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**TITLE 250 LAW ENFORCEMENT TRAINING
BOARD**

LSA Document #02-339(F)

DIGEST

Adds 250 IAC 2 to replace 250 IAC 1, which expired under IC 4-22-2.5, effective January 1, 2003. This comprehensive series of new administrative rules regarding the training of law enforcement officers deals with, among other matters: general provisions; definitions; basic training mandated for law enforcement officers; minimum standards regarding acceptance of persons for training; minimum curriculum, attendance, equipment, and facility requirements; police chief executive training; prebasic training course; inservice training; training status report; reserve police officers; minimum qualifications for instructors; and Indiana Law Enforcement Academy police officers. Effective 30 days after filing with the secretary of state.

250 IAC 2

SECTION 1. 250 IAC 2 IS ADDED TO READ AS FOLLOWS:

ARTICLE 2. GENERAL PROVISIONS

Rule 1. Definitions

250 IAC 2-1-1 Applicability

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11; IC 5-2-1-12; IC 36-8-3-20

Sec. 1. The definitions in this rule apply throughout this article. (*Law Enforcement Training Board; 250 IAC 2-1-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552*)

250 IAC 2-1-2 “Annual training status report” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11; IC 36-8-3-20

Sec. 2. “Annual training status report” means the report that the chief executive officer of every department or agency in Indiana must submit, to the executive director of the board, detailing the training received by all of that department’s law enforcement officers and reserve police officers during the previous calendar year. (*Law Enforcement Training Board; 250 IAC 2-1-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552*)

250 IAC 2-1-3 “Board” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-3

Sec. 3. “Board” means the law enforcement training board created by IC 5-2-1-3 to establish, present, and manage basic and inservice training programs for Indiana law enforcement officers. (*Law Enforcement Training Board; 250 IAC 2-1-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552*)

250 IAC 2-1-4 “Chief executive officer” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1

Sec. 4. “Chief executive officer” means the head of a law enforcement department or agency, such as a town marshal, chief, sheriff, or superintendent. *(Law Enforcement Training Board; 250 IAC 2-1-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552)*

250 IAC 2-1-5 “Critical session” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 5. “Critical session” means any class during which a written or practical examination is administered or any session that requires total class participation as opposed to individual activity. *(Law Enforcement Training Board; 250 IAC 2-1-5; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552)*

250 IAC 2-1-6 “Designee” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1

Sec. 6. “Designee” means any person designated by the board, through its executive director, to perform specified administrative actions for the board. *(Law Enforcement Training Board; 250 IAC 2-1-6; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552)*

250 IAC 2-1-7 “Duty status” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11

Sec. 7. “Duty status” means that an individual is on the department or agency payroll and that any injury or illness that occurs to the individual while at the academy will be covered by the employing department or agency under worker’s compensation. The term also applies to any unpaid reserve police officer, special deputy, or special police officer assigned by a department to attend training presented by the board; it shall be the responsibility of the officer’s department, not the board, to pay for expenses that result from any injury or illness incurred by a reserve police officer, special deputy, or special police officer during assigned training. *(Law Enforcement Training Board; 250 IAC 2-1-7; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552)*

250 IAC 2-1-8 “Inservice training” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11

Sec. 8. “Inservice training” means training received by a law enforcement officer or reserve police officer after the calendar year in which the officer successfully completes the basic training mandated for that officer. *(Law Enforcement Training Board; 250 IAC 2-1-8; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1552)*

250 IAC 2-1-9 “Instructor” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 9. “Instructor” means any person certified or approved by the board to provide prebasic, basic, or inservice instruction to Indiana law enforcement officers and support personnel. *(Law Enforcement Training Board; 250 IAC 2-1-9; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

250 IAC 2-1-10 “Law enforcement officer” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-2; IC 5-2-1-11

Sec. 10. “Law enforcement officer” means any person hired by and on the payroll of the state or one (1) of its political subdivisions, whether part-time or full-time, to enforce all or some of the penal laws of the state and who has the power to effect arrests of persons who violate those laws. *(Law Enforcement Training Board; 250 IAC 2-1-10; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

p.m.: 27 IR 1553)

250 IAC 2-1-11 “Learning objective” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11

Sec. 11. “Learning objective” means a precise statement that describes what the learner must know and be able to do following successful completion of a training program. *(Law Enforcement Training Board; 250 IAC 2-1-11; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

250 IAC 2-1-12 “Prebasic course” defined

Authority: IC 5-2-1-9

Affected: IC 36-8-3-20

Sec. 12. “Prebasic course” means any course developed or certified by the board under IC 5-2-1-9(f). *(Law Enforcement Training Board; 250 IAC 2-1-12; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

250 IAC 2-1-13 “Reserve police officer” defined

Authority: IC 5-2-1-9

Affected: IC 36-8-3-7; IC 36-8-3-20; IC 36-8-10-6; IC 36-8-10-10.6

Sec. 13. “Reserve police officer” means any member of a police reserve unit created under IC 36-8-3-20, whether called reserve police officer, reserve officer, or by another name. Not included in this definition are the following:

(1) Additional deputies or assistants appointed by a sheriff in an emergency under IC 36-8-10-6.

(2) Special deputies or legal deputies appointed by a sheriff under IC 36-8-10-10.6.

(3) Special police officers, who are not regular police officers, who are appointed by a municipal safety board under IC 36-8-3-7 to do special duty within the city.

(Law Enforcement Training Board; 250 IAC 2-1-13; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)

250 IAC 2-1-14 “Safety hazard” defined

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 14. “Safety hazard” means a risk of injury or death that is greater than the risk of injury or death that an experienced instructor might expect during a routine training exercise. *(Law Enforcement Training Board; 250 IAC 2-1-14; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

Rule 2. Basic Training Mandated for Law Enforcement Officers Appointed on or after July 6, 1972

250 IAC 2-2-1 Mandatory basic training; waiver

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11

Sec. 1. All law enforcement officers appointed by the state or any of its political subdivisions on or after July 6, 1972, whether the appointment is on a probationary, permanent, or other than probationary or permanent basis, shall, within one (1) year of the date of the officer’s first or original appointment, whether on a full-time or part-time basis, successfully complete the appropriate minimum basic training course prescribed by the board and described in 250 IAC 2-4. Provided, however, that any such officer who has had previous law enforcement experience, including basic law enforcement training meeting or exceeding the standards enumerated in 250 IAC 2-4, may, upon proof of such previous experience and training and upon recommendation by the executive director and approval by the board, obtain a waiver of the training mandated herein or be allowed to test out on any or all phases of the basic course; however, this waiver provision is not applicable to persons certified by the board solely upon successful completion of the town marshal basic training program prescribed in 250 IAC 2-4. *(Law Enforcement Training Board; 250 IAC 2-2-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

250 IAC 2-2-2 Location of training course

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 2. The minimum basic training course shall be taken at the Indiana law enforcement academy operated by the board at Plainfield or at any board-approved school or academy utilizing board-approved instructors, curriculum, attendance requirements, equipment, and facilities. Attendance at schools other than the Indiana law enforcement academy shall, except in exceptional cases recognized by the board, be limited to officers and recruits of the agency conducting the school. *(Law Enforcement Training Board; 250 IAC 2-2-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1553)*

250 IAC 2-2-3 Failure to timely complete course

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 3. Any law enforcement officer described in section 1 of this rule who fails to successfully complete the required basic training course within one (1) year after the officer's first or original appointment (on or after July 6, 1972) shall not be empowered or authorized to enforce the laws or ordinances of the state or any political subdivision thereof as part of the duties of a law enforcement officer. *(Law Enforcement Training Board; 250 IAC 2-2-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)*

250 IAC 2-2-4 Passing score; failure as grounds for discharge; reexaminations

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 4. The executive director of the board shall establish and shall apply uniformly to all persons attending board-approved basic training schools a minimum passing score of seventy-five percent (75%) on all written examinations and a passing score on all practical examinations administered on a percentage or pass/fail basis. Failure to attain a passing score on all written and practical examinations administered during the basic training course shall constitute a failure of the course. A person failing to achieve a passing score may apply to the executive director, or his designee, to retake any examination or examinations previously failed, but a request for a retake of an examination by a person already employed as a law enforcement officer will not be accepted unless endorsed by the chief executive officer of the department or agency employing the officer. Failure to achieve a passing score for the second time shall constitute disqualification unless, in the discretion of the board, a third and final opportunity should be allowed. *(Law Enforcement Training Board; 250 IAC 2-2-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)*

Rule 3. Minimum Standards Regarding Acceptance of Persons for Training

250 IAC 2-3-1 Citizenship requirement; age requirement

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 1. The applicant must be a citizen of the United States and must have reached his or her twenty-first birthday as of the date that the basic training ends. *(Law Enforcement Training Board; 250 IAC 2-3-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)*

250 IAC 2-3-2 Strength, agility, vision, and hearing; safety hazard

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 2. The applicant shall possess the strength, agility, vision, and hearing necessary to complete all requirements of the appropriate board-approved basic training program. The applicant shall have no physical or mental impairment that creates a safety hazard for self, other students, or training staff while participating in basic training. *(Law Enforcement Training Board; 250 IAC 2-3-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)*

250 IAC 2-3-3 Academic qualifications

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 3. The applicant shall, at a minimum, be a high school graduate as evidenced by a diploma issued by a state accredited high school. An equivalency diploma issued by an accredited high school or proof of an earned degree issued by an accredited college or university is also acceptable. (Law Enforcement Training Board; 250 IAC 2-3-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)

250 IAC 2-3-4 Valid driver's license

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 4. The applicant shall possess a valid driver's license from the state of residence. (Law Enforcement Training Board; 250 IAC 2-3-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)

250 IAC 2-3-5 Reputation and character of applicant; investigation; written record

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 5. The applicant shall be of good reputation and character as determined by a police department character and background investigation on the applicant, and the results of that investigation shall be retained in written form by the investigating department for inspection by the board, its executive director, or an authorized representative. (Law Enforcement Training Board; 250 IAC 2-3-5; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)

250 IAC 2-3-6 Criminal record of applicant; fingerprinting

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 6. The applicant shall not have been convicted of any felony or any other crime or series of crimes which would indicate to a reasonable person that the applicant is potentially dangerous, violent, or has a propensity to break the law. The applicant shall be fingerprinted and a search made of local, state, and national fingerprint files to disclose any criminal record. The fingerprint cards and any identification records shall be retained for inspection by the board, its executive director, or an authorized representative. (Law Enforcement Training Board; 250 IAC 2-3-6; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1554)

250 IAC 2-3-7 Reading comprehension and writing ability

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 7. The applicant shall be given an examination to determine reading and writing ability prior to acceptance for law enforcement training. Validation of the examination and determination of a minimum acceptable score that will predict successful completion of the training shall be the responsibility of the chief executive officer of the department or agency conducting the training. (Law Enforcement Training Board; 250 IAC 2-3-7; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1555)

250 IAC 2-3-8 Military discharge; effect on qualification of applicant

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 8. A dishonorable discharge from military service shall disqualify the applicant, and a discharge other than honorable may be grounds for rejection in accordance with other standards in this rule. (Law Enforcement Training Board; 250 IAC 2-3-8; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1555)

250 IAC 2-3-9 Physical examination; report to board; time limit

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 9. A physician with an unlimited license to practice medicine shall determine that the applicant is physically, emotionally, and mentally fit to participate in law enforcement basic training and is not an active carrier of a communicable disease that is likely to infect other students and staff in an academy environment. The department head or designee making application for basic training for the applicant or, if the applicant is a tuition student, the department head or designee recommending acceptance of the applicant for basic training must swear or attest the applicant passed the physical examination and that a record of the examination is on file at the department for review by an authorized representative of the board. The examination shall have been administered to the applicant within six (6) months prior to acceptance for training. The board, through its executive director, may also require a physical examination by a physician of the board's choice and may reject the applicant if the applicant does not meet the physical requirements of this section. (*Law Enforcement Training Board; 250 IAC 2-3-9; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1555*)

250 IAC 2-3-10 Trainees not yet hired by a law enforcement agency

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12; IC 5-2-1-15

Sec. 10. Preservice tuition trainees who have been investigated and recommended for enrollment in a board-approved basic training course, but have not yet been hired by any law enforcement agency, must meet all of the requirements in this rule before being accepted for law enforcement basic training. In addition, each preservice tuition trainee must do the following:

(1) Obtain a permit from the state that authorizes the trainee to carry a handgun back and forth between home and the Indiana law enforcement academy. The permit must remain valid throughout the period of time that the preservice tuition trainee is attending basic law enforcement training.

(2) Provide proof of full coverage automobile insurance and health and accident insurance, the proof to be accompanied by endorsements stating no exclusions are present that would prohibit payment because the insured is participating in law enforcement basic training. All such insurance must remain valid throughout the period of time that the preservice tuition trainee is attending basic law enforcement training.

(*Law Enforcement Training Board; 250 IAC 2-3-10; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1555*)

Rule 4. Minimum Curriculum, Attendance, Equipment, and Facility Requirements

250 IAC 2-4-1 Minimum basic training course; town marshal basic training program

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11

Sec. 1. Requirements for the minimum basic training course necessary to satisfy the mandate contained in 250 IAC 2-2 shall be as follows:

(1) For all jurisdictions except towns having no more than one (1) town marshal and two (2) deputies, whether employed on a part-time or full-time basis, shall consist of not less than four hundred eighty (480) hours of classroom and practical training, and the subject matter covered shall be approved by the board prior to the beginning date of each basic training course.

(2) The town marshal basic training program shall consist of not less than three hundred twenty (320) hours in residence at the Indiana law enforcement academy to which may be added home study assignments. The subject matter covered shall be approved by the board prior to the beginning date of each town marshal basic training program.

(3) Persons successfully completing the town marshal program are eligible for employment as a law enforcement officer only in towns employing the town marshal system and having no more than one (1) marshal and two (2) deputies.

(4) Town marshal program graduates who are subsequently hired by a department that is not authorized to enroll officers in the town marshal basic training program shall, within one (1) year of their new appointment date, successfully complete the four hundred eighty (480) hour minimum basic training course described in this section. Town marshal program graduates who fail to successfully complete the minimum basic training course within one (1) year of their new appointment date shall not perform any of the duties of a law enforcement officer or exercise the power of arrest until they have successfully completed the basic training program described in this section.

(5) The minimum hours and subject matter prescribed in subdivisions (1) and (2) may be increased by the board.

(Law Enforcement Training Board; 250 IAC 2-4-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1555)

250 IAC 2-4-2 Approval of learning objectives, lecture outlines, examinations, and other instructional material

Authority: IC 5-2-1-9

Affected: IC 5-2-1-11

Sec. 2. Copies of learning objectives, lecture outlines, examinations, and other course material used to satisfy the basic training requirements in section 1 of this rule shall, upon written request by the executive director, be provided to the board prior to the starting date or during the term of any basic training course. Failure to provide the learning objectives, lecture outlines, examinations, and other course material following a written request by the executive director shall be grounds for refusal by the board to approve the basic course. *(Law Enforcement Training Board; 250 IAC 2-4-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1556)*

250 IAC 2-4-3 Attendance requirements

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 3. All persons accepted for minimum basic law enforcement training under 250 IAC 2-3 shall attend all sessions of the board-approved basic course, in duty status, unless excused for reasons of illness, injury, or other matters of great urgency. Any person who, while participating in basic training, suffers an injury or illness that results in an absence from any class may be required by the board, through its executive director, to submit to an examination by a physician before that person is allowed to continue in the training program. Absence from any critical session of the basic course, whether such absence is excused or not, may disqualify a student for certification in the discretion of the executive director. *(Law Enforcement Training Board; 250 IAC 2-4-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1556)*

250 IAC 2-4-4 Equipment and training facilities; inspection and approval

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 4. Equipment and training facilities, including classrooms, used by towns, cities, counties, or agencies or departments of the state to conduct the law enforcement training required by this article shall be subject to the inspection and approval of the board through its executive director or a designee. *(Law Enforcement Training Board; 250 IAC 2-4-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1556)*

Rule 5. Police Chief Executive Training

250 IAC 2-5-1 Police chief executive training program

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 1. Every person appointed as a police chief of any city or any town having a metropolitan police force must, within six (6) months of initially taking office, successfully complete the police chief executive training program mandated by IC 5-2-1-9 unless:

(1) a course is not offered within the six (6) month period immediately following the date that the police chief initially takes office; or

(2) space in the program is not available at a time that will allow the police chief to complete the program within six (6) months of the date the police chief initially takes office. *(Law Enforcement Training Board; 250 IAC 2-5-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1556)*

250 IAC 2-5-2 Delay in completion of course

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 2. If either of the occurrences in section 1 of this rule prevents successful completion of the course within the six (6)

month period after the police chief initially takes office, the police chief must successfully complete the next available executive training program that is presented by the board. (*Law Enforcement Training Board; 250 IAC 2-5-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1556*)

250 IAC 2-5-3 Others may attend

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 3. When a police chief executive training program is not filled by persons mandated to attend, deputy chiefs, management level personnel, and town marshals will be accepted to fill the class. Any person who successfully completes the program while serving in a capacity other than chief of police will be considered to have complied with the mandate should the person subsequently be appointed as a chief of police. (*Law Enforcement Training Board; 250 IAC 2-5-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1556*)

250 IAC 2-5-4 Police chief program curriculum

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 4. The police chief executive training program will consist of not less than forty (40) hours of instruction, participation, and examination and shall include, but not be limited to, the following subject areas:

- (1) Liability.
- (2) Media relations.
- (3) Accounting and administration.
- (4) Discipline.
- (5) Department policy making.
- (6) Firearms policies and other lawful use of force.
- (7) Department programs.
- (8) Emergency vehicle operation.
- (9) Cultural diversity.

(*Law Enforcement Training Board; 250 IAC 2-5-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557*)

250 IAC 2-5-5 Board to prescribe course tuition

Authority: IC 5-2-1-9

Affected: IC 5-2-1-15

Sec. 5. Costs for meals, lodging, and course materials will be prescribed by the board through its executive director. (*Law Enforcement Training Board; 250 IAC 2-5-5; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557*)

250 IAC 2-5-6 Course completion

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 6. Successful completion of the program requires satisfactory completion of a written essay examination at the conclusion of the program. (*Law Enforcement Training Board; 250 IAC 2-5-6; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557*)

250 IAC 2-5-7 Consequence of failure to complete course

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 7. Any police chief who fails to successfully complete the executive training program as prescribed in this rule may not continue to serve as police chief until the program is successfully completed. (*Law Enforcement Training Board; 250 IAC 2-5-7; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557*)

Rule 6. Prebasic Training Course

250 IAC 2-6-1 Prebasic training course

Authority: IC 5-2-1-9

Affected: IC 5-2-1-15

Sec. 1. (a) Every law enforcement officer and every reserve police officer appointed after June 30, 1993, who has not successfully completed basic training as prescribed in 250 IAC 2-3 must successfully complete the prebasic training course prescribed in this section before that officer can make an arrest, conduct a search or seizure of persons or property, or carry a firearm as part of the duties of a law enforcement officer or reserve police officer.

(b) The prebasic course:

- (1)** shall consist of forty (40) hours of instruction;
- (2)** must include the subjects of arrest, search and seizure, use of force, and firearms qualification; and
- (3)** must be offered periodically at regional sites throughout the state.

(c) Course materials, instructors, and sites for the prebasic course are to be provided by the board.

(d) In addition, the board may certify prebasic courses that may be conducted by other public or private entities, including colleges and universities. *(Law Enforcement Training Board; 250 IAC 2-6-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557)*

250 IAC 2-6-2 Successful completion permits temporary exercise of police powers

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 2. Successful completion of the prebasic course authorizes a law enforcement officer to:

- (1)** make arrests;
- (2)** conduct searches and seizures of persons and property; and
- (3)** carry a firearm;

for one (1) year after the date the law enforcement officer is appointed. *(Law Enforcement Training Board; 250 IAC 2-6-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557)*

Rule 7. Inservice Training

250 IAC 2-7-1 Mandatory inservice training

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 1. Any person who has successfully completed basic training and has been appointed to a law enforcement department or agency as a law enforcement officer, whether on a part-time or full-time basis, is not eligible for continued employment unless the officer successfully completes the minimum required inservice training each year. Subject matter for this training must meet the following requirements:

- (1)** The subject must be included within the minimum basic training curriculum approved by the board or must be approved by the board based upon a need expressed by the law enforcement agency or department employing the officer.
- (2)** The subject must be presented under one (1) of the following conditions:
 - (A)** By a law enforcement training board-certified instructor.
 - (B)** At a law enforcement training board-certified school or academy.
 - (C)** At a school or academy in another state that has been certified by that state's equivalent to the board, at the federal level, or at an accredited college, university, or vocational school when the subject is determined by the board to be law enforcement related.
 - (D)** By an agency or entity, public or private, that has received written approval by the board, through its executive director, to provide inservice training for Indiana law enforcement officers and has agreed to comply and does comply with the board's rules and guidelines for presenting, evaluating, and reporting the training.

(Law Enforcement Training Board; 250 IAC 2-7-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1557)

250 IAC 2-7-2 Training credit for college or university courses

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 2. One (1) college credit hour earned with a grade of C or higher at an accredited college or university in subject matter addressing a need expressed by the law enforcement agency, or as approved by the executive director, may substitute for four (4) hours of inservice training, but college credit hours may not be substituted for more than one-half (½) of the total hours of required inservice training. (*Law Enforcement Training Board; 250 IAC 2-7-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1558*)

250 IAC 2-7-3 Training credit earned through distance education

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 3. (a) Training that is presented through video or interactive video, computer-assisted instruction, correspondence, or in some other manner that is viewed as nontraditional by the board shall be considered distance education and must be approved by the board through its executive director.

(b) The board shall establish terms and conditions to regulate the providers and recipients of distance education and may develop and publish the forms it deems necessary for this purpose.

(c) Additionally, the board shall determine the number of hours that it will recognize for each distance education program, using average pretest completion time, viewing or interacting time, and post-test completion time in making its decision. (*Law Enforcement Training Board; 250 IAC 2-7-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1558*)

250 IAC 2-7-4 Failure to complete inservice training; waiver

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 4. (a) When a law enforcement officer fails to successfully complete the required hours of inservice training in a calendar year, the board, through its executive director, may make inquiry to determine if the failure was caused by an emergency situation, the unavailability of courses, or for some other reason.

(b) If the inquiry reveals that the failure was caused by an emergency situation or the unavailability of courses, the board, through its executive director, may waive the officer's training requirement for the year by making an appropriate entry in the officer's master training file. However, as a condition of the waiver, the board may require the officer to make up the training-hour deficit during the next calendar year.

(c) If the inquiry reveals that the failure was not caused by an emergency situation or the unavailability of courses, the board, through its executive director, shall make an appropriate entry in the officer's master training file. In addition, the board shall notify the officer of the results of its inquiry and send copies of the correspondence to the chief executive officer of the officer's department and the prosecuting attorney of the county in which the officer works.

(d) An officer who fails to complete the required hours of inservice training in a calendar year, for some reason other than the existence of an emergency situation or the unavailability of courses, shall not be eligible for continued employment.

(e) To regain eligibility for employment, an officer in noncompliance must make up the training-hour deficit and submit proof of the training received to the chief executive officer of the employing department, who shall immediately forward it to the board.

(f) If the board finds that the training received meets the requirements established for mandatory inservice training, the officer shall be considered to be in compliance with the training mandate as of the date the officer completed the last hour of training required by the mandate.

(g) An appropriate entry shall then be made in the officer's master training file, and the board, through its executive

director, shall report the compliance date to the following:

- (1) The officer.**
- (2) The chief executive officer of the officer's department.**
- (3) The prosecuting attorney of the county in which the officer works.**

(Law Enforcement Training Board; 250 IAC 2-7-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1558)

250 IAC 2-7-5 Grievance procedures

Authority: IC 5-2-1-9

Affected: IC 4-21.5-5-1

Sec. 5. Any person who feels aggrieved by an action associated with the mandatory inservice training requirement or with the issuance or revocation of diplomas, certificates, or other indicia of compliance with this rule may request, in writing, a hearing before the executive director of the board. If the person still feels aggrieved following a hearing before the executive director, the person may request, in writing, a hearing before the board. Any person who still feels aggrieved after hearings before both the executive director and the board may file a petition for judicial review under IC 4-21.5-5-1. *(Law Enforcement Training Board; 250 IAC 2-7-5; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)*

Rule 8. Training Status Report

250 IAC 2-8-1 Annual report

Authority: IC 5-2-1-9

Affected: IC 5-2-1-1

Sec. 1. Each law enforcement officer in Indiana shall be responsible for the following:

- (1) Successfully completing the inservice training required by 250 IAC 2-7-1 annually.**
- (2) Reporting successful completion of the training to the chief executive officer of the department or agency employing the officer.**

(Law Enforcement Training Board; 250 IAC 2-8-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)

250 IAC 2-8-2 Responsibility for submitting report

Authority: IC 5-2-1-9

Affected: IC 5-2-1-1

Sec. 2. The chief executive officer of every law enforcement department or agency in Indiana shall be responsible for submitting an annual report to the executive director of the board detailing the basic and inservice training status of every officer on the payroll of the department or agency. A similar report must be submitted for each reserve police officer. *(Law Enforcement Training Board; 250 IAC 2-8-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)*

250 IAC 2-8-3 Report to cover previous calendar year; submission and delinquent dates

Authority: IC 5-2-1-9

Affected: IC 5-2-1-1

Sec. 3. The annual training status report required by this rule shall be submitted either electronically or on paper between January 1 and March 31 of each year and shall include all training received by every law enforcement officer and reserve police officer of the department during the previous calendar year. *(Law Enforcement Training Board; 250 IAC 2-8-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)*

250 IAC 2-8-4 Format of report

Authority: IC 5-2-1-9

Affected: IC 5-2-1-1

Sec. 4. The board, through its executive director, shall develop the content of the annual training report required by this rule in a format that will permit departments to submit the required data either electronically or on paper. *(Law Enforcement Training Board; 250 IAC 2-8-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)*

250 IAC 2-8-5 Cover letter and opinion required if inservice training not completed

Authority: IC 5-2-1-9

Affected: IC 5-2-1-1

Sec. 5. When a law enforcement officer or reserve police officer fails to comply with a training mandate, the chief executive officer of the department or agency shall call the deficiency to the attention of the executive director through a cover letter attached to the department's annual training status report. The chief executive officer shall also state his opinion as to the reason the officer failed to complete the required training. *(Law Enforcement Training Board; 250 IAC 2-8-5; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)*

Rule 9. Reserve Police Officers

250 IAC 2-9-1 Reserve police officer training

Authority: IC 5-2-1-9

Affected: IC 36-8-3-20

Sec. 1. (a) All reserve police officers defined in IC 36-8-3-20 appointed after June 30, 1993, whether called reserve police officers or by another title, shall successfully complete the prebasic training course prescribed by the board before the reserve police officer may:

- (1) exercise any power of arrest;
- (2) conduct any search or seizure of a person or property; or
- (3) carry a firearm.

(b) The chief executive officer of a department may not adopt the prescribed prebasic training course as the only curriculum for satisfying the department training requirement prescribed in IC 36-8-3-20.

(c) In addition to the department training program required by IC 36-8-3-20, each reserve police officer is encouraged to do the following:

- (1) Complete a board-approved reserve police officer academy program within one (1) year of the date of appointment as a reserve police officer.
- (2) Complete, each year thereafter, the same amount of inservice training that paid law enforcement officers are mandated to complete.

(d) Reserve police officers who voluntarily and successfully complete a reserve police officer academy program certified by the board shall be eligible for consideration for a waiver of basic training by the board should the reserve police officer academy program graduate subsequently accept employment with a department that participates in the town marshal basic training program. However, as a condition of the waiver, the board may require the reserve police officer academy program graduate, hired by a small town department, to test out on all or any part of the town marshal basic training program. Further, persons who are granted a waiver of training through this process are limited to service in a department having no more than one (1) marshal and two (2) deputy marshals. *(Law Enforcement Training Board; 250 IAC 2-9-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1559)*

250 IAC 2-9-2 Reserve police officer academy certification

Authority: IC 5-2-1-9

Affected: IC 5-2-1-9

Sec. 2. (a) A department acting alone, or two (2) or more departments acting together, may develop a reserve police officer academy and apply to the board for certification of the academy. An academy certified by the board as a reserve police officer academy must use board-certified instructors and a board-approved curriculum.

(b) Equipment and training facilities, including classrooms used by towns, cities, counties, or agencies or departments of the state to conduct a reserve police officer academy, shall be subject to inspection and approval by the board through its executive director or a designee.

(c) The minimum curriculum, attendance requirements, learning objectives, lecture outlines, examinations, and other instructional materials used for reserve police officer training in the reserve police officer academy are subject to inspection and approval by the board, through its executive director or a designee, prior to the beginning date of each reserve police officer class. Additionally, the board, through its executive director or a designee, may visit any reserve police officer academy at any time a class is in session to ensure compliance with the board's requirement for curriculum, attendance, learning objectives, lecture outlines, examinations, and other instructional materials and may suspend or revoke, immediately, the certification of any reserve police officer academy operating in violation of this rule.

(d) As a guideline for departments considering establishing a reserve police officer academy, or seeking certification for an academy already in existence, the board will, uniformly, require that the curriculum, attendance requirements, learning objectives, lecture outlines, examinations, and other instructional materials meet the standards of 250 IAC 2-4. (*Law Enforcement Training Board; 250 IAC 2-9-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1560*)

Rule 10. Minimum Qualifications for Instructors

250 IAC 2-10-1 Certification of instructors

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 1. The board, through its executive director, shall certify instructors it deems qualified to teach in prebasic, basic, inservice, and instructor training courses. (*Law Enforcement Training Board; 250 IAC 2-10-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1560*)

250 IAC 2-10-2 Instructor qualifications

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 2. Instructors will be certified on the basis of minimal qualifications in the areas of education, training, and experience as follows:

(1) Requirements for primary instructors shall be as follows:

(A) Any of the following:

(i) A minimum of three (3) years of law enforcement experience.

(ii) Be a member of the adjunct faculty or faculty of an accredited vocational school, college, or university.

(iii) Be a physician or attorney licensed to practice in Indiana or a contiguous state.

(B) At a minimum, be a high school graduate or have an equivalency diploma issued by an accredited high school.

(C) Educational and experience requirements may be waived by the board, through its executive director, when a special or emergency training need exists.

(D) Persons certified as primary instructors are considered by the board to possess the level of instructor skills needed to provide prebasic, distance education, and inservice training for law enforcement officers and others in the criminal justice system.

(2) Requirements for psychomotor skills instructors shall be as follows:

(A) At a minimum, be a high school graduate or have an equivalency diploma issued by an accredited high school.

(B) Either have:

(i) a minimum of three (3) years of law enforcement experience; or

(ii) three (3) years of experience working in an area that is directly related to the psychomotor skill that the person will be teaching.

(C) Educational and experience requirements may be waived by the board, through its executive director, when a special or emergency need exists.

(D) Persons certified as psychomotor skills instructors are considered by the board to possess the level of instructor skills needed to teach a specific psychomotor skill to law enforcement officers and others in the criminal justice system. The specific areas in which a psychomotor skills instructor has documented advanced knowledge and skills will appear on the certificate issued by the board, through its executive director, such as psychomotor skills instructor (emergency vehicle operation) or psychomotor skills instructor (firearms-handgun).

(3) Requirements for academy staff instructors shall be as follows:

(A) A minimum of an associate's degree or more than sixty (60) hours of credit toward a bachelor's degree from a state accredited vocational school, college, or university.

(B) A minimum of five (5) years of law enforcement experience.

(C) Educational and experience requirements may be waived by the board, through its executive director, when it is felt that the individual will fill a special void that exists in an academy staff.

(D) Persons certified as academy staff instructors are deemed by the board to have the level of skills necessary to instruct or assist with instruction, in any topic presented in the academy's course curriculum, but only after having been provided research time to prepare a lesson plan or after having been provided with a predeveloped lesson plan and time to review that plan.

(4) Requirements for master instructors shall be as follows:

(A) A minimum of a bachelor's degree from an accredited college or university or a combined background of experience and education that the board, through its executive director, recognizes as equivalent to a bachelor's degree.

(B) A minimum of seven (7) years of law enforcement experience or law enforcement related experience. Two (2) years or more of this experience must have been spent as an instructor in an educational or training environment.

(C) Persons certified as master instructors must be skilled at the following:

(i) Conducting research.

(ii) Writing learning objectives.

(iii) Preparing lesson plans.

(iv) Developing practical exercises.

(v) Using training aids.

(vi) Evaluating the results of training programs.

(vii) Maintaining training records.

(viii) Using technology effectively.

Master instructors, by virtue of their certification, are qualified to act as the principal instructor in a board-approved instructor course.

(5) Requirements for provisional instructors shall be as follows:

(A) The degree of education, training, and experience needed to qualify for provisional instructor certification shall be determined by the board through its executive director.

(B) Provisional instructor certification is a temporary certification and may be issued by the board, through its executive director, in any subject area, for any period of time from one (1) day to one (1) year.

(C) The board retains the same rights of review and revocation for provisional certification that it does for any other type of instructor certification.

(Law Enforcement Training Board; 250 IAC 2-10-2; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1560)

250 IAC 2-10-3 Revocation of certification

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 3. Instructor certification may be revoked by the board whenever an instructor is deemed to be unqualified to continue teaching. *(Law Enforcement Training Board; 250 IAC 2-10-3; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1561)*

250 IAC 2-10-4 Review of certification

Authority: IC 5-2-1-9

Affected: IC 5-2-1-12

Sec. 4. Review of instructor certification may be initiated by the board, or through its executive director, at any time and may be done even though there are no external requests or complaints. Information gained through the review may be used to:

(1) revoke an instructor's certification;

(2) require an instructor to complete or repeat all or any part of a board-approved instructor training course; or

(3) deny renewal of an instructor's certification.

(Law Enforcement Training Board; 250 IAC 2-10-4; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1561)

250 IAC 2-10-5 Completion of instructor training course

Authority: IC 5-2-1-9
Affected: IC 5-2-1-12

Sec. 5. All applicants for instructor certification or recertification, other than provisional instructors, are required to complete an instructor training course approved by the board unless the board, through its executive director, determines that the applicant already possesses education and experience that equate with the knowledge and skills taught in a board-approved instructor training course. (*Law Enforcement Training Board; 250 IAC 2-10-5; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1562*)

250 IAC 2-10-6 Term of certification

Authority: IC 5-2-1-9
Affected: IC 5-2-1-12

Sec. 6. (a) All instructor certifications, except provisional certifications, shall be valid for three (3) years from the date of certification unless revoked earlier by the board.

(b) Provisional instructor certifications shall expire one (1) year from the date they are issued unless an earlier expiration date is specified.

(c) The board may, at its discretion, through its executive director, shorten or extend an instructor certification period for up to eighteen (18) months when adding to or deleting from the instructor's areas of certification. (*Law Enforcement Training Board; 250 IAC 2-10-6; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1562*)

Rule 11. Indiana Law Enforcement Academy Police Officers

250 IAC 2-11-1 Police functions and restrictions

Authority: IC 5-2-1-9
Affected: IC 5-2-1-9; IC 5-2-1-11

Sec. 1. As a criminal justice agency of the state, with all the duties and privileges of a police agency, the law enforcement training board establishes the following to govern its police functions:

(1) Police powers shall be granted for the following reasons:

(A) Attendance of special academies or schools accepting only sworn police officers.

(B) Field assignment to an outside police agency for purposes of evaluation, research, or consultation in which police officer/violator contact is a practical possibility.

(C) Peacekeeping, investigations, and security on property owned or operated by the board.

(2) The executive director shall specify those members of the Indiana law enforcement academy staff who will serve as police officers and those who will serve as civilian employees of the agency.

(3) Those persons who are designated to serve as police officers shall meet the following requirements:

(A) Be administered an appropriate oath of office by the executive director.

(B) Serve at the pleasure of the executive director and may be commissioned or decommissioned as police officers without cause or prejudice and without affecting their status as civilian employees of the board if such action is in the best interest of the operation of the academy.

(C) Comply with the mandated basic training requirements established by the board.

(4) Police officers appointed by this authority shall serve under the direction of the board's executive director who is authorized and directed to establish such operating procedures deemed necessary to regulate the activities of those officers. Any violation of any operating procedure shall be a violation of this rule.

(5) In addition to their primary duties as staff instructors, police officers of the Indiana law enforcement academy shall have all necessary law enforcement powers, including all common law and statutory powers, privileges, and immunities of sheriffs except those specifically forbidden through agency operating procedures established by the executive director.

(6) Exercise of these police powers shall be restricted to property owned or operated by the board unless otherwise authorized by its executive director or the board-in quorum.

(7) Police officers of the Indiana law enforcement academy are specifically directed to:

(A) preserve the peace, maintain order, and prevent the unlawful use of force or violence or other unlawful conduct on

property owned or operated by the board;

(B) protect all persons and property located on property owned or operated by the board from injury, harm, or damage;

(C) assist the executive director in the enforcement of the rules of the board and the Indiana law enforcement academy; and

(D) enforce the state motor vehicle laws and motor vehicle rules established by the board on property owned or operated by the board.

(Law Enforcement Training Board; 250 IAC 2-11-1; filed Dec 23, 2003, 3:00 p.m.: 27 IR 1562)

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