

**SPECIAL MEETING MINUTES OF THE
PEACE OFFICER STANDARDS
AND TRAINING BOARD
(Reserve Officer Subcommittee)**

**BCI MAIN CONFERENCE ROOM
BISMARCK, NORTH DAKOTA
JUNE 15, 2021**

Members Present

Jesse Jahner
Jason Ziegler
Paul Lies

Members Absent

Guests

Legal Counsel

Mike Mahoney

Administrative Staff

Duane Stanley
Monica Sebastian

The meeting was called to order by Jesse Jahner at 10:05 a.m.

Meeting Minutes

Minutes were reviewed from the April 29, 2021, special meeting.

Motion

Jason Ziegler made a motion to accept the minutes from the April 29, 2021, special meeting. Paul Lies seconded the motion. All in favor, motion carried.

Changes to Administrative Rules

- 109-02-01-01. Definitions – need to add #4, should have definition of basic reserve training course
- 109-02-01-01. Definitions – Add reserve peace officer definition. Can be paid or not paid by an agency.
- Can be a licensed peace officer for one agency and a reserve officer for another agency.
- If someone comes from another state that is a licensed peace officer and they want to work for a ND agency as a reserve officer, they would need to obtain a ND peace officer license. They would go through the license application process, attend the ND two-week reciprocity training, pass the test, and then work for the ND agency as a reserve officer in that capacity.

- If you have a general peace officer license, you can work as a reserve officer for one agency and the individual will need to go through the reserve license application process.
- 109-02-01-01.1. Application of chapter to part-time peace officer license – take out part-time peace officer license and reference all licenses so it will read: Application of chapter to all licenses. Take this out through the entire 109-02-01-01.1 administrative rule.
- 109-02-01-03. Minimum license requirements – added all licenses to read: An applicant for a peace officer license and all licensees.
- 109-02-01-03. Minimum license requirements - #8 added Only physicians (M.D. or D.O.), nurse practitioners and physician assistants are authorized to administer medical examination for the Board. The psychological examination remains valid for one year from the examination date.
- 109-02-01-03. Minimum license requirements - #9 added or reserve peace officer license to read: Must be employed as a full-time peace officer by an agency, or for a part-time peace officer license, or reserve peace officer license, employed or appointed by an agency.
- 109-02-01-05. Agency's Responsibility – throughout the entire administrative rule take out the word "peace" and leave it to read as officer.
- If an agency already has a reserve officer working for them and the agency can provide to the POST Board documentation of the training that the current reserve officer has taken, that reserve officer will be grandfathered in or given credit for any training taken that is required in the full reserve officer training program. Therefore, the reserve officer applicant may not have to take the entire reserve officer training program.
- To keep up the reserve officer training, the reserve officer will need thirty hours of POST Board certified hours. Ten of those thirty hours can be done online.
- Add to the Administrative Rules that the reserve officer will need to take the basic reserve officer training course set forth by the Board.
- Add a separate subsection regarding continuing education for reserve officers within the Continuing Education Requirements administrative rule 109-02-02-15.
- A reserve officer may not use college credits to renew their reserve license during their certification period.
- Upon thirty days of taking the reserve officer basic classes, the individual will need to take the reserve officer test.
- If the reserve officer fails the reserve officer basic test, they have thirty days to retake the test again.
- If the reserve officer fails the second reserve officer basic test, they will need to go through the entire reserve officer basic training course again.
- If a reserve officer is a reserve officer in another state, no waiver will be granted. They will need to take the reserve officer basic training in North Dakota.
- 109-02-02-07. Employment of Peace Officers – Add and reserve peace officers to read: Employment of peace officers and reserve peace officers.
- 109-02-02-10 add the information regarding the scope of reserve officer authority.

- Add that reserve officers are unable to maintain a reserve license on inactive status. The individual cannot send in the request for inactive status form but the agency must still send in the termination form.
- 109-02-04-02. Requirements for certification of law enforcement instructors – Take out the word peace under #1 so it states: A North Dakota licensed officer applying for certification as a law enforcement instructor to teach officer subjects, including patrol, investigation, or the use of weapons must have:
- 109-02-04-08.2. Basic reserve law enforcement training course requirements - #3 where it states: An applicant for a reserve peace officer license must successfully complete the basic reserve peace officer training course within two years after the applicant started the basic reserve peace officer training course, change the two years to one year.
- 109-02-04-09. Application for course certification - #3 second sentence take out the word peace to read: The completed form must include each officer's name, license number, employing agency, hours attended, course name, subject matter, training location, and the dates and times of training.
- 109-02-04-09. Basic reserve law enforcement training requirements - #4 c take out the word peace to read: Is based on knowledge, skills, or abilities needed to be an officer; and
- 109-02-06. Confidential Informants. A reserve officer may not work with a confidential informant.

Mike Mahoney will compile another set of draft rules for the next reserve officer meeting.

Motion

Jesse Jahner made a motion to adjourn. Paul Lies seconded the motion. All in favor, motion carried.

The meeting was adjourned at 12:23 p.m.