

## **STATE & LOCAL GOVERNMENT COMMITTEE**

**January 16, 2025**

### **Written testimony of the North Dakota Peace Officer Standards and Training Board**

**Chief Joseph Cianni, Chairman**

Madame Chair Roers and members of the State & Local Government Committee.

My name is Chief Joseph Cianni, and I am the chairman of the Peace Officer Standards and Training Board. I am also the Chief of Police of the Dickinson Police Department. I am here in my capacity as the Chairman of the ND POST Board to provide testimony regarding Senate Bill 2165.

The North Dakota Peace Officer Standards and Training Board will be referred to as the POST board in my testimony. The board consist of 9 members, 8 of whom, are appointed by the attorney general. NDCC § 12-63-01.1 designates the ninth member to be the director of the North Dakota Law Enforcement Training Center. In addition to the nine board members, the POST Board has two full-time staff members employed by the attorney general's Bureau of Criminal Investigation division.

The proposed amendments in Senate Bill 2165 are for the purpose of improving public safety and officer safety.

Section 1 amends the powers of the POST board by adding language authorizing the board to require a licensed peace officer to complete a physical or psychological examination aiding the board to evaluate the peace officer's mental or physical competency. Currently, the POST board does not have authority to require a licensed peace officer to undergo an evaluation even if the board is notified that there are mental health or fit for duty concerns regarding the licensed peace officer. Section 1 also allows the results of the examinations to be released to the POST board.

Section 2 of the bill authorizes the POST board to assess additional fees related to peace officer licensure. Currently the POST board can only assess a fee associated with an adverse license action resulting in the revocation of a peace officers license. The POST board would like the authority to assess additional fees associated with other adverse license actions not exclusive to license revocations. This request is made in light of the fact the board is regularly seeing a significant and sustained increase in the number of adverse license actions being heard and addressed by the board.

Section 3 amends section 12-63-12 to allow the POST board to take disciplinary action against a peace officers license if said individual has a fit-for-duty condition and is deemed unable to safely and competently perform the required duties of a peace officer. Section 3 also provides the POST board with the authority to require a peace officer to