

ENERGY & NATURAL RESOURCES COMMITTEE

January 27, 2023

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

Lieutenant Daniel Haugen, Chairman

To: Chairman Porter and members of the Energy & Natural Resources
Committee.

My name is Lieutenant Daniel Haugen, I am the chairman of the Peace Officer Standards and Training Board. I am also the director of the North Dakota Law Enforcement Training Center and a lieutenant in the North Dakota Highway Patrol. I am here testifying in my capacity as the POST Board Chairman on House Bill 1203.

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. As the director of the North Dakota Law Enforcement Training Center, I am statutorily on the board which has two staff members employed by the attorney general's Bureau of Criminal Investigation.

The following proposed amendments are clarified as below:

12-63-01.4

"Reserve peace officer license" means a license issued to an individual authorized by law or appointed by a criminal justice agency of this state on a salaried or nonsalaried basis to enforce the law and to conduct or engage in investigations of violations of the law within the scope of the reserve peace officer's training.

This amendment's purpose is to clarify the authority of a reserve peace officer to ensure they are acting only within the scope of their training.

12-63-02.3-1

Except as otherwise provided in this section, all provisions of this chapter apply to licensed reserve peace officers ~~and a licensed reserve peace officer has the same authority as a licensed peace officer.~~

This amendment's purpose is to clarify the authority of a reserve peace officer as they shall only act within the scope of their training and not of a licensed peace officer.

12-63-04.2

Expend funds to sponsor training for instruction of licensees, including up to fifty thousand dollars annually from fees collected by the board.

This amendment's purpose is to grant spending authority to fund training.

The legislators have historically funded money for the purpose of peace officer training, which has been appropriated through the highway patrol budget. This would give formal authority for the POST board to disseminate the funds through their grant process, which they've done for many years.

The POST board operates by receiving funds through licensing fees. These fees are used for meeting expenses, licensing cards, and administrative hearings. Because we can't predict how many administrative hearings we will need to pay for, we keep a reserve of fees in savings. The POST board seeks spending authority to use some of those excess licensing fees to also sponsor peace officer training (up to \$50,000 annually). This would supplement the funds appropriated through the highway patrol, as that appropriation has been reduced over the past legislative sessions and the expense of training has increased.

I stand before you to answer any questions that you may have.

Lieutenant Daniel J. Haugen

Chairman

North Dakota Peace Officer Standards and Training Board