace officer that resulted in such*
37 *liability, judgment or settlement was malicious, wanton or willful:*

38 (a) *The employer of the peace officer shall not indemnify the*
39 *peace officer; and*

40 (b) *The peace officer:*

41 (1) *Is personally liable for the costs associated with an*
42 *action brought pursuant to this section; and*

43 (2) *Shall reimburse his or her employer for any costs*
44 *associated with an action brought pursuant to this section that the*
45 *employer has already paid.*



1 **4. If an employer of a peace officer is required to indemnify**
2 **the peace officer pursuant to subsection 3, the peace officer must**
3 **not be required to pay any costs associated with the liability,**
4 **judgment or settlement first and then subsequently be reimbursed**
5 **by the employer.**

6 **Sec. 4.** NRS 41.0305 is hereby amended to read as follows:

7 41.0305 As used in NRS 41.0305 to 41.039, inclusive, **and**
8 **section 3 of this act**, the term “political subdivision” includes an
9 organization that was officially designated as a community action
10 agency pursuant to 42 U.S.C. § 2790 before that section was
11 repealed and is included in the definition of an “eligible entity”
12 pursuant to 42 U.S.C. § 9902, the Nevada Rural Housing Authority,
13 an airport authority created by special act of the Legislature, a
14 regional transportation commission and a fire protection district, an
15 irrigation district, a school district, the governing body of a charter
16 school, any other special district that performs a governmental
17 function, even though it does not exercise general governmental
18 powers, and the governing body of a university school for
19 profoundly gifted pupils.

20 **Sec. 5.** NRS 239.010 is hereby amended to read as follows:

21 239.010 1. Except as otherwise provided in this section and
22 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,
23 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,
24 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,
25 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,
26 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,
27 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,
28 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,
29 119A.653, 119A.677, 119B.370, 119B.382, 120A.690, 125.130,
30 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,
31 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050,
32 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015,
33 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
34 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
35 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
36 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
37 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
38 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
39 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069,
40 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014,
41 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230,
42 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030,
43 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,
44 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490,
45 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350,



1 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068,
2 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830,
3 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870,
4 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061,
5 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,
6 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049,
7 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,
8 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180,
9 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008,
10 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455,
11 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249,
12 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147,
13 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
14 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460,
15 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685,
16 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,
17 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
18 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,
19 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,
20 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,
21 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,
22 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,
23 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,
24 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,
25 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
26 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
27 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,
28 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,
29 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,
30 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,
31 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,
32 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,
33 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,
34 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,
35 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
36 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,
37 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,
38 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,
39 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
40 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,
41 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,
42 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,
43 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,
44 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
45 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,



1 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,
2 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,
3 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,
4 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,
5 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,
6 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,
7 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,
8 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,
9 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,
10 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,
11 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*
12 *section 17 of this act*, sections 35, 38 and 41 of chapter 478,
13 Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of
14 Nevada 2013 and unless otherwise declared by law to be
15 confidential, all public books and public records of a governmental
16 entity must be open at all times during office hours to inspection by
17 any person, and may be fully copied or an abstract or memorandum
18 may be prepared from those public books and public records. Any
19 such copies, abstracts or memoranda may be used to supply the
20 general public with copies, abstracts or memoranda of the records or
21 may be used in any other way to the advantage of the governmental
22 entity or of the general public. This section does not supersede or in
23 any manner affect the federal laws governing copyrights or enlarge,
24 diminish or affect in any other manner the rights of a person in any
25 written book or record which is copyrighted pursuant to federal law.

26 2. A governmental entity may not reject a book or record
27 which is copyrighted solely because it is copyrighted.

28 3. A governmental entity that has legal custody or control of a
29 public book or record shall not deny a request made pursuant to
30 subsection 1 to inspect or copy or receive a copy of a public book or
31 record on the basis that the requested public book or record contains
32 information that is confidential if the governmental entity can
33 redact, delete, conceal or separate, including, without limitation,
34 electronically, the confidential information from the information
35 included in the public book or record that is not otherwise
36 confidential.

37 4. If requested, a governmental entity shall provide a copy of a
38 public record in an electronic format by means of an electronic
39 medium. Nothing in this subsection requires a governmental entity
40 to provide a copy of a public record in an electronic format or by
41 means of an electronic medium if:

42 (a) The public record:

- 43 (1) Was not created or prepared in an electronic format; and
44 (2) Is not available in an electronic format; or



1 (b) Providing the public record in an electronic format or by
2 means of an electronic medium would:

3 (1) Give access to proprietary software; or

4 (2) Require the production of information that is confidential
5 and that cannot be redacted, deleted, concealed or separated from
6 information that is not otherwise confidential.

7 5. An officer, employee or agent of a governmental entity who
8 has legal custody or control of a public record:

9 (a) Shall not refuse to provide a copy of that public record in the
10 medium that is requested because the officer, employee or agent has
11 already prepared or would prefer to provide the copy in a different
12 medium.

13 (b) Except as otherwise provided in NRS 239.030, shall, upon
14 request, prepare the copy of the public record and shall not require
15 the person who has requested the copy to prepare the copy himself
16 or herself.

17 **Sec. 6.** Chapter 484B of NRS is hereby amended by adding
18 thereto the provisions set forth as sections 7 to 21, inclusive, of this
19 act.

20 **Sec. 7.** *As used in sections 7 to 21, inclusive, of this act,*
21 *unless the context otherwise requires, the words and terms defined*
22 *in sections 8 to 16, inclusive, of this act have the meanings*
23 *ascribed to them in those sections.*

24 **Sec. 8.** *“Department” means the Department of Public*
25 *Safety.*

26 **Sec. 9.** *“Disability” means, with respect to a person:*

27 1. *A physical or mental impairment that substantially limits*
28 *one or more of the major life activities of the person;*

29 2. *A record of such an impairment; or*

30 3. *Being regarded as having such an impairment.*

31 **Sec. 10.** *“Gender identity or expression” means a gender-*
32 *related identity, appearance, expression or behavior of a person,*
33 *regardless of the person’s assigned sex at birth.*

34 **Sec. 11.** *“Law enforcement agency” has the meaning*
35 *ascribed to it in NRS 289.010.*

36 **Sec. 12.** *“Law enforcement officer” means any person upon*
37 *whom some or all of the powers of a peace officer are conferred*
38 *pursuant to NRS 289.150 to 289.360, inclusive.*

39 **Sec. 13.** *“Other stop” means any occasion when a person,*
40 *including, without limitation, a pedestrian, is halted by a law*
41 *enforcement officer for an alleged violation of law, or any other*
42 *purpose. The term does not include a traffic stop.*

43 **Sec. 14.** *“Profiling” means the targeting of a person by a law*
44 *enforcement agency or a law enforcement officer, on suspicion of*
45 *the person having violated a provision of law, based solely on the*



1 *person's real or perceived age, race, ethnicity, color, national*
2 *origin, language, sex, gender identity or expression, sexual*
3 *orientation, political affiliation, religion, homelessness or*
4 *disability, unless the law enforcement agency or law enforcement*
5 *officer is acting on a suspect description or information related to*
6 *an identified or suspected violation of a provision of law.*

7 **Sec. 15.** *“Sexual orientation” means having or being*
8 *perceived as having an orientation for heterosexuality,*
9 *homosexuality or bisexuality.*

10 **Sec. 16.** *“Traffic stop” means any occasion when the driver*
11 *of a motor vehicle is halted by a law enforcement officer for an*
12 *alleged traffic violation or infraction, or any other purpose.*

13 **Sec. 17. 1.** *Not later than January 1, 2022, the Department*
14 *shall develop and implement a standardized method to be used by*
15 *law enforcement officers to record information concerning traffic*
16 *stops and other stops. The standardized method must require, and*
17 *any form developed and used pursuant to the standardized method*
18 *must provide for, the following information to be recorded for*
19 *each stop:*

20 (a) *The date and time of the stop;*

21 (b) *The location of the stop;*

22 (c) *The race, ethnicity, age and sex of the person stopped,*
23 *based on the observations of the law enforcement officer*
24 *responsible for reporting the stop;*

25 (d) *The nature of, and the statutory citation for, the alleged*
26 *violation that caused the stop to be made; and*

27 (e) *The disposition of the stop, including, without limitation,*
28 *whether:*

29 (1) *A warning, citation or summons was issued;*

30 (2) *A search was conducted and, if so:*

31 (I) *The type of search conducted; and*

32 (II) *Whether anything was found as a result of the*
33 *search; and*

34 (3) *An arrest was made.*

35 2. *Not later than January 1, 2022, the Department, in*
36 *consultation with law enforcement agencies, shall develop and*
37 *implement training and procedures to facilitate the collection of*
38 *information concerning traffic stops and other stops pursuant to*
39 *subsection 1.*

40 3. *Beginning on January 1, 2022, each law enforcement*
41 *officer that makes a traffic stop or other stop shall record for each*
42 *stop the information set forth in paragraphs (a) to (e), inclusive, of*
43 *subsection 1, and each law enforcement agency shall retain such*
44 *information.*



1 4. Each law enforcement agency that engages in traffic stops
2 or other stops shall report to the Department the information
3 recorded for the previous calendar year pursuant to subsection 3
4 not later than February 1, 2023, and at least annually thereafter.

5 5. Information acquired pursuant to this section must be used
6 only for statistical purposes and not for any other purpose. The
7 information must not contain any identifying information relating
8 to a law enforcement officer who performed a traffic stop or other
9 stop or a person who was stopped. Any information collected by
10 law enforcement agencies or held by the Department pursuant to
11 this section that could reveal the identity of any law enforcement
12 officer who performed a traffic stop or other stop or any person
13 who was stopped is confidential.

14 **Sec. 18.** 1. To the extent that money is available, the
15 Department may contract with a third party to review all public
16 information, including, without limitation, the prevalence and
17 disposition of traffic stops and other stops, reported by law
18 enforcement agencies pursuant to section 17 of this act and
19 conduct a statistical analysis of the data for the purpose of
20 identifying patterns or practices of profiling.

21 2. If a third party with whom the Department contracts
22 pursuant to subsection 1 conducts a statistical analysis, the third
23 party must, not later than December 31 of the year in which the
24 statistical analysis is conducted, report the results of the analysis
25 to the Governor, the Department, the Chair of the Senate Standing
26 Committee on Judiciary and the Chair of the Assembly Standing
27 Committee on Judiciary.

28 3. The Department shall seek any available gifts, grants or
29 donations to assist in enabling the Department to contract with a
30 third party pursuant to subsection 1.

31 **Sec. 19.** 1. The Department shall review any reports
32 provided to the Department by the third party with whom the
33 Department contracts pursuant to subsection 1 of section 18 of
34 this act.

35 2. After reviewing a report, the Department may provide
36 advice or technical assistance to any law enforcement agency
37 mentioned in the report. Any advice or technical assistance
38 provided must be based on best practices in policing as determined
39 by the Peace Officers' Standards and Training Commission.

40 3. Upon providing advice or technical assistance to a law
41 enforcement agency pursuant to subsection 2, the Department
42 shall, within a reasonable period, present to the Peace Officers'
43 Standards and Training Commission a summary of the advice or
44 technical assistance given. The presentation must be open to the



1 *public, feature live testimony by presenters and be held in*
2 *accordance with chapter 241 of NRS.*

3 **Sec. 20.** *The Department shall record information reported*
4 *to the Department pursuant to subsection 4 of section 17 of this*
5 *act in a central repository created by the Department to track data*
6 *electronically concerning traffic stops and other stops on a*
7 *statewide basis.*

8 **Sec. 21.** *The Department may adopt any regulations*
9 *necessary to carry out the provisions of sections 7 to 21, inclusive,*
10 *of this act.*

11 **Sec. 22.** 1. The Legislative Commission shall appoint a
12 committee to conduct an interim study relating to the establishment
13 of crisis response call centers.

14 2. The interim committee must be composed of six Legislators
15 selected as follows:

16 (a) Two members of the Senate appointed by the Majority
17 Leader of the Senate;

18 (b) Two members of the Assembly appointed by the Speaker of
19 the Assembly;

20 (c) One member of the Senate appointed by the Minority Leader
21 of the Senate; and

22 (d) One member of the Assembly appointed by the Minority
23 Leader of the Assembly.

24 3. The Legislative Commission shall appoint a Chair and Vice
25 Chair from among the members of the interim committee.

26 4. The study must include, without limitation:

27 (a) An examination of the following proposals, including,
28 without limitation, the feasibility of such proposals and any effects
29 thereof:

30 (1) Pairing peace officers with mental health specialists,
31 social workers or counselors for any mental health calls that address
32 a non-violent situation;

33 (2) Having community service officers who are not armed
34 respond to non-emergency calls and whether that would require the
35 creation of a new department; and

36 (3) Expanding existing response teams across the State.

37 (b) A determination of which situations are considered to be
38 low-risk and which crimes are considered to be non-violent and how
39 best to provide information to the public as to when a person should
40 call an emergency number, a non-emergency number or another
41 help line.

42 (c) The consideration of alternative models for responses to
43 crises using resources that do not require armed law enforcement
44 officers, including, without limitation, responses to mental health
45 crises, issues relating to homelessness or other situations in which



1 responding with alternative resources is more appropriate than
2 responding with armed law enforcement officers.

3 (d) A determination of the feasibility of establishing a pilot
4 program relating to crisis response call centers.

5 5. On or before September 1, 2022, the interim committee shall
6 submit a report of its findings, including, without limitation, any
7 recommendations for legislation, to the Governor and the Director
8 of the Legislative Counsel Bureau for transmittal to the 82nd
9 Session of the Nevada Legislature.

10 **Sec. 23.** The provisions of NRS 354.599 do not apply to any
11 additional expenses of a local government that are related to the
12 provisions of this act.

13 **Sec. 24.** The provisions of subsection 1 of NRS 218D.380 do
14 not apply to any provision of this act which adds or revises a
15 requirement to submit a report to the Legislature.

16 **Sec. 25.** 1. This section and sections 17, 21 and 22 of this act
17 become effective upon passage and approval.

18 2. Sections 6 to 16, inclusive, and 18 of this act become
19 effective:

20 (a) Upon passage and approval for the purpose of adopting
21 regulations and performing any other preparatory administrative
22 tasks necessary to carry out the provisions of sections 7 to 19,
23 inclusive, of this act; and

24 (b) On October 1, 2021, for all other purposes.

25 3. Sections 1 to 5, inclusive, 23 and 24 of this act become
26 effective on October 1, 2021.

27 4. Section 20 of this act becomes effective:

28 (a) On October 1, 2021, if the Department of Public Safety is
29 able to perform its duties under section 20 of this act using existing
30 resources; or

31 (b) On the date on which federal funding is obtained to carry out
32 the provisions of sections 7 to 21, inclusive, of this act if the
33 Department of Public Safety is not able to perform its duties under
34 section 20 of this act using existing resources.



