

SENATE BILL No. 294

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-1.

Synopsis: Critical incident training at ILEA. Requires the law enforcement training board to develop a 40 hour critical incident or crisis intervention response training program in consultation with the technical assistance center. Requires that the program's curriculum be equivalent to curriculum developed by the National Alliance on Mental Illness and Crisis Intervention Teams International (NAMI/CIT International). Requires a law enforcement training school or academy to include the program as part of the basic training requirements. Makes technical corrections and removes an unused definition.

Effective: Upon passage; July 1, 2023.

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January 11, 2023, read first time and referred to Committee on Homeland Security and Transportation.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE BILL No. 294

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 THE TECHNICAL
2 CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:
4 Sec. 9. (a) The board shall adopt in accordance with IC 4-22-2 all
5 necessary rules to carry out the provisions of this chapter. The rules,
6 which shall be adopted only after necessary and proper investigation
7 and inquiry by the board, shall include the establishment of the
8 following:
9 (1) A consistent and uniform statewide deadly force policy and
10 training program, that is consistent with state and federal law.
11 Upon adoption by the law enforcement training board, the policy
12 and training program must be implemented, without modification,
13 by all Indiana law enforcement agencies, offices, or departments.
14 (2) A consistent and uniform statewide defensive tactics policy
15 and training program, that is consistent with state and federal law.
16 Upon adoption by the law enforcement training board, the policy
17 and training program must be implemented, without modification,



- 1 by all Indiana law enforcement agencies, offices, or departments.
2 (3) A uniform statewide minimum standard for vehicle pursuits
3 consistent with state and federal law.
4 (4) Minimum standards of physical, educational, mental, and
5 moral fitness which shall govern the acceptance of any person for
6 training by any law enforcement training school or academy
7 meeting or exceeding the minimum standards established
8 pursuant to this chapter.
9 (5) Minimum standards for law enforcement training schools
10 administered by towns, cities, counties, law enforcement training
11 centers, agencies, or departments of the state.
12 (6) Minimum standards for courses of study, attendance
13 requirements, equipment, and facilities for approved town, city,
14 county, and state law enforcement officer, police reserve officer,
15 and conservation reserve officer training schools.
16 (7) Minimum standards for a course of study on cultural diversity
17 awareness, including training on the U nonimmigrant visa created
18 through the federal Victims of Trafficking and Violence
19 Protection Act of 2000 (P.L. 106-386) that must be required for
20 each person accepted for training at a law enforcement training
21 school or academy. Cultural diversity awareness study must
22 include an understanding of cultural issues related to race,
23 religion, gender, age, domestic violence, national origin, and
24 physical and mental disabilities.
25 (8) Minimum qualifications for instructors at approved law
26 enforcement training schools.
27 (9) Minimum basic training requirements which law enforcement
28 officers appointed to probationary terms shall complete before
29 being eligible for continued or permanent employment.
30 (10) Minimum basic training requirements which law
31 enforcement officers appointed on other than a permanent basis
32 shall complete in order to be eligible for continued employment
33 or permanent appointment.
34 (11) Minimum basic training requirements which law
35 enforcement officers appointed on a permanent basis shall
36 complete in order to be eligible for continued employment.
37 (12) Minimum basic training requirements for each person
38 accepted for training at a law enforcement training school or
39 academy that include six (6) hours of training in interacting with:
40 (A) persons with autism, mental illness, addictive disorders,
41 intellectual disabilities, and developmental disabilities;
42 (B) missing endangered adults (as defined in IC 12-7-2-131.3);



- 1 and
 2 (C) persons with Alzheimer's disease or related senile
 3 dementia;
 4 to be provided by persons approved by the secretary of family and
 5 social services and the board. The training must include an
 6 overview of the crisis intervention teams.
 7 (13) Minimum standards for a course of study on human and
 8 sexual trafficking that must be required for each person accepted
 9 for training at a law enforcement training school or academy and
 10 for inservice training programs for law enforcement officers. The
 11 course must cover the following topics:
 12 (A) Examination of the human and sexual trafficking laws (IC
 13 35-42-3.5).
 14 (B) Identification of human and sexual trafficking.
 15 (C) Communicating with traumatized persons.
 16 (D) Therapeutically appropriate investigative techniques.
 17 (E) Collaboration with federal law enforcement officials.
 18 (F) Rights of and protections afforded to victims.
 19 (G) Providing documentation that satisfies the Declaration of
 20 Law Enforcement Officer for Victim of Trafficking in Persons
 21 (Form I-914, Supplement B) requirements established under
 22 federal law.
 23 (H) The availability of community resources to assist human
 24 and sexual trafficking victims.
 25 (14) Minimum standards for ongoing specialized, intensive, and
 26 integrative training for persons responsible for investigating
 27 sexual assault cases involving adult victims. This training must
 28 include instruction on:
 29 (A) the neurobiology of trauma;
 30 (B) trauma informed interviewing; and
 31 (C) investigative techniques.
 32 (15) Minimum standards for de-escalation training. De-escalation
 33 training shall be taught as a part of existing use-of-force training
 34 and not as a separate topic.
 35 (16) Minimum standards regarding best practices for crowd
 36 control, protests, and First Amendment activities.
 37 **(17) Subject to section 9.1 of this chapter, minimum basic**
 38 **training requirements for each person accepted for training**
 39 **at a law enforcement training school or academy that include**
 40 **forty (40) hours of critical incident or crisis intervention**
 41 **response training.**
 42 All statewide policies and minimum standards shall be documented in



1 writing and published on the **Indiana law enforcement academy**
 2 (ILEA) website. Any policy, standard, or training program
 3 implemented, adopted, or promulgated by a vote of the board may only
 4 subsequently be modified or rescinded by a two-thirds (2/3) majority
 5 vote of the board.

6 (b) A law enforcement officer appointed after July 5, 1972, and
 7 before July 1, 1993, may not enforce the laws or ordinances of the state
 8 or any political subdivision unless the officer has, within one (1) year
 9 from the date of appointment, successfully completed the minimum
 10 basic training requirements established under this chapter by the board.
 11 If a person fails to successfully complete the basic training
 12 requirements within one (1) year from the date of employment, the
 13 officer may not perform any of the duties of a law enforcement officer
 14 involving control or direction of members of the public or exercising
 15 the power of arrest until the officer has successfully completed the
 16 training requirements. This subsection does not apply to any law
 17 enforcement officer appointed before July 6, 1972, or after June 30,
 18 1993.

19 (c) Military leave or other authorized leave of absence from law
 20 enforcement duty during the first year of employment after July 6,
 21 1972, shall toll the running of the first year, which shall be calculated
 22 by the aggregate of the time before and after the leave, for the purposes
 23 of this chapter.

24 (d) Except as provided in subsections (e), (m), (t), and (u), a law
 25 enforcement officer appointed to a law enforcement department or
 26 agency after June 30, 1993, may not:

- 27 (1) make an arrest;
- 28 (2) conduct a search or a seizure of a person or property; or
- 29 (3) carry a firearm;

30 unless the law enforcement officer successfully completes, at a board
 31 certified law enforcement academy or at a law enforcement training
 32 center under section 10.5 or 15.2 of this chapter, the basic training
 33 requirements established by the board under this chapter.

34 (e) This subsection does not apply to:

- 35 (1) a gaming agent employed as a law enforcement officer by the
 36 Indiana gaming commission; or
- 37 (2) an:
 - 38 (A) attorney; or
 - 39 (B) investigator;
- 40 designated by the securities commissioner as a police officer of
 41 the state under IC 23-19-6-1(k).

42 Before a law enforcement officer appointed after June 30, 1993,



1 completes the basic training requirements, the law enforcement officer
2 may exercise the police powers described in subsection (d) if the
3 officer successfully completes the pre-basic course established in
4 subsection (f). Successful completion of the pre-basic course authorizes
5 a law enforcement officer to exercise the police powers described in
6 subsection (d) for one (1) year after the date the law enforcement
7 officer is appointed.

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

10 (1) law enforcement officers;

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

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

13 regarding the subjects of arrest, search and seizure, the lawful use of
14 force, de-escalation training, interacting with individuals with autism,
15 and the operation of an emergency vehicle. The pre-basic course must
16 be offered on a periodic basis throughout the year at regional sites
17 statewide. The pre-basic course must consist of at least forty (40) hours
18 of course work. The board may prepare the classroom part of the
19 pre-basic course using available technology in conjunction with live
20 instruction. The board shall provide the course material, the instructors,
21 and the facilities at the regional sites throughout the state that are used
22 for the pre-basic course. In addition, the board may certify pre-basic
23 courses that may be conducted by other public or private training
24 entities, including postsecondary educational institutions.

25 (g) Subject to subsection (h), the board shall adopt rules under
26 IC 4-22-2 to establish a mandatory inservice training program for
27 police officers and police reserve officers (as described in
28 IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has
29 satisfactorily completed basic training and has been appointed to a law
30 enforcement department or agency on either a full-time or part-time
31 basis is not eligible for continued employment unless the officer
32 satisfactorily completes the mandatory inservice training requirements
33 established by rules adopted by the board. Inservice training must
34 include de-escalation training. Inservice training must also include
35 training in interacting with persons with mental illness, addictive
36 disorders, intellectual disabilities, autism, developmental disabilities,
37 and Alzheimer's disease or related senile dementia, to be provided by
38 persons approved by the secretary of family and social services and the
39 board, and training concerning human and sexual trafficking and high
40 risk missing persons (as defined in IC 5-2-17-1). The board may
41 approve courses offered by other public or private training entities,
42 including postsecondary educational institutions, as necessary in order



1 to ensure the availability of an adequate number of inservice training
 2 programs. The board may waive an officer's inservice training
 3 requirements if the board determines that the officer's reason for
 4 lacking the required amount of inservice training hours is due to either
 5 an emergency situation or the unavailability of courses.

6 (h) This subsection applies only to a mandatory inservice training
 7 program under subsection (g). Notwithstanding subsection (g), the
 8 board may, without adopting rules under IC 4-22-2, modify the course
 9 work of a training subject matter, modify the number of hours of
 10 training required within a particular subject matter, or add a new
 11 subject matter, if the board satisfies the following requirements:

12 (1) The board must conduct at least two (2) public meetings on
 13 the proposed modification or addition.

14 (2) After approving the modification or addition at a public
 15 meeting, the board must post notice of the modification or
 16 addition on the Indiana law enforcement academy's ~~internet web~~
 17 **site website** at least thirty (30) days before the modification or
 18 addition takes effect.

19 If the board does not satisfy the requirements of this subsection, the
 20 modification or addition is void. This subsection does not authorize the
 21 board to eliminate any inservice training subject matter required under
 22 subsection (g).

23 (i) The board shall also adopt rules establishing a town marshal
 24 basic training program, subject to the following:

25 (1) The program must require fewer hours of instruction and class
 26 attendance and fewer courses of study than are required for the
 27 mandated basic training program.

28 (2) Certain parts of the course materials may be studied by a
 29 candidate at the candidate's home in order to fulfill requirements
 30 of the program.

31 (3) Law enforcement officers successfully completing the
 32 requirements of the program are eligible for appointment only in
 33 towns employing the town marshal system (IC 36-5-7) and having
 34 not more than one (1) marshal and two (2) deputies.

35 (4) The limitation imposed by subdivision (3) does not apply to an
 36 officer who has successfully completed the mandated basic
 37 training program.

38 (5) The time limitations imposed by subsections (b) and (c) for
 39 completing the training are also applicable to the town marshal
 40 basic training program.

41 (6) The program must require training in interacting with
 42 individuals with autism.



1 (j) The board shall adopt rules under IC 4-22-2 to establish an
2 executive training program. The executive training program must
3 include training in the following areas:

- 4 (1) Liability.
5 (2) Media relations.
6 (3) Accounting and administration.
7 (4) Discipline.
8 (5) Department policy making.
9 (6) Lawful use of force and de-escalation training.
10 (7) Department programs.
11 (8) Emergency vehicle operation.
12 (9) Cultural diversity.

13 (k) A police chief shall apply for admission to the executive training
14 program within two (2) months of the date the police chief initially
15 takes office. A police chief must successfully complete the executive
16 training program within six (6) months of the date the police chief
17 initially takes office. However, if space in the executive training
18 program is not available at a time that will allow completion of the
19 executive training program within six (6) months of the date the police
20 chief initially takes office, the police chief must successfully complete
21 the next available executive training program that is offered after the
22 police chief initially takes office.

23 (l) A police chief who fails to comply with subsection (k) may not
24 continue to serve as the police chief until completion of the executive
25 training program. For the purposes of this subsection and subsection
26 (k), "police chief" refers to:

- 27 (1) the police chief of any city;
28 (2) the police chief of any town having a metropolitan police
29 department; and
30 (3) the chief of a consolidated law enforcement department
31 established under IC 36-3-1-5.1.

32 A town marshal is not considered to be a police chief for these
33 purposes, but a town marshal may enroll in the executive training
34 program.

35 (m) A fire investigator in the department of homeland security
36 appointed after December 31, 1993, is required to comply with the
37 basic training standards established under this chapter.

38 (n) The board shall adopt rules under IC 4-22-2 to establish a
39 program to certify handgun safety courses, including courses offered
40 in the private sector, that meet standards approved by the board for
41 training probation officers in handgun safety as required by
42 IC 11-13-1-3.5(2).



1 (o) The board shall adopt rules under IC 4-22-2 to establish a
2 refresher course for an officer who:

3 (1) is hired by an Indiana law enforcement department or agency
4 as a law enforcement officer;

5 (2) has not been employed as a law enforcement officer for:

6 (A) at least two (2) years; and

7 (B) less than six (6) years before the officer is hired under
8 subdivision (1); and

9 (3) completed at any time a basic training course certified or
10 recognized by the board before the officer is hired under
11 subdivision (1).

12 (p) An officer to whom subsection (o) applies must successfully
13 complete the refresher course described in subsection (o) not later than
14 six (6) months after the officer's date of hire, or the officer loses the
15 officer's powers of:

16 (1) arrest;

17 (2) search; and

18 (3) seizure.

19 (q) The board shall adopt rules under IC 4-22-2 to establish a
20 refresher course for an officer who:

21 (1) is appointed by an Indiana law enforcement department or
22 agency as a reserve police officer; and

23 (2) has not worked as a reserve police officer for at least two (2)
24 years after:

25 (A) completing the pre-basic course; or

26 (B) leaving the individual's last appointment as a reserve
27 police officer.

28 An officer to whom this subsection applies must successfully complete
29 the refresher course established by the board in order to work as a
30 reserve police officer.

31 (r) This subsection applies to an individual who, at the time the
32 individual completes a board certified or recognized basic training
33 course, has not been appointed as a law enforcement officer by an
34 Indiana law enforcement department or agency. If the individual is not
35 employed as a law enforcement officer for at least two (2) years after
36 completing the basic training course, the individual must successfully
37 retake and complete the basic training course as set forth in subsection
38 (d).

39 (s) The board shall adopt rules under IC 4-22-2 to establish a
40 refresher course for an individual who:

41 (1) is appointed as a board certified instructor of law enforcement
42 training; and



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



- 1 ~~marshal:~~
- 2 ~~(w)~~ (v) This subsection applies only to a correctional police officer
- 3 employed by the department of correction. A correctional police officer
- 4 may exercise the police powers described in subsection (d) if:
- 5 (1) the officer successfully completes the pre-basic course
- 6 described in subsection (f); and
- 7 (2) the officer successfully completes any other training courses
- 8 established by the department of correction in conjunction with
- 9 the board.
- 10 ~~(x)~~ (w) This subsection applies only to the sexual assault training
- 11 described in subsection (a)(14). The board shall:
- 12 (1) consult with experts on the neurobiology of trauma, trauma
- 13 informed interviewing, and investigative techniques in developing
- 14 the sexual assault training; and
- 15 (2) develop the sexual assault training and begin offering the
- 16 training not later than July 1, 2022.
- 17 ~~(y)~~ (x) After July 1, 2023, a law enforcement officer who regularly
- 18 investigates sexual assaults involving adult victims must complete the
- 19 training requirements described in subsection (a)(14) within one (1)
- 20 year of being assigned to regularly investigate sexual assaults involving
- 21 adult victims.
- 22 ~~(z)~~ (y) A law enforcement officer who regularly investigates sexual
- 23 assaults involving adult victims may complete the training
- 24 requirements described in subsection (a)(14) by attending a:
- 25 (1) statewide or national training; or
- 26 (2) department hosted local training.
- 27 ~~(aa)~~ (z) Notwithstanding any other provisions of this section, the
- 28 board is authorized to establish certain required standards of training
- 29 and procedure.
- 30 SECTION 2. IC 5-2-1-9.1 IS ADDED TO THE INDIANA CODE
- 31 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
- 32 **UPON PASSAGE]: Sec. 9.1. (a) The board shall develop a forty (40)**
- 33 **hour critical incident or crisis intervention response training**
- 34 **program in consultation with the technical assistance center (as**
- 35 **defined in IC 5-2-21.2-5). The program's curriculum must be**
- 36 **equivalent to curriculum developed by the National Alliance on**
- 37 **Mental Illness and Crisis Intervention Teams International**
- 38 **(NAMI/CIT International).**
- 39 (b) **On or before September 30, 2023, the board shall issue a**
- 40 **report to the governor, and in an electronic format under**
- 41 **IC 5-14-6, to the general assembly, which includes an outline of the**
- 42 **training program curriculum as well as the proposed schedule for**



1 **implementation of the program. The report must also be posted on**
2 **the board's website. This subsection expires July 1, 2024.**

3 **SECTION 3. An emergency is declared for this act.**

