



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Testimony Prepared for the
House Energy and Natural Resources Committee

February 4, 2025

By: Kelly Leben, Sheriff

RE: Supportive Testimony for House Bill 1589

My name is Kelly Leben and I currently serve as the elected Sheriff of Burleigh County. HB 1589 is a bill that will assist law enforcement agencies and retired/separated law enforcement officers with navigating the requirements of the Law Enforcement Officer's Safety Act (LEOSA).

LEOSA is a federal law that was enacted in 2004 and has since been amended several times. LEOSA is a law that gives retired and separated law enforcement officers that meet the requirements of the law, with the ability to carry concealed in the United States. There are two main requirements of LEOSA. The first is that the officer separated in good standing, meeting separation requirements, and received credentials from the agency that they separated from indicating so. The second main requirement is that the separated officer successfully completed an approved qualification course within the last year. The purpose of LEOSA is spelled out in the name as it truly is a Law Enforcement Officer's Safety Act. By nature of the work of law enforcement, many of the threats and risks don't end at retirement or separation.

The purpose of this bill is to assist those officers that meet the first requirement of LEOSA, in the fact that they are a credentialed, separated officer, with meeting the second requirement of obtaining annual qualifications for proficiency and having the required proof. Although most agencies willingly conduct LEOSA qualifications for their former members, logistics can sometimes be cumbersome for both the agency and the individual. Another scenario that plays out often is when a separated law enforcement officer (LEO) that meets the LEOSA requirements, moves to a new area and is unable to return to their home agency for qualifications. These individuals often seek out a local agency to qualify them. This again creates logistical issues along with the decision to offer this service to an individual that the agency has no relationship with.

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What this bill will do is create an opportunity that other states have already done and that is to allow for the privatization of LEOSA qualifications. This bill would allow concealed weapons instructors that are approved by the ND Attorney General, that wish to offer this service, the opportunity to do so. Law enforcement agencies could still offer the qualifications if they wish, but separated LEO's needing the qualification and agencies would both have options.

Although I only speak as the Sheriff of Burleigh County on this bill, we have vetted this bill with the ND Chiefs of Police Association, the ND Sheriffs and Deputies Association, and the North Dakota Peace Officers Association. We have received positive feedback and no concerns.

Thank you for your time and consideration!

Sincerely,



Kelly Leben, Sheriff
Burleigh County