



# NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Corey Mock

District 18  
P.O. Box 12542  
Grand Forks, ND 58208-2542  
C: 701-732-0085  
[crmoc@nd.gov](mailto:crmoc@nd.gov)

**COMMITTEES:**  
Appropriations

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HB 1494 – Law Enforcement Retention Program

Dear Chairman Mark Owens and members of the House Education Committee,

I'm before you today as one of the sponsors of HB 1494, a bill that would create a law enforcement retention grant program through the Department of Commerce, specifically intended to assist local law enforcement agencies facing disproportionately high turnover rates.

As you heard during this morning's hearing of HB 1404 – student loan forgiveness program for law enforcement officers introduced by Rep. Steve Vetter – law enforcement retention is a problem for many agencies across North Dakota.

It's not uncommon to hear the phrase, "you just can't find good 'help' these days." Recruiting and retaining a skilled workforce is a challenge in virtually all sectors. However, the cost of high turnover in law enforcement is not just financially overwhelming but may lead to decreased quality of service over time in a critical industry.

Attached to my testimony is a memo from Grand Forks Police Department outlining the approximate costs of onboarding and training a new officer, along with some of their statistics from 2019 and 2020. When it comes to onboarding a sworn law enforcement officer:

- Issued equipment: \$2,500 – 4,000
- Salary during Law Enforcement Training Academy (3 months): varies (\$12,000+)
- Salary during Field Training & Evaluation Program (4 months): varies (\$16,000+)
- Field Training Officer Salary during FTEP (4 months): varies (\$20,000+)
- Background process: \$2,000
- Approximate Total Cost of Training and Onboarding: \$52,500 - \$60,000

Prior to today's hearing we have also received written estimates from Grand Forks Sheriff's Office (GFSO) regarding their onboarding and training costs, as well as recent turnover rates. Sheriff Andy Schneider submitted testimony and is planning to testify remotely following me.

Without objection from the committee, I'd like to walk through HB 1494 as written followed by brief introduction of two potential amendments for the committee's consideration.

**HB 1494 (As Introduced):**

## Section 1 – Law enforcement officer retention program

1. Applies WSI definitions of law enforcement employer and officer; officers eligible for state retention bonuses under 54-06-31 would not be eligible under this program.
2. Directs Department of Commerce to establish a law enforcement officer retention program through the allocation of grants to employers.
3. Subject to biennial appropriations, establishes 1:2 grant matching criteria (\$1 state grants for ever \$2 local agency contribution)
4. Directs Department of Commerce to give application preference to law enforcement agencies with a professional development requirement in their written retention policy.
5. Allows Department of Commerce to distribute partial grants if sufficient funds are not available.
6. Establishes eligibility, which require a law enforcement agency to:
  - a. Have a written retention program policy;
  - b. Agencies shall provide their written policy with their application to the Department of Commerce;
  - c. Submit applications for matching funds to the Department of Commerce;
  - d. Provide a report to the Department of Commerce for each bonus awarded.
7. Requires law enforcement officers who receive a retention bonus as part of this program to:
  - a. Be employed for at least 1 year with that agency; and
  - b. May not have received a retention bonus under this program within the last two years.
8. Caps a retention bonus under this program at 10% of the law enforcement officer's annual salary. Also requires an officer to remain employed with the agency for at least 2 years after being awarded a bonus. In the event they leave within the 2 year window, they must return the retention bonus and grant must be refunded to the state.
9. Permits the attorney general to seek civil penalties of any grant recipients who fail to return the funds.
10. Requires Department of Commerce to provide a report to legislative management by May 1<sup>st</sup> of each even numbered year.
11. Exempts bonuses from being identified as fiscal irregularities under 54-14-03.1, which requires agencies to report fiscal irregularities to our budget section.
12. Allows Department of Commerce to establish any rules needed to implement this grant program.

## Section 2 – Appropriation of \$250,000 from the general fund to the Department of Commerce.

While subject to appropriations each legislative session, HB 1494 as introduced would create a law enforcement officer retention program that would continue in perpetuity. Changes can and should be made as we receive data from the program.

## **HB 1494 with 21.0951.01002 Amendment**

Section 1 – Similar to the original bill, this section is amended to create a law enforcement officer retention pilot program and allows the Department of Commerce broader authority to create guidelines consistent with our general parameters and goals.

1. Definitions – same as original bill
2. Adds language to make this an 18-month pilot program during the 2021-22 biennium
3. Removes perpetual language, effectively sunsetting the program after this biennium. Also amends the allocation of funds from an upfront grant to reimbursement of expenditures
4. Grants Department of Commerce broad authority to structure and implement the pilot program, permitting the department to award grants based on need and any other necessary factors.
5. Partial grants may be awarded if insufficient funds are available
6. Continues broad authority of the Department of Commerce to establish eligibility criteria, requiring only that a law enforcement agency provide a written retention program policy and removing agencies who may be eligible for other state retention programs
7. Retains the requirements that officers awarded retention bonuses under this section must be employed with that agency for at least 1 year; removes language prohibiting an officer from receiving more than one retention bonus every 2 years (not necessary in this version since the grant expires after this biennium)
8. Retains 10% cap; changes timeline from 2 years to 18 months so the program can be completed within the biennium. Also removes language requiring funds to be returned if the officer leaves prematurely as the funds would be reimbursed after the fact
9. Civil penalties language removed, consistent with the format of awarding funds
10. States that a report must be presented to legislative management by May 1, 2022 regarding the implementation, progress, and use of the program
11. Irregularities provision (unchanged)
12. Authority of the Department of Commerce to adopt rules for the grant program (unchanged)

Section 2 – Appropriation of \$100,000 (reduced from \$250,000)

Section 3 – Legislative Management Study language, requesting legislative management to study recruitment, retention, turnover, and training of law enforcement and correctional officers employed by state agencies and political subdivisions. While permissive in scope, this language encourages a study to consider historical trends, training demands and resources for all officers, and competitive compensation analysis.

## **HB 1494 with 21.0951.01001 Amendment**

This hoghouse amendment removes all language pertaining to a law enforcement officer retention program (either perpetual or pilot project) and replaces all text with a request to study recruitment, retention, turnover, and training of law enforcement and correctional officers within the state of North Dakota, including all political subdivisions. All other recommendations in this study resolution are the same as Section 3 of the 21.0951.01002 amendment.

I appreciate the committee's time and consideration of HB 1494. I invite you to use these concepts as a first draft, with the hope and intent we can stem this growing tide before the costs become insurmountable.

By working with law enforcement agencies across the state, I'm confident our cooperation will improve the success of all law enforcement agencies and ensure our communities remain safe places for North Dakotans to call home.

Thank you again for your time, Chairman Owens and members of the committee.