

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2031

2005 SENATE APPROPRIATIONS

SB 2031


2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2031

Senate Appropriations Committee

Conference Committee

Hearing Date 01/24/05

Tape Number	Side A	Side B	Meter #
2	X		1,914
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened hearing on SB 2031.

**Sen. Lyson** appeared in support of SB 2031.

**Vonnette Richter, LC** appeared to provided an overview of SB 2031. Ms. Richter provided the committee with excerpts from 2005 Interim Criminal Justice Report for Senate Bill 2031, entitled Law Enforcement Training Needs Study.

**Richard Bendich, P.O.S.T** appeared in support of SB 2031. Mr. Bendich indicated to the committee that this program has never been funded adequately.

**Mark Gilbertson, P.O.S.T** appeared in support of SB 2031.

**Llyod Halverson, Director of Peace Officer Training for Lake Region State College** appeared in support of SB 2031. Written testimony was provided, see appendix II.

**Bill Brown, Training Cordinator, Minot** appeared in support of SB 2031.

**Terry Trainer, ND Association of Counties** appeared in support of SB 2031.

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2031

Hearing Date 01/24/05

Questions were asked of Neil Johnson regarding why or if there is an advantage of training vs. going to the academy. Mr. Johnson indicated to the committee that there is an advantage in training and having classes throughout the state because a lot of rural officers may not be able to attend classes at the academy in Bismarck. Questions were also raised regarding add on's to the Governors Budget.

**Chairman Holmberg** closed meeting on SB 2031.


2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2031

Senate Appropriations Committee

Conference Committee

Hearing Date 02/11/05

Tape Number	Side A	Side B	Meter #
2			2584-2686
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened discussion on SB 2031.

A **Do Not Pass** motion was made by Sen. Grindberg, seconded by Sen. Fischer. There was no discussion. Vote was taken 12 to 2 opened of a do not pass, 1 absent. Sen. Lindaas will carry the bill.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2031

Senate Appropriations Committee

Conference Committee

Hearing Date March 22, 2005

Tape Number	Side A	Side B	Meter #
1	x		4,730
Committee Clerk Signature <i>Janet D. Parks</i>			

Minutes:

**Chairman Holmberg** discussed HB 2031 indicating he recommends a **DO NOT CONCUR** with the house appropriations amendment where it designates who law enforcement would report to. The subcommittee on this bill is Senator Holmberg, Christmann, and Tallackson.

Date 2-14-05  
 Roll Call Vote #: 1

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2031**

Senate SENATE APPROPRIATIONS Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO NOT PASS

Motion Made By G Seconded By Fish

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG	✓		SENATOR KRAUTER	✓	
VICE CHAIRMAN BOWMAN	✓		SENATOR LINDAAS	✓	
VICE CHAIRMAN GRINDBERG	✓		SENATOR MATHERN		✓
SENATOR ANDRIST	✓		SENATOR ROBINSON	✓	
SENATOR CHRISTMANN	✓		SEN. TALLACKSON	✓	✓
SENATOR FISCHER	✓				
SENATOR KILZER	✓				
SENATOR KRINGSTAD	✓				
SENATOR SCHOBINGER	✓				
SENATOR THANE					

Total (Yes) 12 No 2

Absent 1

Floor Assignment Lindaas

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
February 14, 2005 12:09 p.m.

Module No: SR-29-2757  
Carrier: Lindaas  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

SB 2031: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2031 was placed on the Eleventh order on the calendar.



2005 HOUSE APPROPRIATIONS

SB 2031

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2031

House Appropriations Committee  
Government Operations Division

Conference Committee

Hearing Date Wednesday, March 9, 2005

Tape Number	Side A	Side B	Meter #
1	X		00-43.1
Committee Clerk Signature <i>Row W. Trumbert</i>			

Minutes:

**Chairman Carlisle** opened the Hearing on SB 2031 concerning an appropriation for providing training for law enforcement officers and other emergency service providers. **Senator Stanley W. Lyson, "from District One in the Great Northwest,"** testified in favor of SB 2031. He said he is retired from law enforcement and when he received training in the 1960's, it amounted to proving whether or not one could load a revolver. He was issued a uniform and sent out to fight crime. Over the years training has gotten better. North Dakota has a low crime rate and much of that is due to good law enforcement. The legislature has required licensing and continuing training for law enforcement; the legislature also needs to provide the funds. The training academies do a good job with the basics, but they don't have the funds for specialized training which is needed for internet crime. He also observed that in 39 years, he's never seen law enforcement unified as they are with this training request.

**Rep. Timm** asked how they came up with the \$400,000 figure. **Sen. Lyson** said they actually came up with a \$1 million figure; this represents a compromise of what could be taught in one biennium.

**Rep. Timm** noted that previously, this program was funded by the Attorney General's budget.

**Sen. Lyson** said both the A.G.'s office and the Highway Patrol have funds for basic training, but this is for specialized training.

**Rep. Timm** asked who chaired the committee. **Chairman Carlisle** said Rep. Lois Delmore was the chairman.

**Rep. Kempenich** asked if this will be on-going and where the money will go. **Sen. Lyson** said the committee discussed this at length. Because the Post Board cannot receive money, this funding will be put in the Highway Patrol and the Agency will pay out bills for training as presented to them by the Post Board. **Rep. Kempenich** restated that the Board will spend it, but the money will reside at the Highway Patrol. **Sen. Lyson** affirmed and added this bill provides that spending mechanism. He commended the Highway Patrol for accepting this responsibility.

**Rep. Kempenich** asked if the counties and cities kick in some money for this. **Sen. Lyson** said he didn't think they kick in money for the Academy other than the time they pay out for overtime when their officers are away from home. **Chairman Carlisle** also commented this wasn't in the Governor's budget. This came out of an interim committee. **Sen. Lyson** said that was one of the hang-up's in the Senate. It wasn't in the Governor's budge, which he observed must have been an oversight.

(Meter #6.5)

**Mr. Lloyd Halvorson, Director of Peace Officer Training for Lake Region State College in**

**Devils Lake and a member of the ND POST Board** read the first two pages of his written testimony, in support of SB 2031, into the record and submitted the attached "Interim Legislative Committee Training Plan, Presented by the ND POST Board Committee" for the Committee to read later (See Handout #1).

**Rep. Timm** asked **Dir. Halvorson** how officers are selected for this training. **Dir. Halvorson** said the POST Board is working with an advisory committee made up of law enforcement officers from around the State. The committee will help screen requests and allocate some fairness with regard to which agencies get to send officers for this training and which training will be funded by the Post Board. **Rep. Timm** asked if they plan to spread it around and **Dir.**

**Halvorson** said the plan is to bring it out to where it's needed. Right now the primary place for state-sponsored law enforcement training is here in Bismarck at the Law Enforcement Training Academy. He reiterated what Senator Lyson said about the cost of sending officers to Bismarck. He said this plan makes training more accessible by going out to where it's needed.

**Rep. Timm** asked about the basic training and **Dir. Halvorson** said that is available at both Bismarck and Lake Region and that it's an 11-week course. Every new officer must go through this training to get a license. After that they need 60 hours of continuing certified training every 2-3 years or about 20 yours per year. This plan will provide better training than what they're receiving right now. He referred the Committee to training plan (H#1) for details about what schools will be offered, how much the instruction & lodging costs, etc. The total balance on p. 9 is about \$912,000, but the interim committee recommended just under half. **Rep. Timm** asked if they can operate with half. **Dir. Halvorson** said they would start with the most high liability

issues and go from there. **Rep. Timm** asked if this training has been done before. **Dir.**

**Halvorson** said they do the best they can. He noted that individual agencies end up footing the bill to train members from the outside. For example, if the Bismarck P.D. hosts a law-enforcement school, they will train their own officers and allow other officers from around the State train as well. That will probably still happen. **Chairman Carlisle** offered that this is enhanced field training and **Dir. Halvorson** concurred.

**Rep. Timm** noted that two years ago when the Attorney General cut the funding, there was concern about paying fees. He asked if there is still a fee. **Dir. Halvorson** said the state did not charge individual officers or agencies for training; there are licensing fees that have to be paid. He deferred to Mr. Gilbertson for that.

(Meter #12.4)

**Mr. Richard Bendish, charter member of the ND POST Board**, testified in support of SB 2031. He told the Committee that over the past 20 years, law enforcement has evolved from minimal training to licensed peace officers. The Board has been charged by statute to provide standards and training for N.D. law enforcement. Currently every officer in the state, over 1,600, needs 20 hours of training a year. He repeated some of the information provided by **Dir.**

**Halvorson** as to how this training has been provided. He told the Committee that the Board keeps track of hours earned and pointed to an example of an officer who had to watch the same video three times to get his hours; the video didn't even address this officer's training needs, only a training responsibility. He mentioned that with increased technology, the training gets more expensive; it costs \$4,000 or \$5,000 to bring an expert from FBI or Northwestern Academy.

He referred to **Rep. Timm's** earlier question about the cuts in the Attorney General's budget last session. That was existing funding for two training officers; the cuts were reinstated and he expressed appreciation for that. He also told the Committee that as a 28-year county commissioner, he appreciates that the fact that the State trains officers and all he has to pay for is the labor costs. The problems start when the county is asked to help a drug task force, that's beyond basic training. Same goes for a homicide investigation.

**Rep. Timm** asked if the officers who participate in the training pay a fee. **Mr. Bendish** said that training is sometimes covered by grant money or tuition; very little of continuing education is provided free to any agency. The county commission might pay \$400 for an officer to get 4-day training somewhere--that would cover the room, travel, and the \$200-300 tuition fee. Some training doesn't require tuition, but there's always housing and travel.

(Meter #19.1)

**Captain Bill Brown, Training Coordinator, Minot Police Department, and Vice President, N.D. Peace Officers Association Board,** read his testimony in support of SB 2031, into the record (See Handout #2).

**Rep. Timm** asked how soon an officer would be sent into more specialized training. **Capt. Brown** said that last year the Minot P.D. hired 20 officers. An officer must train for 11 weeks at the Academy and 6 weeks in house. The advanced training is for experienced officers who have been tested and whose skills have been identified. This way they get a return on their investment.

**Mr. Terry Traynor, Assistant Director of Counties,** testified in support of SB 2031. He said this is the first time various entities in law enforcement have come together with a plan. He

confirmed that many counties have three or four officers and it's difficult to get advanced training.

**Colonel Bryan Klipfel, North Dakota Highway Patrol**, testified in support of SB 2031. He explained to the Committee that this appropriation will be a pass through for the Highway Patrol. This training benefits the Agency because there are troopers out in the field who need this training as well. Training is for any licensed police officer.

**Chairman Carlisle** asked if the Post Board determines what classes will be given and where. and **Col. Klipfel** confirmed. **Rep. Timm** asked about the Post Board. **Dir. Haldorson** said there are nine members who represent the Association of Counties, the League of Cities, the Academy, and six police officers appointed by the Attorney General. The Board meets quarterly. He referred the Committee to the "Training Plan" on p. 2 (H#1) for further information on classes which will be provided. **Rep. Timm** asked if the Director makes the decisions and **Dir.**

**Haldorson** said the Board makes directives and sets curriculum. He said he trains new officers just as the training academies, but his students pay for it themselves, then they go out and get a job instead of the other way around.

**Rep. Williams** asked if **Dir. Haldorson** selected people who would take classes and run it through the nine-member board. **Dir. Haldorson** said they look for hosts for the various schools they would like to hold throughout the year. Then the schools are opened up to officers statewide and requests would come in. The criteria will be based on need and location. **Rep. Williams** asked again whether the Director makes determinations with Board approval or if the Board is an integral part of the process. **Dir. Haldorson** implied this would have to be answered by a Board member.

**Mr. Mark Gilbertson, Secretary POST Board, BCI**, testified in support of SB 2031. He told the Committee that the Board makes determinations based on priority. **Rep. Timm** asked if he could report to the budget section next interim and **Mr. Gilbertson** said he would be happy to do so. **Rep. Timm** asked that this be incorporated into the bill. **Chairman Carlisle** directed legislative council to work on this and set a reporting time 1 year out. **Rep. Timm** suggested August or September, 2006.

(Meter #36.9)

**Mr. Jerry Hjelmstad, League of Cities**, testified in support of SB 2031. Continuing education for law enforcement is very important and this bill will make it available across the State.

**Mr. Terry Marigny, Hettinger County Sheriff**, said he provides law enforcement for Mott, Regent, and New England. There is four full-time deputies and when the deputy takes time off for training, it creates a burden for the others. He said he has \$2,500 per year in his budget for training and it doesn't last very long.

**Sheriff Clarence Tuhy, Stark County Sheriff**, testified in support of SB 2031. He has six deputies contracted with three cities and this training would be a benefit for his Department. He stated his department would host training.

**Chief Dean A. Ross, Valley City Police Department**, testified in support of SB 2031. He stressed the need for getting this training out to smaller towns. Last year there were 4 murders in Valley City. Officers who respond to an incident need training on how to protect a crime scene.

**Lt. Rodney Banyai, Training Director, Dickinson P.D.**, testified in support of SB 2031. He said he had 23 officers that needed training and offered to help as a host to his own officers, as well as those in the surrounding area.



2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2031

House Appropriations Committee  
Government Operations Division

Conference Committee

Hearing Date Thursday, March 10, 2005

Tape Number	Side A	Side B	Meter #
1	X		9.1-14.2
Committee Clerk Signature <i>Bruce T. Tucker</i>			

Minutes:

**Chairman Carlisle** opened discussion on SB 2031 which provides training for law enforcement officers and other emergency service providers. **Rep. Thoreson** moved to approve Amendment .0201 to Senate Bill 2031; **Rep. Kroeber** seconded.

**Chairman Carlisle** reviewed Amendment .0201 which requests that the N.D. Highway Patrol give a report regarding the training to the budget section after July 1, 2006.

**Rep. Kempenich** observed how the stress of the Byrne Grant reductions has brought people together. **Chairman Carlisle** also observed that in contrast to the original request for \$1 million, this proposal for \$400,000 is a good compromise. He also commented about the testimony of the Sheriff from Hettinger; there is a need for training to go out into the field. **Rep. Kempenich** offered an anecdote from a novel he read recently which illustrates the need for professionalism:

A murder had taken place in a small town in Minnesota, and the deputy was the first one on the scene. [The victim] was killed in the car. When the Sheriff came up, the deputy was

leaning up against the victim's car waiting for the Sheriff. When the Sheriff came up, he said, 'Are you taking finger prints with your butt?'

Hearing no further discussion, **Chairman Carlisle** called for Roll Call Vote #1. Motion passed 6-0-0.

**Rep. Kempenich** moved a Do Pass on SB 2031 as amended; **Rep. Timm** seconded.

**Rep. Williams** noted that this money is not in the Governor's budget. **Chairman Carlisle** said that will have to be said in Full Committee. **Rep. Kroeber** added that it was in the budget coming over from the Senate. **Chairman Carlisle** said that was correct and it was in the budget status report. **Rep. Kroeber** said the fiscal note doesn't specify funding. **Chairman Carlisle** referred to Section 1 of the bill, which states that the appropriation comes from the general fund.

Hearing no further discussion, **Chairman Carlisle** called for Roll Call Vote #2. Motion passed 6-0-0.

**Chairman Carlisle** offered to carry the bill to the Full Committee.

**Chairman Carlisle** closed discussion on SB 2031.

(Meter #14.2)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2031  
Training for Law Enforcement Officers

House Appropriations Full Committee

Conference Committee

Hearing Date March 15, 2005

Tape Number	Side A	Side B	Meter #
1	X		#10.0 - #23.0
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

**Rep. Ken Svedjan, Chairman** opened the discussion on SB2031.

**Rep. Ron Carlisle** explains that this is \$400,000 that is not in the Governor's budget to be used for training of law enforcement officers. This came out of the criminal justice interim committee. Sheriffs from large and small counties agree on this. The \$400,000 will go through the highway patrol where they have a nine member board that approves all disbursements. There is an amendment #0201 that sets this up for after July 1, 2006 so there can be a report to the Budget Section. This takes the trainer into the field to do the training.

**Rep. Ron Carlisle** moved to adopt amendment #0201 to SB2031.

**Rep. Keith Kempenich** seconded

**Rep. Ken Svedjan, Chairman** called for a voice vote on the motion to adopt amendment #0201 to SB2031. Motion carried

**Rep. Ron Carlisle** moved a Do Pass As Amended motion to SB2031.

**Rep. Keith Kempenich** seconded.

**Rep. Al Carlson** asked if these dollars were in the Governor's budget. (meter Tape #1, side A, #12.9)

**Rep. Ron Carlisle** answered no, but that it was viewed as a priority by the subcommittee.

**Rep. Keith Kempenich** commented that much of the money is going back to the counties who were hit most hard by the loss of the Bryne grant cut

**Rep. Ron Carlisle** sited that in Grand Forks alone there were 92 training orders in 2004. 689 employees who were sent to training for a total of over 2600 training hours.

**Rep. Ken Svedjan, Chairman** asked what remains in the budget for training purposes if this is not approved

**Rep. Ron Carlisle** answered that the Bryne grant decreased 40% funding to the counties and they don't know where to turn for the money. The Senate is working to possibly adjust the Attorney General's budget for this but the counties were the ones hardest hit by the loss of the grant.

**Rep. Bob Skarphol** asked what the drop in training is, because perhaps there should be a county match set up for this.

**Rep. Keith Kempenich** answered that counties were not receiving any of this money since this was just to pay for the person who would be coming in to do the training. This does not pay for any of the officers time to take the training.

**Rep. Bob Skarphol** commented that the training is important but that the counties should be required to do a match of these moneys.

**Rep. Mike Timm, Vice Chairman** commented that counties pay their share through paying for the salaries while some of their folks are out at training. Counties are in fact hiring a lot of new folks who do require quite a bit of training because it is difficult to maintain their employees.

**Rep. Clark Williams** commented that these offices have very little staff and they can not get away easily to go to train somewhere or the counties would have to pay a second person to come fill in for the missing employee who is training.

**Rep. David Monson** commented that this is wide open as it does not say who will be trained. It could be highway patrol, it could be city and county officers, and/or other emergency employees. Who decides who is getting trained.

**Rep. Ron Carlisle** answered that the board is made up of 1 person from the law enforcement training academy, 1 person from the league of cities, 1 person from the counties, and 6 police officers. This board makes the decisions and it is all administered through the highway patrol. We will receive a report from this that will let us know what was done during their first 18 months.

**Rep. Jeff Delzer** commented that we are losing federal dollars all over. We need to be creative with our bio terrorism dollars to come up with the \$400,000 for this emergency training.

**Rep. Ron Carlisle** answered that if it were possible to use federal dollars we would have suggested that but these federal funds would be too restrictive.

**Rep. Jeff Delzer** asked why bio terrorism couldn't be used here since responding to emergencies is what the law enforcement officers do.

**Rep. Mike Timm, Vice Chairman** comments that most of the bio-terriosm dollars can only be spent on certain things. They are really restrictive and they do not go for projects like this.

Page 4

House Appropriations Committee

Bill/Resolution Number SB2031

Hearing Date March 15, 2005

**Rep. Ron Carlisle** answers that South Dakota put \$1.3 million into their training and Minnesota has almost \$4 million in their budget for training. Rep Carlisle continued to list funds other states list with regards to training.

**Rep. Ken Svedjan, Chairman** called for a roll call vote on the Do Pass As Amended motion for SB2031. Motion carried with a vote of 15 yeas, 7 nays and 1 absence. Rep Carlisle will carry the bill to the house floor.

**Rep. Bob Skarphol** commented that the Financial Institutions were planning on buying 0 computers this biennium, Aeronautics Commission plans on 5 computers and they will cost \$1676.

**Rep. Ken Svedjan, Chairman** closed the discussion on SB2031.

Date: 3/10/05  
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB2031

House House Appropriations Government Operations Committee

Check here for Conference Committee

Legislative Council Amendment Number 50146.0201

Action Taken Do Approve Amendment .0201

Motion Made By Rep. Thoreson Seconded By Rep Kroeber

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	✓		Rep. Kroeber	✓	
Rep. Timm	✓		Rep. Williams	✓	
Rep. Kempenich	✓				
Rep. Thoreson	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 3/10/05  
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2031

House House Appropriations Government Operations Committee

Check here for Conference Committee

Legislative Council Amendment Number 50146.0201

Action Taken DO PASS SB 2031 AS Amended

Motion Made By Rep. Kempenich Seconded By Rep. Timm

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	✓		Rep. Kroeber	✓	
Rep. Timm	✓		Rep. Williams	✓	
Rep. Kempenich	✓				
Rep. Thoreson	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Chairman Ron Carlisle

If the vote is on an amendment, briefly indicate intent:



Date: March 15, 2005  
Roll Call Vote #: 1

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB2031**

House Appropriations - Full Committee

Check here for Conference Committee

Legislative Council Amendment Number 50146.0201

Action Taken DO PASS AS AMENDED

Motion Made By Rep. Carlisle Seconded By Rep. Kempenich

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson		X
Rep. Bob Martinson	X		Rep. Eliot Glassheim	X	
Rep. Tom Brusegaard	AB		Rep. Jeff Delzer		X
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert		X
Rep. Francis J. Wald		X	Rep. Larry Bellew		X
Rep. Ole Aarsvold	X		Rep. Alon C. Wieland		X
Rep. Pam Gulleeson	X		Rep. James Kerzman	X	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf	X	
Rep. Keith Kempenich	X				
Rep. Blair Thoreson	X				
Rep. Joe Kroeber	X				
Rep. Clark Williams	X				
Rep. Al Carlson		X			

Total Yes 15 No 7

Absent 1

Floor Assignment Rep. Carlisle

If the vote is on an amendment, briefly indicate intent: GO Do Pass As Amended 6-0

**REPORT OF STANDING COMMITTEE**

SB 2031: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). SB 2031 was placed on the Sixth order on the calendar.

Page 1, line 2, after "providers" insert "; and to provide for a report to the budget section"

Page 1, after line 8, insert:

**"SECTION 2. BUDGET SECTION REPORT.** The highway patrol shall provide a report to the budget section after July 1, 2006, regarding the progress and success of the training program provided for in this Act."

Renumber accordingly

2005 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2031

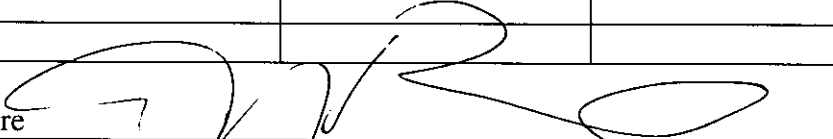
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2031

Senate Appropriations Committee

Conference Committee

Hearing Date **04-06-05**

Tape Number	Side A	Side B	Meter #
2	x		0-621
Committee Clerk Signature 			

Minutes:

**Chairman Holmberg** opened the conference committee meeting of SB 2031. Roll was taken all members were present. Chairman Holmberg asked the House members to explain the rationale behind their changes and to include reports that will not be successful.

**Rep. Carlisle (70):** In Section 2, the report from colonel the budget report, revolves around training. The report to the budget section will be after fifteen months into the biennium.

**Chairman Holmberg:** Was there discussion about the dollar amount in the bill?

**Rep. Carlisle:** During the interim committee, it started at 1.2 million, Sen Lyson said "I want a figure you can live with" that figure was \$400,000.

**Rep. Timm (254)** The only amendment we made, after our discussion with the Highway Patrol we felt that it doesn't hurt to have them tell us how the money we have given them is working. I see no problem with the report. They need to use the money the way they said they would.

**Chairman Holmberg:** There were really only 2 words "and success" we had trouble with.

Page 2

Senate Appropriations Committee

Bill/Resolution Number **SB 2031**

Hearing Date **04/06/05**

**Rep Timm:** If we left out the words "Regarding the progress" .....

**Chairman Holmberg:** That's what we want. Was that a motion?

**Rep Timm** motioned that the house recede from its amendments as printed on page 928 of the Senate Journal and pages 1165 and 1166 of the House Journal and that Senate Bill SB 2031 be amended, to removed "and success," seconded by **Rep. Carlisle**. Roll was taken motion carried.

**Chairman Holmberg** closed the hearing.

REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

07398

Bill Number) SB 2031 (, as (re)engrossed):

Your Conference Committee

For the Senate:

Sen. Holmberg	ATT	Vote
Sen. Christmann	ATT	Vote
Sen. Tallackson	ATT	Vote

For the House:

Rep Carlisle	ATT	Vote
Rep Timm	ATT	Vote
Rep Kroeber	ATT	Vote

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from) the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_

723/724      725/726      8724/8726      8723/8725

*A*  
*to discuss*  
*Ames*

and place \_\_\_\_\_ on the Seventh order.

, adopt (further) amendments as follows, and place \_\_\_\_\_ on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

690/515

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the calendar.

DATE: 4 / 6 / 05

CARRIER: \_\_\_\_\_

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

) LC (2) LC (3) DESK (4) COMM.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2031:** Your conference committee (Sens. Holmberg, Christmann, Tallackson and Reps. Carlisle, Timm, Kroeber) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 928, adopt amendments as follows, and place SB 2031 on the Seventh order:

That the House recede from its amendments as printed on page 928 of the Senate Journal and pages 1165 and 1166 of the House Journal and that Senate Bill No. 2031 be amended as follows:

Page 1, line 2, after "providers" insert "; and to provide for a report to the budget section"

Page 1, after line 8, insert:

**"SECTION 2. BUDGET SECTION REPORT.** The highway patrol shall provide a report to the budget section after July 1, 2006, regarding the progress of the training program provided for in this Act."

Renumber accordingly

SB 2031 was placed on the Seventh order of business on the calendar.

2005 TESTIMONY

SB 2031



I  
2031

Excerpts from 2005 Interim Criminal Justice Report for Senate Bill No. 2031.

## **LAW ENFORCEMENT TRAINING NEEDS STUDY**

### **Testimony and Committee Considerations**

The committee received extensive testimony from the Attorney General's office, the Peace Officer Standards and Training Board, the Highway Patrol, and numerous law enforcement officers regarding the law enforcement training needs in the state. The committee's considerations focused on the state's basic law enforcement training needs, advanced law enforcement training needs, and proposed legislation.

#### **Basic Law Enforcement Training Needs**

According to testimony received from the Peace Officer Standards and Training Board, state law requires all new law enforcement officers to complete basic training. There are two providers of basic training in the state. The Highway Patrol operates the Law Enforcement Training Center in Bismarck at which officers who have been hired can receive the 11-week basic training at no cost to the employing agency. In addition, Lake Region State College in Devils Lake offers a program that provides basic training to persons who wish to become law enforcement officers but who have not yet been hired by a law enforcement agency. The tuition for the Devils Lake program is approximately \$3,000. According to the testimony, these two programs combined graduate between 75 and 100 officers per year.

The state's approximately 1,800 licensed law enforcement officers are required to earn a minimum of 60 hours of continuing education every three years. The Highway Patrol and the Bureau of Criminal Investigation provide training to officers across the state. It was noted that all instructors are required to be certified to teach classes to law enforcement officers. To be certified, the officers must meet minimum requirements of experience and knowledge as well as complete an instructor development course. According to the testimony, the Highway Patrol and the Bureau of Criminal Investigation provide training within the restrictions of their respective budgets. It was noted that the Peace Officer Standards and Training Board, which sets the training standards, has no funding source other than the licensing fees of officers. These fees generate approximately \$9,000 per year. It was also noted that with this training being provided, a local agency must send the officers to the training and cover any associated costs, such as mileage and expenses, as well as providing for necessary shift coverage. It was emphasized that the primary training issue is the inability of officers to access the training. According to the testimony, for many agencies the training is not easily accessible and the agencies do not have the money or additional personnel to send their officers to training. While the Interactive Video Network can be used for some of the training, much of law enforcement training is hands-on, demonstration-type training that needs to be done in the presence of a trained law enforcement instructor.

According to the testimony, the law enforcement training issues of the state involve both finances and personnel management. Thirty-six counties employ one-third of all county law enforcement officers while the remaining 17 counties employ two-thirds of county law enforcement officers. Thirty-six counties that have a sheriff's department staff of five or fewer employees often find it very difficult to send officers away for training and find it difficult to send their trained officers to other areas to conduct training.

The superintendent of the Highway Patrol reported that in 2003, 55 training courses were held at the training center for 1,156 students. A total of 55 new officers from various agencies satisfactorily met the minimum training requirements to serve as law enforcement officers in the state. The training academy has one field training officer. In 2003 this officer conducted training at 43 locations other than Bismarck. For the 2003-05 biennium \$1,016,000 was appropriated for the operation, maintenance, and staffing of the training academy. Within this amount \$50,000 was appropriated for funding specialized training. According to the testimony, although not every officer needs the same level of training, there are basic training needs that all officers must have.

The testimony also indicated that homeland security concerns have created more law enforcement duties and responsibilities.

#### **Advanced Training Needs**

The committee received testimony that although the state's basic law enforcement training needs are being met by the Law Enforcement Training Center in Bismarck and Lake Region State College in Devils Lake, there is a great concern about the inability to fund adequate inservice and advanced training. The testimony indicated that the majority of the trainers who teach the highly specialized courses are brought in from out of state. According to the testimony, it is important that law enforcement officers receive advanced training in various areas of expertise. Examples of areas of expertise include homicide investigations, computer crimes, tactical operations, supervision and management, criminal investigations, and firearms maintenance. These training sessions are offered throughout the state, but they occur infrequently. The majority of local law enforcement agencies in the state do not have any money budgeted for continued or advanced training. Many of the smaller agencies in the state rely on the generosity and assistance of larger departments to provide quality instruction for them. Any type of advanced training, it was noted, is almost nonexistent for the smaller agencies.

The committee also received testimony regarding the use of the Interactive Video Network for law enforcement training. Statewide there are about 250 Interactive Video Network sites and this number is growing. Eleven of these sites are at the colleges and universities. However, the majority of the remaining sites are controlled by the various kindergarten through grade 12 telecommunications consortiums around the state. The most significant limitation of the system is scheduling. The university and public school sites are generally booked for one-hour slots at least 30 but no more than 90 days in advance. In these locations it is difficult to get a large time block, such as four hours, in multiple locations unless it is in the summer. The local government sites are more flexible and some longer training sessions have been scheduled by using only county sites. There is a practical limitation of 10 sites for a single training, after which the degradation in the signal reduces transmission quality. While significant time and travel costs can

be saved, training at 10 or fewer locations still requires some people to leave their counties, resulting in the need for backup staffing. It was noted, however, as more local sites are installed, this medium will become more flexible and hopefully more available to law enforcement agencies.

The committee also received information from the Peace Officer Standards and Training Board regarding a proposed training plan. To develop the plan the board surveyed all law enforcement agencies in the state requesting information on their unfunded training needs. Fifty-three percent of the agencies responded to the survey and indicated a need for training in approximately 60 specific topics that fall within five general areas, including general police subjects; accident investigation; criminal investigation; specialized courses; and supervision, management, and administration. It was noted that refresher training in high-liability areas such as search and seizure and use of force appear necessary as well. The plan is a work in progress and will need to be modified as time goes by. It was also noted that the plan is very ambitious and all the training proposed in the plan may not be able to be completed in one biennium. The training in the training plan would be in addition to the training that is done now and would only be offered to those officers who need that particular type of training. It was emphasized that every law enforcement officer does not need to attend every advanced class. According to the testimony, \$912,225 per biennium would be needed to fund the training proposed in the training plan.

#### **Proposed Legislation**

The committee considered a bill draft that would have provided for the creation of a law enforcement training fund to be funded by a motor vehicle insurance premium tax. The law enforcement training fund would have been administered by the Peace Officer Standards and Training Board. Testimony in support of the bill draft indicated that 16 states use motor vehicle license fees to fund law enforcement training.

The Insurance Commissioner provided testimony regarding the bill draft. North Dakota currently collects 1.75 percent on motor vehicle premiums. It was noted that because of the retaliatory effect of the tax structure in relation to other states with higher percentages, the state would not necessarily capture all of the money provided by the increase in the premium tax. Of the \$386 million in premiums currently being collected, a .12 percent increase would result in \$451,000 in increased tax; however, when considering the retaliatory provisions of state tax law, about \$245,000 would be collected from the increase. It was noted that these types of increases can put domestic companies at a disadvantage.

Committee members expressed concerns that there are too many taxes already imposed on motor vehicles and that if advanced law enforcement training is a legitimate cause, it should be funded using general fund money.

The committee considered a bill draft that provided for a \$400,000 general fund appropriation to the Highway Patrol for the purpose of providing training for law enforcement officers and other emergency services providers.

Testimony in support of the bill draft indicated that the funds would be used to provide additional advanced training for the state's law enforcement officers. It was noted that although

there may be some joint training with emergency services providers, the funds would predominantly be used by law enforcement officers. The committee received no testimony in opposition to the bill draft.

### **Recommendation**

The committee recommends Senate Bill No. 2031 to appropriate \$400,000 from the general fund to the Highway Patrol for the purpose of providing training for law enforcement officers and other emergency services providers.

11

## Legislative Committee Meeting August 10, 2004

Madam Chair and Members of the Committee:

I am Lloyd Halvorson, Director of Peace Officer Training for Lake Region State College in Devils Lake and a member of the ND POST Board.

Before I begin, I need to clarify if each of you have a copy of the ND POST Board's Training Plan, if anyone does not have a copy, I have some additional ones. For those of you that have had an opportunity to read through it, I am hear to clarify items in the plan and answer any questions you may have. For those of you that have not had an opportunity to review it, I will provide a very brief synopsis.

When we started this process the ND POST Board sent out a survey to all of the LE Agencies in the state requesting information on their un-funded training needs. 53% of the law enforcement agencies responded to the survey and indicated a need for training in approximately 60 specific topics that fall within in 5 general areas:

- General Police Subjects
- Accident Investigation
- Criminal Investigation
- Specialized Courses, and
- Supervision, Management and Administration

Refresher training in high liability areas such as search and seizure, and use of force appear necessary as well. In addition, training in public relations, ethics, and crime prevention would be utilized if available.

The survey that was conducted was not all-inclusive and has limited usefulness when attempting to place training where it is needed most. However, it is readily apparent that the training identified is universally needed throughout the state. Therefore, it is our goal to offer training courses in multiple locations to limit travel and overtime costs for the individual agency.

As officers gain experience and training they are required to perform more significant law enforcement tasks, take command at crime scenes, and supervise officers with less experience. As you will see throughout this plan, as the complexity of the material taught increases, the number of officers that need the training goes down dramatically.

On page nine is the spreadsheet that shows the cost of the training proposed for the first biennium. Included is a column that shows reimbursement for lodging. It is strongly recommended that reimbursement be provided for lodging when this training is held where dorm facilities are unavailable, as the cost for lodging for several officers over

## INTRODUCTION

The ND Peace Officers Standards and Training Board consists of 9 members, one representative from the League of Cities, one representative from the ND Association of Counties, the Director of the LETA in Bismarck, and 6 peace officers appointed by the Attorney General.

ND Law requires all licensed police officers to obtain 60 hours of certified law enforcement training every three years in order to renew their peace officer license. Currently the LETA (managed by the ND Highway Patrol) in Bismarck provides the majority of in-service law enforcement training. There is however a need for additional training.

Currently there are 1800 licensed officers in the State of ND and approximately 120 new officers complete Law Enforcement Basic each year. The ND Basic academy can be completed in 11 weeks when taken at the LETA in Bismarck or 18 weeks if taken at Lake Region State College. In addition to the basic academy many new officers undergo many hours of in-house training, field training, and training specific to their agency's policy and procedures. The cost for this type of training, which often lasts 25 weeks (or more) is borne by the individual agencies.

The law enforcement community, in cooperation with the ND POST Board, has been working with the Interim Legislative Committee studying the funding of law enforcement training. In February 2004 a survey was sent to law enforcement administrators requesting their un-funded training needs. 53% of the law enforcement agencies responded to the survey and indicated a need for training in approximately 60 specific topics that fall within in the following 5 general areas:

- ❑ General Police Subjects
- ❑ Accident Investigation
- ❑ Criminal Investigation
- ❑ Specialized Courses, and
- ❑ Supervision, Management and Administration

Refresher training in high liability areas such as search and seizure and use of force are necessary as well. In addition, training in public relations, ethics, and crime prevention would be utilized if available. To meet the minimum licensing requirements, the 1,800 licensed officers need 36,000 hours of certified training each year. For the biennium, 72,000 officer-training hours are necessary. The ND POST Board Committee recommends the following training plan be implemented over the next biennium.

## TRAINING PLAN

The survey that was conducted was not all-inclusive and has limited usefulness when attempting to place training where it is needed most. However, it is readily apparent that the training identified is universally needed throughout the state. Therefore, it is our goal to offer training courses in multiple locations to limit travel and overtime costs for the individual agency.

Police officers handle a wide variety of calls for service and respond to an even wider variety of reported criminal activity and crimes in progress. Officers are trained to handle this variety in the academy and during field training. Once street ready, an officer must undertake additional training in general police duties. As the officer is asked to specialize as an accident investigator, warrant officer, criminal investigator, or crime prevention officer, additional training is necessary. In addition to these duties, many officers are asked to serve as K-9 officers, SWAT team members, bomb squad officers or hostage negotiators. Many also serve as field training officers, instructors, senior officers, and are preparing themselves for supervisory roles. All of these duties require training in the tasks performed. Within each specialized area the level of training depends on the position. A criminal investigator may be assigned to investigate child pornography, computer fraud, homicides, or rape cases; all of which require specialized training. A SWAT team member may need training as a hostage negotiator, sniper, or training in tactical entries. All of them however need the basics of interviewing and interrogation, crime scene processing, and evidence collection.

The following recommended training for the next biennium is predicated on this progression. As an officer completes academy and field training, they will ultimately need additional training directed toward their career track. A career track is designed to provide that training needed to do specific tasks. See Attachment A for a depiction of the most common career tracks taken by law enforcement officers in the state of ND.

The following courses are in high demand by law enforcement agencies but are already sufficiently funded, available, and well attended.

- Standardized Field Sobriety Testing
- Methods of Instruction
- Intoxilizer and Preliminary Breath Testing Certification
- Firearms Instructor

As officers gain experience and training they are required to perform more significant law enforcement tasks and supervise officers with less experience. As you will see throughout this plan, as the complexity of the class increases, the number of officers that need the training goes down dramatically.

It is strongly recommended that reimbursement be provided for lodging when this training is held where dorm facilities are unavailable. The cost for lodging for several officers over several days may prevent agencies from sending officers to the proposed training as presented on the following pages. Without reimbursement for lodging expenses, this committee fears enrollment in this needed training would drop considerably. Therefore a column showing proposed lodging costs, at the state rate, has been included in the spreadsheet (page 9), but is not included in the narrative portion of this report. The lodging costs were often calculated based on half the participants at each training site not living within commuting distance to the training site. However some schools will have virtually all students needing lodging. No provisions were made for salary replacement, mileage, or meal reimbursement.

Based on the survey that was sent out and the collective knowledge and experience of the members of the ND POST Board, the following training is recommended for the next biennium:

### **GENERAL TOPICS**

**Street Survival:** This is a 3-day course designed to teach the patrol officer the keys to survival. Mental preparation and seeing the warning signs in time to defend yourself is the focus of this training. It is recommended that 4 classes, in 4 different locations, with up to 50 officers in each class have this training available. Total cost for these four classes is \$37,800.00.

**Domestic Violence Training:** It is recommended that this two-day course be offered in three locations with 25 officers in each location. Total cost for this training is \$15,000.

**Ethics in Law Enforcement.** It is recommended that Ethics training be brought to every county or as many jurisdictions as possible, with unlimited enrollment be held in the next biennium. Estimated cost: \$25,000.

**Crime Prevention and Community Oriented Policing.** It is recommended that 4 classes be held in 4 different locations with up to 25 students in each class be held. Estimated cost: \$25,000.

**Use of Force (Refresher) Training:** Recommend that this 4-hour course be offered in every county or in as many jurisdictions as possible with unlimited enrollment. Estimated cost: \$10,000.

**Defensive Tactics Re-certification:** Recommend that \$15,000.00 be set aside to reimburse agency cost for current defensive tactics instructors to re-certify officers that are academy trained in pressure point control tactics (PPCT). Recommend taking this course to as many jurisdictions as possible.



**Legislative Review Training:** Recommend that \$1,000.00 be set aside to generate and mail a training program on CD to every law enforcement agency at the conclusion of the legislative session.

**EVOC Re-certification and Pursuit Liability Training:** Recommend that \$20,000 be set aside to offer this training at as many sites throughout the state as possible.

### ACCIDENT INVESTIGATION TRAINING

A majority of officers working in a patrol car should attend a basic course on on-scene accident investigation as this is a primary duty for most all patrol officers. Fewer officers need an advanced course to investigate serious accidents, and yet fewer officers need to attend classes on reconstruction. With respect to accident investigations, the ND POST Board recommends the following be offered for the next biennium:

**Basic Accident Investigation Course:** This is a one week course designed for the patrol officer. 100 officers were identified as needing this training. As this is a regular law enforcement function for almost all agencies, we recommend 4 courses in four different locations with availability of 25 officers in each class. Total cost for these four classes is \$25,000.00.

**Advanced Accident Investigation:** This is a two week class designed for those officers who must conduct the follow-up investigation of serious and fatal crashes. Two classes of 25 students each, in two different locations should be held. Total cost for these two courses is \$25,000

**Accident Reconstruction:** This is an in-depth, two week class that teaches the officer how to reconstruct an accident. There are fewer of these experts needed in the State of ND. One class of 25 students is recommended. The cost for this class is \$12,500.

### CRIMINAL INVESTIGATION TRAINING

**Interviewing and Interrogation (Reid or Kinesic):** This is an investigative skill that all officers investigating criminal activity should have. It is recommended that two, 3-day classes be offered in two different locations serving a minimum of 50 officers. Cost for these two classes would be \$17,500.

**Detective and New Investigator schools:** Patrol officers in the state of ND are required to investigate criminal activity, conduct follow-up investigations, and process crime scenes. It is recommended that this one week course be offered twice, in different locations, serving 50 officers. Cost for these two classes: \$21,250.00.

**Advanced Crime Scene Technology:** One course of 40 students is recommended due to the rapidly changing technology in criminal investigations. Total cost for this 5-day school: \$38,000.00.

**Homicide Investigations:** Recommend 25 investigators attend the two week school at a cost of \$24,875.00.

**Major Case Management:** Recommend 25 supervisory investigators attend this two day school at a cost of \$7,500.00.

**Sex Crimes Investigations:** Recommend 25 investigators attend this one week course at a cost of \$14,875.00.

**Investigating Computer Crimes:** Recommend 25 investigators attend this course at a cost of \$6,875.00.

**Advanced Computer Crimes Investigation:** Recommend sponsoring 10 investigators to attend this school. Total Cost \$30,000.

**Investigating Police Involved Shootings:** Recommend 25 investigators attend this one week course at a cost of \$16,250.00.

**Drug Interdiction for Patrol Officers:** Recommend that this two-day course be held twice in two different locations serving 30 students at each location. Total cost: \$13,500.

### SPECIALIZED COURSES

**Court Security Training:** Recommend one 3-day course be offered with 25 officers attending. Total Cost: \$6,875.00.

**Hostage Negotiations Training:** Recommend one 3-day course be offered for 25 officers. Total cost: \$6,875.00.

**Polygraph Examiner School:** Polygraph machines are used in law enforcement during the hiring process, during internal affairs investigations, and during criminal investigations. Examiner schools can cost agencies as much as \$10,000 per examiner trained due to the length and location of the schools. Recommend sponsoring 5 investigators for this training. Total Cost: \$50,000.00.

**Chemical Munitions Instructor School:** Recommend that 6 officers be sponsored for this training. Total cost \$18,000.

**Training the Field Training Officer:** Recommend that one, three day class be offered with 25 officers training. Total Cost: \$6,250.00

**SWAT Basic and Advanced SWAT Tactics Training:** Recommend that one of each (5 day) class be held with each class having an enrollment of 25 students. Total cost: \$15,000.

**K-9 Certification and Refresher Training:** Recommend sponsoring 5 officers to attend K-9 certification training. Total Cost: \$50,000

### **SUPERVISION, MANAGEMENT, AND ADMINISTRATION**

The most costly and most needed training identified was training officers in administration, management, and supervision of police employees. Law enforcement is somewhat unique in that it encompasses many high liability issues that are not prevalent in other business environments. Such issues include the use of force, use of deadly force, search and seizure, vehicle pursuits, civil rights, and officer misconduct investigations. Furthermore, the ability to properly manage and supervise the investigation of violent crimes, such as homicide, rape, and crimes against children is mandated in order to keep the public trust. As outlined below, the following courses should be offered throughout the state in the next biennium:

**Background Investigations for Police Employees:** ND law requires that police employees be highly screened. This is a course designed to teach background investigators how to properly screen potential police employees. Police employees are required to undergo psychological and medical examinations, a thorough reference check, FBI fingerprinting background, nationwide criminal history inquiry, and many other methods to check the quality of character and personal history. This course teaches background investigators how to investigate and document personal history information as opposed to criminal activity. Two classes should be held in different and accessible locations. Each 2-day class could accommodate 25 students. Total cost: \$12,500.

**Supervision and Management for Police Supervisors.** This is a basic supervisory course for new and potential first line law enforcement supervisors. The course consists of 10 days of training in the area of manpower allocation, crime scene protection, performance evaluation, motivation, and discipline of sworn personnel. This course is instructed by law enforcement professionals educated and experienced in police management. Approximately 200 personnel were identified in the questionnaire as in need of this training. The ND POST Board recommends that two classes of 25 students each be offered over the next two years. Courses will be in different and accessible locations. The cost for these two courses is approximately \$50,000.00.

**Northwestern School of Police Staff and Command.** This is a professional program providing in depth education in management and administration specific to the law enforcement profession. The course is 10 weeks long and covers a multitude of areas such as resource allocation, budgeting, internal investigations, disciplinary issues, and supervision training specific to law enforcement. This course is designed for management and administrative law enforcement personnel. The instructors for these

courses are highly trained and educated management professionals knowledgeable in the unique aspects of law enforcement. The survey identified a minimum of 80 personnel that are in need of this training. One class of 30 students should be held this biennium. The cost for this class is \$105,000.00.

Course Title	Number of Classes	Number of Participants*	Cost	Lodging Cost	Total Cost**
Street Survival	4	200	\$37,800	\$13,500	\$51,300
Domestic Violence	3	75	\$15,000	\$3,375	\$18,375
Ethics in Law Enforcement	53/IVN	Unlimited	\$25,000	\$0	\$25,000
Crime Prevention and C.O.P	4	100	\$25,000	\$0	\$25,000
Use of Force Refresher	53/IVN	Unlimited	\$25,000	\$0	\$25,000
Defensive Tactics	Multiple	Unlimited	\$15,000	\$0	\$15,000
Legislative Review	CD Mailing/IVN	All	\$1,500	\$0	\$1,500
EVOC and Pursuit Liability Training	Multiple	Unlimited	\$20,000	\$0	\$20,000
<b>Accident Investigation</b>					
Basic Accident Investigation***	4	100	\$25,000	\$22,500	\$47,500
Advanced Accident Investigation***	1	25	\$25,000	\$11,250	\$36,250
Accident Reconstruction***	1	25	\$12,500	\$11,250	\$23,750
<b>Criminal Investigation</b>					
Interviewing and Interrogation	2	50	\$17,500	\$3,375	\$20,875
Detective and New Investigator***	2	100	\$21,250	\$22,500	\$43,750
Advanced Crime Scene Technology***	1	40	\$38,000	\$9,000	\$47,000
Homicide Investigation***	1	25	\$24,875	\$11,250	\$36,125
Major Case Management***	1	25	\$7,500	\$2,250	\$9,750
Sex Crimes Investigations***	1	25	\$14,875	\$2,625	\$17,500
Computer Crimes (3 day)***	1	25	\$6,875	\$3,375	\$10,250
Advanced Computer Crimes Investigation***	Sponsor	10	\$30,000	\$4,500	\$34,500
Investigating Police Shootings***	1	25	\$16,250	\$5,625	\$21,875
Drug Interdiction Course	2	60	\$13,500	\$2,700	\$16,200
<b>Specialized Courses</b>					
Court Security***	1	25	\$6,875	\$3,375	\$10,250
Hostage Negotiations***	1	25	\$6,875	\$3,375	\$10,250
Polygraph Examiner School	Sponsor	5	\$50,000	\$0	\$50,000
Chemical Munitions Instructor***	Sponsor	6	\$18,000	\$1,350	\$19,350
Train the Field Trainer***	1	25	\$6,250	\$3,375	\$9,625
SWAT Basic and Advanced SWAT***	2	50	\$15,000	\$6,750	\$21,750
K-9 Certification Training and Certification	Sponsor	5	\$50,000	\$0	\$50,000
<b>Supervision, Management, Administration</b>					
Background Investigations for Police Employees***	2	50	\$12,500	\$4,500	\$17,000
Supervision and Management for Supervisors***	2	50	\$50,000	\$22,500	\$72,500
Northwestern Police School of Staff & Command	1	30	\$105,000	\$0	\$105,000
<b>Total</b>	<b>39</b>	<b>1,181</b>	<b>\$737,925</b>	<b>\$174,300</b>	<b>\$912,225</b>

\*\*Total cost does not include any agency cost for salary, meals, or mileage  
\*\*\* Budgets for all students needing lodging

## APPENDIX A

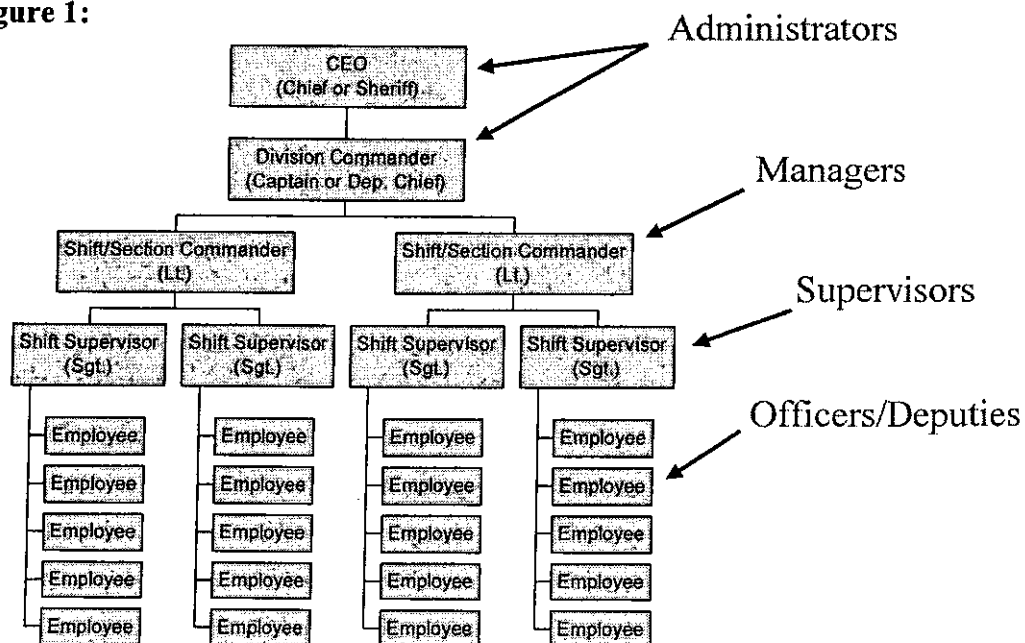
### COMMON CAREER TRACKS FOR LAW ENFORCEMENT OFFICERS

Career tracking for police officers can only be done when viewing law enforcement officers in a very stable light. The movement of officers from one position to the next as they progress in their career makes predicting training needs very difficult on the individual level. There are some absolutes however that can be predicted and some training needs are obvious. Before attempting to track the various paths an officer will take, a description of the hierarchical structure of a common police or sheriff's department is in order. As you can see in Figure 1, the chain of command in most law enforcement agencies is very similar to the military, with each higher level of command, comes a higher level of responsibility and a higher level of accountability. The accountability for performance of subordinate officers is an absolute standard in law enforcement. The level of training for line officers, supervisors, managers, and administrators in a law enforcement agency increases as the officer progresses vertically.

To develop a career track and a training plan for an individual officer, it is necessary to provide a visual description of the structure of most law enforcement agencies (which is also visible in Figure 1). We must however keep in mind the difference between large agencies, that have many specialty areas, and small agencies that have relatively few. The manager level shows the shift or section commanders that manage a departmental function, such as investigations, patrol, or traffic on the enforcement side, support functions such as training or crime prevention on the other, or with respect to a sheriff's department, a jail.

While some officers rotate through the various sections, others specialize in one area and have limited lateral movement. Furthermore, some officers aspire for greater responsibility and upward mobility, while others have no desire for supervisory roles. The following pages provide a description of the most common tracks an officer will take and the training needed to successfully perform their duties.

Figure 1:



**Track 1**  
**PATROL OFFICER**

The patrol officer is considered a police generalist that can handle most all calls for service, crimes in progress, basic investigations, and must be able to perform a variety of self initiated activities. The patrol officer in many smaller agencies also serves regularly as an investigator, crime prevention officer, and warrants officer. Before attending any additional training seminars or courses, a patrol officer must first complete basic training, in-service training, and field training. The following is a guideline to follow when assessing the needs of the career patrol officer.

**1-3 Years**

SFST  
Intoxilizer/SD-2  
Use of Force  
Defensive Tactics (Recertification)  
EVOG (Recertification)  
Legislative Review  
Basic Accident Investigations  
Firearms (Recertification)  
CPR/First Aid (Recertification)

**3-6 Years**

Use of Force  
Defensive Tactics (Recertification)  
EVOG (Recertification)  
Legislative Review  
Street Survival  
Interviewing and Interrogation  
Narcotics Investigations  
Firearms (Recertification)  
CPR/First Aid (Recertification)  
Community Oriented Policing

**6-10 Years**

Use of Force  
Defensive Tactics (Recertification)  
EVOG (Recertification)  
Legislative Review  
Firearms (Recertification)  
CPR/First Aid (Recertification)  
Tactical Patrol Operations  
Supervision and Management

**10-15 Yrs**

Use of Force  
Defensive Tactics (Recertification)  
EVOG (Recertification)  
Legislative Review  
CPR/First Aid (Recertification)  
Firearms (Recertification)  
Street Survival  
Police Leadership School

In addition to the above training, once an officer has developed an interest in a particular area, and after two years of experience, schools such as the following would be recommended based on the needs to the agency:

**Teaching and Training**

Methods of Instruction and Training the Field Training Officer

**Traffic Related**

Advanced Accident Investigation and/or SFST Instructor School

**Investigative:**

Criminal Investigations and/or Detective and New Investigator School

Police Tactics

Weapons Instructor School, PPCT Instructor School, Hostage Negotiations, and/or Pepper Spray Instructor School.

Track 2  
INVESTIGATORS

In addition to the training provided to the patrol officer, all investigators should have the following training:

Advanced Interviewing and Interrogation  
Crime Scene Processing and Evidence Collection  
Criminal Investigations  
Background Investigations for Police Employees

In addition to the above training, once an investigator has developed a certain portfolio and after some experience as an investigator, schools such as the following would be recommended based on the needs of the agency:

Traffic Related Investigations

Advanced Accident Investigations and/or Accident Reconstruction

Computer Crime and Computer Fraud

Advanced Crime Scene Technology  
Computer Crimes

Personal Crimes and Sex Crimes

Sex Crimes Investigations  
Child Interview Techniques  
Domestic Violence

Gang and/or Narcotics Investigators

Gang Identification and Awareness  
Drug Interdiction  
Clandestine Lab Investigations (Methamphetamine)  
Advanced Narcotic Investigations

Property Crimes

Crime Scene Processing and Evidence Collection  
Fire/Arson Investigator  
Burglary and Robbery Investigations



Experienced Investigators

Homicide Investigations  
Investigating Police Involved Shootings  
Major Case Management

**Track 3**  
**SPECIALTY ASSIGNMENTS**

In the State of ND specialty assignments such as serving as a bomb squad technician, a SWAT or tactical team member, being a polygraph examiner, field training officer, K-9 handler, etc are done in addition to your full time assignment as a patrol officer, investigator, or crime prevention officer.

The following classes would be taken depending on the assignment:

Polygraph Examiner School  
K-9 Handler School  
SWAT Basic  
Chemical Munitions Instructor School  
Advanced SWAT Tactics Training  
Bomb Disposal Training

**Track 4**  
**SUPERVISORS**

In addition to the training needed for patrol officers and investigators, police supervisors and managers should have the following training:

1-5 Years

Supervision for Police Personnel  
Supervising the Problem Employee  
Management Phase I

5-10 Years

Management Phase II  
Civil Liability and Risk Management  
Internal Affairs Investigations

**Track 5**

MANAGERS AND ADMINISTRATORS

1-5 Years (Any one of the following)

Northwestern School of Police Staff and Command

Administrative Officers Course

Command Officers Development

5-10 Years

FBI National Academy

#2  
H. App. G.O.  
Wed. 3/19/05  
Re: SB20

Mr. Chairman and members of the House Appropriations Committee:

My name is Captain Bill Brown. I presently serve as the training coordinator for the Minot Police Department. In addition I am also serving on the North Dakota Peace Officers Association Board as First Vice President. Today I am speaking to you representing both organizations in support of Senate Bill 2031 relating to funding for law enforcement training.

As a training coordinator it has been my task to determine what type of training is necessary for our officers out in the field and also to determine whether or not we can afford such training. There have been numerous instances where, because of lack of funding, we have been unable to provide necessary training to our officers. Some examples of training that we have had difficulty funding were Chemical Munitions Instructors Training, K-9 Refresher Training, Explosive Technician Training, and Advanced SWAT Operations. Although we have been able to maintain training for our officers in the basic needs, advanced training is becoming more and more difficult due to the costs and also the need for travel to attend these training sessions.

Since September 11, 2001 law enforcement has been tasked with many more duties relating to public safety. Because of these increasing demands on our agencies it is imperative that we provide the most up-to-date and intensive training for our officers so that they can provide the safest environment possible for our respective citizens. The major departments in North Dakota have so far been able to meet those needs; however, I see that in the near future it is going to become more and more difficult to ensure that all of the officers receive the required training due to insufficient funding.

Speaking as a board member for the North Dakota Peace Officers Association I would like to add that although larger agencies would receive some benefit from this proposed bill, the vast majority of those benefiting from this funding would be the smaller law enforcement agencies. As I am sure you are all aware of, the vast majority of law enforcement agencies in this state comprise anywhere from 10 or less officers. Most of those agencies throughout the state do not have any funding available for training and presently they are the ones who are suffering the most. If this bill were to pass, training would be available

to these smaller agencies where previously such training would be unavailable.

In closing, I would like to use two metaphors when I refer to training. The first metaphor I would like to use to describe training would be an insurance policy. By having adequate insurance people plan to protect themselves in the event of a potentially litigious situation. By having officers adequately trained, this minimizes the likelihood of a civil litigation against both the officers and their respective agencies and in a sense does provide some insurance in that regard.

The other metaphor I would like to use is that of body armor or "bullet-proof vests." As officers we wear body armor out in the field in the unlikely event that we may face an armed encounter. Having faced that situation myself I can attest to the fact that it is a very terrifying experience. By providing officers with body armor you are again minimizing the possibility of them being seriously injured or killed while out in the field. I view training as a form of body armor. If officers received quality training on a regular basis they are protecting themselves against potential injury out in the field. By having this

additional body armor officers are more likely to return home to their families and loved ones.

Finally, I would like to add that in addition to agencies minimizing their liability and officers increasing their chances for survival by increased training, their respective communities benefit as well in that it is reduced cost for them in liability, workman's compensation issues, and most importantly the safety of the community as a whole.

I would like to thank you for your time and if you have any questions I will be happy to entertain them at this time. Thank you.



# Police Department

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Chief of Police

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March 7, 2005

House  
App - Gov  

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SB 2031

Connie Sprynczynatyk  
ND League of Cities

Re: SB 2031

The purpose of my brief correspondence is to wholeheartedly support the passage of Senate Bill 2031.

This bill is the result of the North Dakota POST Board's efforts during the past interim session, ending with the introduction of the current bill. Senate Bill 2031 is the result of a very extensive training plan that will provide training to all North Dakota Law Enforcement agencies across the State over the next two years. The majority of these much needed training programs will be conducted outside of Bismarck.

Why is this bill important to the law enforcement community? Within the Grand Forks Police Department alone, under the direction of the ND POST Board, 92 training orders were issued in 2004 and 689 GFPD employees were sent to training. In addition, 2,695 training hours were completed in order to keep our employees compliant with State licensing requirements.

Please relay my comments and support to Committee Chairman Rep Carlisle at the hearing on Wednesday this week.

Should you desire any additional information regarding my personal recommendation, please feel free to contact me at 701-787-8001 or email at: [jpacket@grandforksgov.com](mailto:jpacket@grandforksgov.com).

Sincerely,

John D. Packett  
Chief of Police