

2021 HOUSE JUDICIARY

HB 1122

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1122
1/18/2021

Relating to peace officer duties or activities.

Chairman Klemin opened the hearing at 8:30 AM.

Representatives	Attendance
Representative Lawrence R. Klemin	P
Representative Karen Karls	P
Representative Rick Becker	A
Representative Ruth Buffalo	P
Representative Cole Christensen	P
Representative Claire Cory	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Jeffery J. Magrum	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Shannon Roers Jones	P
Representative Bernie Satrom	A
Representative Steve Vetter	P

Discussion Topics:

- Reserve officers
- Training funding
- Post board

Rep. Roers Jones: Introduced the bill. 8:32

Jesse Jahner: Sheriff of Cass County: 8:35 Testimony #1119

Chief Jason Zeigler, Sheriff of Mandan Police Dept., ND. Oral testimony 8:44

Donnell Preskey, Association of ND Sheriff's and Deputies. Oral testimony 8.49

Rep. Vetter motion for a Do Pass

Rep. Jones. Second

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Rick Becker	A
Representative Ruth Buffalo	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Jeffery J. Magrum	Y
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Steve Vetter	Y

Motion carried.

Yes 13 No 0 Absent 1 Carrier: **Rep. Vetter**

Chairman Klemin adjourned 8:54

DeLores Shimek
Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1122: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1122 was placed on the Eleventh order on the calendar.

House Bill 1122

Mr. Chair, members of the House Judiciary Committee, good morning. My name is Jesse Jahner, and I am the elected Sheriff of Cass County, North Dakota. I have been employed by the Cass County Sheriff's Office for 22 years and was elected as Cass County Sheriff in November 2018. I want to take this time to thank Representative Shannon Roers Jones and others who have sponsored and co-sponsored this bill. I testify before you today in support of House Bill 1122 as it pertains to Reserve Officers and Reserve Officer Programs. House Bill 1122 would give authority to the North Dakota Peace Officers Standards and Training Board (POST) to have oversight over Reserve Officers and Reserve Officer Programs in the State of North Dakota.

You may be asking what is a Reserve Officer? Reserve Officers are officers who volunteer to assist agencies in a limited law enforcement capacity but have not completed a Full-Time Peace Officer Training Program required to become a Licensed Peace Officer in the State of North Dakota. Some agencies will utilize Reserve Officers to supplement their Full-Time Peace Officer Staff.

The North Dakota POST Board comprises licensed law enforcement administrators, Attorney General's Office staff, and civilian staff representing both City and County Government. Some of the POST Board duties, amongst many, are to oversee training, administrative rules, and disciplinary concerns of License Peace Officers in the State of North Dakota. The overall objective is to ensure that licensed Peace Officers receive the appropriate training to perform safe and professional Peace Officer duties.

During the last legislative session, a bill was introduced that attempted to restrict and or eliminate reserve officers' use. The concern was that Reserve Officers were not receiving the appropriate training to perform Peace Officer functions. That bill was defeated, but considering the concerns, it raised House Bill 1122 was drafted. Currently, there are no governing bodies that oversee Reserve Officers other than the head of each Law Enforcement Agency. There are no current rules or guidelines that govern Reserve Officers. As you can imagine, there is a wide variety of training amongst Reserve Officers based on each agency's ability to provide the training. By Supporting House Bill 1122, you would be supporting the moving of Reserve Officers and programs under the direction and authority of the POST Board. Having the POST Board oversight would allow standardized training, hiring processes, and disciplinary rulings consistent with a professional outcome expected by the citizens in the State of North Dakota.

In closing, I would respectfully ask the members of the committee to support House Bill 1122.

Respectfully,

Jesse Jahner

2021 SENATE JUDICIARY

HB 1122

2021 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

HB 1122
3/3/2021

A BILL for an Act to create and enact section 12-63-02.3 of the North Dakota Century Code, relating to reserve peace officers; and to amend and reenact section 12-63-03 of the North Dakota Century Code, relating to peace officer duties or activities.
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Hearing called to order all Senators Present: **Myrdal, Luick, Dwyer, Bakke, Fors, Heitkamp, Larson.** [8:55]

Discussion Topics:

- Political subdivisions employment constraints
- Citizen law enforcement training

Rep. Shannon Roers Jones Provided Testimony in Favor [8:55]

Sheriff Jesse Jahner, Cass County Sheriff Provided Testimony in Favor #7190 [9:05]

Chief Jason Ziegler, Mandan Police Provided Testimony in Favor [9:19]

Dannell Preske, North Dakota Association Of Counties Testimony in Favor [9:28]

Hearing Adjourned [9:31]

Jamal Omar, Committee Clerk

Testimony in Support of House Bill 1122

Members of the Senate Judiciary Committee, good morning. My name is Jesse Jahner, and I am the elected Sheriff of Cass County, North Dakota. I have been employed by the Cass County Sheriff's Office for 22 years and was elected as Cass County Sheriff in November 2018. I testify before you today in support of House Bill 1122 as it pertains to Reserve Officers and Reserve Officer Programs. House Bill 1122 would give authority to the North Dakota Peace Officers Standards and Training Board (POST) to have oversight over Reserve Officers and Reserve Officer Programs in the State of North Dakota.

Reserve Officers are officers who volunteer to assist agencies in a limited law enforcement capacity but have not completed a Full-Time Peace Officer Training Program required to become a Licensed Peace Officer in the State of North Dakota. Some agencies will utilize Reserve Officers to supplement their Full-Time Peace Officer Staff.

During the last legislative session, a bill was introduced that attempted to restrict and or eliminate reserve officers' use. The concern was that Reserve Officers were not receiving the appropriate training to perform Peace Officer functions. That bill was defeated, but considering the concerns, it raised House Bill 1122 was drafted. Currently, there are no governing bodies that oversee Reserve Officers other than the head of each Law Enforcement Agency. There are no current rules or guidelines that govern Reserve Officers. As you can imagine, there is a wide variety of training amongst Reserve Officers based on each agency's ability to provide the training. By Supporting House Bill 1122, you would be supporting the moving of Reserve Officers and their programs under the direction and authority of the POST Board. Having the POST Board oversight would allow standardized training, hiring processes, and disciplinary rulings consistent with a professional outcome expected by the citizens in the State of North Dakota.

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In closing, I would respectfully ask the members of the committee to support House Bill 1122.

Respectfully,

Jesse Jahner

Cass County Sheriff