

# HOUSE BILL No. 1596

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-1-9; IC 20-26-18.2-1.

**Synopsis:** School resource officer training. Requires all law enforcement training academies to include instruction on youth and adolescent development, age appropriate interactions, and deescalation techniques as part of basic training curriculums. Requires that specialized training requirements for school resource officers include instruction on youth and adolescent development, criminal conduct, criminal prosecution, abuse and neglect, conflict resolution, deescalation techniques, learning disabilities, emotional issues, behavioral issues, and rehabilitative social services or resources.

**Effective:** July 1, 2015.

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## Lawson L, Mahan

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January 20, 2015, read first time and referred to Committee on Veterans Affairs and Public Safety.

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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

# HOUSE BILL No. 1596



A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-2-1-9, AS AMENDED BY P.L.164-2014,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2015]: Sec. 9. (a) The board shall adopt in accordance with  
4 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.  
5 The rules, which shall be adopted only after necessary and proper  
6 investigation and inquiry by the board, shall include the establishment  
7 of the following:  
8 (1) Minimum standards of physical, educational, mental, and  
9 moral fitness which shall govern the acceptance of any person for  
10 training by any law enforcement training school or academy  
11 meeting or exceeding the minimum standards established  
12 pursuant to this chapter.  
13 (2) Minimum standards for law enforcement training schools  
14 administered by towns, cities, counties, law enforcement training  
15 centers, agencies, or departments of the state.



- 1 (3) Minimum standards for courses of study, attendance  
2 requirements, equipment, and facilities for approved town, city,  
3 county, and state law enforcement officer, police reserve officer,  
4 and conservation reserve officer training schools.
- 5 (4) Minimum standards for a course of study on cultural diversity  
6 awareness, including training on the U nonimmigrant visa created  
7 through the federal Victims of Trafficking and Violence  
8 Protection Act of 2000 (P.L. 106-386) that must be required for  
9 each person accepted for training at a law enforcement training  
10 school or academy. Cultural diversity awareness study must  
11 include an understanding of cultural issues related to race,  
12 religion, gender, age, domestic violence, national origin, and  
13 physical and mental disabilities.
- 14 (5) Minimum qualifications for instructors at approved law  
15 enforcement training schools.
- 16 (6) Minimum basic training requirements which law enforcement  
17 officers appointed to probationary terms shall complete before  
18 being eligible for continued or permanent employment.
- 19 (7) Minimum basic training requirements which law enforcement  
20 officers appointed on other than a permanent basis shall complete  
21 in order to be eligible for continued employment or permanent  
22 appointment.
- 23 (8) Minimum basic training requirements which law enforcement  
24 officers appointed on a permanent basis shall complete in order  
25 to be eligible for continued employment.
- 26 (9) Minimum basic training requirements for each person  
27 accepted for training at a law enforcement training school or  
28 academy that include six (6) hours of training in interacting with:  
29 (A) persons with autism, mental illness, addictive disorders,  
30 mental retardation, and developmental disabilities;  
31 (B) missing endangered adults (as defined in IC 12-7-2-131.3);  
32 and  
33 (C) persons with Alzheimer's disease or related senile  
34 dementia;
- 35 to be provided by persons approved by the secretary of family and  
36 social services and the board.
- 37 (10) Minimum standards for a course of study on human and  
38 sexual trafficking that must be required for each person accepted  
39 for training at a law enforcement training school or academy and  
40 for inservice training programs for law enforcement officers. The  
41 course must cover the following topics:  
42 (A) Examination of the human and sexual trafficking laws



- 1 (IC 35-42-3.5).  
 2 (B) Identification of human and sexual trafficking.  
 3 (C) Communicating with traumatized persons.  
 4 (D) Therapeutically appropriate investigative techniques.  
 5 (E) Collaboration with federal law enforcement officials.  
 6 (F) Rights of and protections afforded to victims.  
 7 (G) Providing documentation that satisfies the Declaration of  
 8 Law Enforcement Officer for Victim of Trafficking in Persons  
 9 (Form I-914, Supplement B) requirements established under  
 10 federal law.  
 11 (H) The availability of community resources to assist human  
 12 and sexual trafficking victims.
- 13 **(11) Minimum standards for a course of study on youths and**  
 14 **adolescents that must be required for each person accepted**  
 15 **for training at a law enforcement training school or academy**  
 16 **and for inservice training programs for law enforcement**  
 17 **officers. The course must cover the following topics:**
- 18 **(A) Youth and adolescent development.**  
 19 **(B) Age appropriate interactions.**  
 20 **(C) Conflict resolution and deescalation techniques.**
- 21 (b) A law enforcement officer appointed after July 5, 1972, and  
 22 before July 1, 1993, may not enforce the laws or ordinances of the state  
 23 or any political subdivision unless the officer has, within one (1) year  
 24 from the date of appointment, successfully completed the minimum  
 25 basic training requirements established under this chapter by the board.  
 26 If a person fails to successfully complete the basic training  
 27 requirements within one (1) year from the date of employment, the  
 28 officer may not perform any of the duties of a law enforcement officer  
 29 involving control or direction of members of the public or exercising  
 30 the power of arrest until the officer has successfully completed the  
 31 training requirements. This subsection does not apply to any law  
 32 enforcement officer appointed before July 6, 1972, or after June 30,  
 33 1993.
- 34 (c) Military leave or other authorized leave of absence from law  
 35 enforcement duty during the first year of employment after July 6,  
 36 1972, shall toll the running of the first year, which shall be calculated  
 37 by the aggregate of the time before and after the leave, for the purposes  
 38 of this chapter.
- 39 (d) Except as provided in subsections (e), (l), (r), and (s), a law  
 40 enforcement officer appointed to a law enforcement department or  
 41 agency after June 30, 1993, may not:  
 42 (1) make an arrest;



1 (2) conduct a search or a seizure of a person or property; or  
 2 (3) carry a firearm;  
 3 unless the law enforcement officer successfully completes, at a board  
 4 certified law enforcement academy or at a law enforcement training  
 5 center under section 10.5 or 15.2 of this chapter, the basic training  
 6 requirements established by the board under this chapter.

7 (e) This subsection does not apply to:

8 (1) a gaming agent employed as a law enforcement officer by the  
 9 Indiana gaming commission; or

10 (2) an:

11 (A) attorney; or

12 (B) investigator;

13 designated by the securities commissioner as a police officer of  
 14 the state under IC 23-19-6-1(k).

15 Before a law enforcement officer appointed after June 30, 1993,  
 16 completes the basic training requirements, the law enforcement officer  
 17 may exercise the police powers described in subsection (d) if the  
 18 officer successfully completes the pre-basic course established in  
 19 subsection (f). Successful completion of the pre-basic course authorizes  
 20 a law enforcement officer to exercise the police powers described in  
 21 subsection (d) for one (1) year after the date the law enforcement  
 22 officer is appointed.

23 (f) The board shall adopt rules under IC 4-22-2 to establish a  
 24 pre-basic course for the purpose of training:

25 (1) law enforcement officers;

26 (2) police reserve officers (as described in IC 36-8-3-20); and

27 (3) conservation reserve officers (as described in IC 14-9-8-27);

28 regarding the subjects of arrest, search and seizure, the lawful use of  
 29 force, interacting with individuals with autism, and the operation of an  
 30 emergency vehicle. The pre-basic course must be offered on a periodic  
 31 basis throughout the year at regional sites statewide. The pre-basic  
 32 course must consist of at least forty (40) hours of course work. The  
 33 board may prepare the classroom part of the pre-basic course using  
 34 available technology in conjunction with live instruction. The board  
 35 shall provide the course material, the instructors, and the facilities at  
 36 the regional sites throughout the state that are used for the pre-basic  
 37 course. In addition, the board may certify pre-basic courses that may be  
 38 conducted by other public or private training entities, including  
 39 postsecondary educational institutions.

40 (g) The board shall adopt rules under IC 4-22-2 to establish a  
 41 mandatory inservice training program for police officers. After June 30,  
 42 1993, a law enforcement officer who has satisfactorily completed basic



1 training and has been appointed to a law enforcement department or  
 2 agency on either a full-time or part-time basis is not eligible for  
 3 continued employment unless the officer satisfactorily completes the  
 4 mandatory inservice training requirements established by rules adopted  
 5 by the board. Inservice training must include training in interacting  
 6 with persons with mental illness, addictive disorders, mental  
 7 retardation, autism, developmental disabilities, and Alzheimer's disease  
 8 or related senile dementia, to be provided by persons approved by the  
 9 secretary of family and social services and the board, and training  
 10 concerning human and sexual trafficking and high risk missing persons  
 11 (as defined in IC 5-2-17-1). The board may approve courses offered by  
 12 other public or private training entities, including postsecondary  
 13 educational institutions, as necessary in order to ensure the availability  
 14 of an adequate number of inservice training programs. The board may  
 15 waive an officer's inservice training requirements if the board  
 16 determines that the officer's reason for lacking the required amount of  
 17 inservice training hours is due to either of the following:

- 18 (1) An emergency situation.
- 19 (2) The unavailability of courses.

20 (h) The board shall also adopt rules establishing a town marshal  
 21 basic training program, subject to the following:

- 22 (1) The program must require fewer hours of instruction and class  
 23 attendance and fewer courses of study than are required for the  
 24 mandated basic training program.
- 25 (2) Certain parts of the course materials may be studied by a  
 26 candidate at the candidate's home in order to fulfill requirements  
 27 of the program.
- 28 (3) Law enforcement officers successfully completing the  
 29 requirements of the program are eligible for appointment only in  
 30 towns employing the town marshal system (IC 36-5-7) and having  
 31 not more than one (1) marshal and two (2) deputies.
- 32 (4) The limitation imposed by subdivision (3) does not apply to an  
 33 officer who has successfully completed the mandated basic  
 34 training program.
- 35 (5) The time limitations imposed by subsections (b) and (c) for  
 36 completing the training are also applicable to the town marshal  
 37 basic training program.
- 38 (6) The program must require training in interacting with  
 39 individuals with autism.

40 (i) The board shall adopt rules under IC 4-22-2 to establish an  
 41 executive training program. The executive training program must  
 42 include training in the following areas:



- 1 (1) Liability.  
 2 (2) Media relations.  
 3 (3) Accounting and administration.  
 4 (4) Discipline.  
 5 (5) Department policy making.  
 6 (6) Lawful use of force.  
 7 (7) Department programs.  
 8 (8) Emergency vehicle operation.  
 9 (9) Cultural diversity.
- 10 (j) A police chief shall apply for admission to the executive training  
 11 program within two (2) months of the date the police chief initially  
 12 takes office. A police chief must successfully complete the executive  
 13 training program within six (6) months of the date the police chief  
 14 initially takes office. However, if space in the executive training  
 15 program is not available at a time that will allow completion of the  
 16 executive training program within six (6) months of the date the police  
 17 chief initially takes office, the police chief must successfully complete  
 18 the next available executive training program that is offered after the  
 19 police chief initially takes office.
- 20 (k) A police chief who fails to comply with subsection (j) may not  
 21 continue to serve as the police chief until completion of the executive  
 22 training program. For the purposes of this subsection and subsection  
 23 (j), "police chief" refers to:  
 24 (1) the police chief of any city;  
 25 (2) the police chief of any town having a metropolitan police  
 26 department; and  
 27 (3) the chief of a consolidated law enforcement department  
 28 established under IC 36-3-1-5.1.
- 29 A town marshal is not considered to be a police chief for these  
 30 purposes, but a town marshal may enroll in the executive training  
 31 program.
- 32 (l) A fire investigator in the division of fire and building safety  
 33 appointed after December 31, 1993, is required to comply with the  
 34 basic training standards established under this chapter.
- 35 (m) The board shall adopt rules under IC 4-22-2 to establish a  
 36 program to certify handgun safety courses, including courses offered  
 37 in the private sector, that meet standards approved by the board for  
 38 training probation officers in handgun safety as required by  
 39 IC 11-13-1-3.5(3).
- 40 (n) The board shall adopt rules under IC 4-22-2 to establish a  
 41 refresher course for an officer who:  
 42 (1) is hired by an Indiana law enforcement department or agency



- 1 as a law enforcement officer;  
 2 (2) has not been employed as a law enforcement officer for at  
 3 least two (2) years and less than six (6) years before the officer is  
 4 hired under subdivision (1) due to the officer's resignation or  
 5 retirement; and  
 6 (3) completed at any time a basic training course certified by the  
 7 board before the officer is hired under subdivision (1).
- 8 (o) The board shall adopt rules under IC 4-22-2 to establish a  
 9 refresher course for an officer who:  
 10 (1) is hired by an Indiana law enforcement department or agency  
 11 as a law enforcement officer;  
 12 (2) has not been employed as a law enforcement officer for at  
 13 least six (6) years and less than ten (10) years before the officer  
 14 is hired under subdivision (1) due to the officer's resignation or  
 15 retirement;  
 16 (3) is hired under subdivision (1) in an upper level policymaking  
 17 position; and  
 18 (4) completed at any time a basic training course certified by the  
 19 board before the officer is hired under subdivision (1).
- 20 A refresher course established under this subsection may not exceed  
 21 one hundred twenty (120) hours of course work. All credit hours  
 22 received for successfully completing the police chief executive training  
 23 program under subsection (i) shall be applied toward the refresher  
 24 course credit hour requirements.
- 25 (p) Subject to subsection (q), an officer to whom subsection (n) or  
 26 (o) applies must successfully complete the refresher course described  
 27 in subsection (n) or (o) not later than six (6) months after the officer's  
 28 date of hire, or the officer loses the officer's powers of:  
 29 (1) arrest;  
 30 (2) search; and  
 31 (3) seizure.
- 32 (q) A law enforcement officer who has worked as a law enforcement  
 33 officer for less than twenty-five (25) years before being hired under  
 34 subsection (n)(1) or (o)(1) is not eligible to attend the refresher course  
 35 described in subsection (n) or (o) and must repeat the full basic training  
 36 course to regain law enforcement powers. However, a law enforcement  
 37 officer who has worked as a law enforcement officer for at least  
 38 twenty-five (25) years before being hired under subsection (n)(1) or  
 39 (o)(1) and who otherwise satisfies the requirements of subsection (n)  
 40 or (o) is not required to repeat the full basic training course to regain  
 41 law enforcement power but shall attend the refresher course described  
 42 in subsection (n) or (o) and the pre-basic training course established





- 1 under subsection (f).  
 2 (r) This subsection applies only to a gaming agent employed as a  
 3 law enforcement officer by the Indiana gaming commission. A gaming  
 4 agent appointed after June 30, 2005, may exercise the police powers  
 5 described in subsection (d) if:  
 6 (1) the agent successfully completes the pre-basic course  
 7 established in subsection (f); and  
 8 (2) the agent successfully completes any other training courses  
 9 established by the Indiana gaming commission in conjunction  
 10 with the board.  
 11 (s) This subsection applies only to a securities enforcement officer  
 12 designated as a law enforcement officer by the securities  
 13 commissioner. A securities enforcement officer may exercise the police  
 14 powers described in subsection (d) if:  
 15 (1) the securities enforcement officer successfully completes the  
 16 pre-basic course established in subsection (f); and  
 17 (2) the securities enforcement officer successfully completes any  
 18 other training courses established by the securities commissioner  
 19 in conjunction with the board.  
 20 (t) As used in this section, "upper level policymaking position"  
 21 refers to the following:  
 22 (1) If the authorized size of the department or town marshal  
 23 system is not more than ten (10) members, the term refers to the  
 24 position held by the police chief or town marshal.  
 25 (2) If the authorized size of the department or town marshal  
 26 system is more than ten (10) members but less than fifty-one (51)  
 27 members, the term refers to:  
 28 (A) the position held by the police chief or town marshal; and  
 29 (B) each position held by the members of the police  
 30 department or town marshal system in the next rank and pay  
 31 grade immediately below the police chief or town marshal.  
 32 (3) If the authorized size of the department or town marshal  
 33 system is more than fifty (50) members, the term refers to:  
 34 (A) the position held by the police chief or town marshal; and  
 35 (B) each position held by the members of the police  
 36 department or town marshal system in the next two (2) ranks  
 37 and pay grades immediately below the police chief or town  
 38 marshal.  
 39 (u) This subsection applies only to a correctional police officer  
 40 employed by the department of correction. A correctional police officer  
 41 may exercise the police powers described in subsection (d) if:  
 42 (1) the officer successfully completes the pre-basic course



1 described in subsection (f); and  
 2 (2) the officer successfully completes any other training courses  
 3 established by the department of correction in conjunction with  
 4 the board.

5 SECTION 2. IC 20-26-18.2-1, AS AMENDED BY P.L.30-2014,  
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2015]: Sec. 1. (a) As used in this chapter, "school resource  
 8 officer" means an individual who:

9 (1) has completed the training described in subsection (b);  
 10 (2) is assigned to one (1) or more school corporations or charter  
 11 schools to:

12 (A) assist the school safety specialist with the development  
 13 and implementation of the school safety plan as provided in  
 14 section 2 of this chapter; and

15 (B) carry out any additional responsibilities assigned to the  
 16 school resource officer under the employment engagement,  
 17 contract, or memorandum of understanding and to:

18 (i) protect against outside threats to the physical safety of  
 19 students;

20 (ii) prevent unauthorized access to school property; and

21 (iii) secure schools against violence and natural disasters;  
 22 and

23 (3) is:

24 (A) employed by a law enforcement agency;

25 (B) appointed as a police reserve officer (as described in  
 26 IC 36-8-3-20) or as a special deputy (as described in  
 27 IC 36-8-10-10.6) if the police reserve officer or special deputy:

28 (i) is subject to the direction of the sheriff or appointing law  
 29 enforcement agency;

30 (ii) is required to obey the rules and orders of the sheriff's  
 31 department or appointing law enforcement agency;

32 (iii) is required to complete all training required of regular  
 33 full-time law enforcement officers employed by the sheriff's  
 34 department or appointing law enforcement agency; and

35 (iv) may be removed by the sheriff or appointing law  
 36 enforcement agency at any time, with or without cause; or

37 (C) a school corporation police officer appointed under  
 38 IC 20-26-16-3.

39 (b) Before being appointed as a school resource officer, an  
 40 individual must have:

41 (1) successfully completed the minimum training requirements  
 42 established for law enforcement officers under IC 5-2-1-9; and



- 1 (2) received at least forty (40) hours of school resource officer  
 2 training through:
- 3 (A) the Indiana law enforcement training board established by
  - 4 IC 5-2-1-3;
  - 5 (B) the National Association of School Resource Officers; or
  - 6 (C) another school resource officer training program approved
  - 7 by the Indiana law enforcement training board.
- 8 (c) Training described in subsection (b)(2) must include instruction  
 9 regarding skills, tactics, and strategies necessary to address the special  
 10 nature of:
- 11 (1) school campuses; and
  - 12 (2) school building security needs and characteristics.
- 13 **(d) Training described in subsection (b)(2) must include**  
 14 **instruction on:**
- 15 **(1) school resource officer roles and responsibilities as defined**
  - 16 **by written school policy;**
  - 17 **(2) differences between disciplinary infractions and criminal**
  - 18 **conduct;**
  - 19 **(3) differences between administrative sanctions and criminal**
  - 20 **penalties;**
  - 21 **(4) child and adolescent development;**
  - 22 **(5) age appropriate interaction;**
  - 23 **(6) age appropriate responses to disciplinary or criminal**
  - 24 **conduct;**
  - 25 **(7) conflict resolution and deescalation techniques;**
  - 26 **(8) identification of abuse and neglect;**
  - 27 **(9) behaviors associated with abuse or neglect;**
  - 28 **(10) resources available to victims of abuse and neglect;**
  - 29 **(11) explanations of learning disabilities, emotional issues, and**
  - 30 **behavioral disabilities;**
  - 31 **(12) legal protections available to students who receive special**
  - 32 **education services;**
  - 33 **(13) bias free policing;**
  - 34 **(14) cultural sensitivity and awareness;**
  - 35 **(15) adverse consequences of criminal prosecution;**
  - 36 **(16) local youth services; and**
  - 37 **(17) mental health services.**

