

2024 Regular Session

SENATE BILL NO. 227

BY SENATOR HODGES

LAW ENFORCEMENT. Creates the Louisiana P.O.S.T. Reserve Training Academy for part-time, volunteer, and reserve peace officers to assist local law enforcement agencies in combating crime. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:2401, 2404.2(A) and (B)(1) and 2405(A)(1) and (2) and to
3 enact R.S. 40:2405.2, relative to peace officer standards and training; to provide
4 relative to the training, instruction, and certification of part-time, volunteer, and
5 reserve peace officers; to provide legislative intent; to provide for minimum
6 standards for certain part-time, volunteer, and reserve peace officers; to provide for
7 exceptions; to provide for the creation of a training academy for part-time, volunteer,
8 and reserve peace officers; to provide for rules; to provide for curriculum; to provide
9 for a minimum number of instruction hours in certain circumstances; to provide for
10 instructors; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 40:2401, 2404.2(A) and (B)(1) and 2405(A)(1) and (2) are hereby
13 amended and reenacted and R.S. 40:2405.2 is hereby enacted to read as follows:

14 §2401. Findings and policy

15 The legislature finds **all of the following:**

16 **A.** ~~that~~ **That** law enforcement work is of such importance to the health, safety
17 and welfare of the people of this state and is of such a nature as to require education

1 and training of a professional character. The needs of such education and training can
2 be met only by programs adequate in quality and scope and made available to those
3 persons who are serving as such officers including those in a temporary or
4 probationary capacity. Education should also be made available to persons who seek
5 to become peace officers, and this education should be supervised by a special
6 council composed of persons experienced in law enforcement work and the training
7 thereof rather than any other general board composed of nonlaw enforcement
8 members.

9 **B.(1) Part-time, volunteer, and reserve peace officers have been utilized**
10 **for decades by many police departments around the state and nation and have**
11 **traditionally served as a valuable remedy to combat staffing shortages and to**
12 **provide additional security during natural disasters and at events attracting**
13 **large groups of people. These reserve, volunteer, and part-time peace officers**
14 **have routinely been men and women who volunteered to serve their**
15 **communities by freely giving their time and talent to assist their local law**
16 **enforcement agencies and often received no monetary compensation whatsoever**
17 **for their considerable past law enforcement experience. Often many of these**
18 **reserve, volunteer, and part-time peace officers serving in Louisiana were**
19 **actually retired, often decorated, former full-time law enforcement officers**
20 **from other states or employed as agents of elite federal government agencies in**
21 **a law enforcement capacity.**

22 **(2) On January 1, 2022, with the passage of enhanced training,**
23 **instruction, and education requirements for volunteer part-time and reserve**
24 **police officers, the legislature effectively ended much of the recruitment of part-**
25 **time and reserve peace officers, regardless of the fact that many of these**
26 **prospective volunteers who were turned away had been highly experienced and**
27 **decorated law enforcement officers from other states or served in law**
28 **enforcement in federal government agencies. Act 668 of the 2022 Regular**
29 **Session set forth the requirement that these volunteer part-time and reserve law**

1 enforcement officers, regardless of experience and compensation, undergo the
2 same minimum four hundred hours of core curriculum education and
3 instruction that is required for full-time, compensated, entry level peace officers
4 with no law enforcement experience whatsoever.

5 (3) Although training is necessary for all law enforcement personnel, the
6 necessary training for experienced part-time, volunteer, and reserve peace
7 officers should be distinguished from full-time, career, entry level peace officers
8 with no prior law enforcement experience. A program designed specifically to
9 train part-time, volunteer, and reserve peace officers is, therefore, necessary to
10 provide local law enforcement agencies with the means by which to train and
11 hire these part-time, volunteer, and reserve peace officers and thereby enhance
12 public safety and reduce crime in local communities throughout Louisiana.

13 * * *

14 §2404.2. Minimum training requirements; basic curriculum; annual training

15 A. In addition to all training requirements provided for in this Chapter, in
16 order to be certified as a level one basic law enforcement peace officer, all persons
17 shall successfully complete a minimum of four hundred hours of core curriculum for
18 basic peace officers as prescribed by the council except as provided in R.S.
19 40:2405.2.

20 B.(1) All full-time, ~~part-time, or reserve~~ peace officers shall successfully
21 complete a minimum of twenty hours of in-service training requirements prescribed
22 by the council on an annual basis. All initial training requirements must be
23 completed within the first calendar year after receiving P.O.S.T. certification and
24 annually thereafter.

25 * * *

26 §2405. Peace officer training requirements; reimbursement by peace officer

27 A.(1) Except as otherwise provided in ~~Paragraph (2) of this Subsection~~ R.S.
28 40:2405.2, any person who begins employment as a peace officer in Louisiana
29 subsequent to January 1, 1986, must successfully complete a certified training

1 program approved by the council and successfully pass a council-approved
 2 comprehensive examination within one calendar year from the date of initial
 3 employment. The one-year period in which a peace officer is required to complete
 4 a certified training program approved by the council and successfully pass a council-
 5 approved comprehensive examination is not interrupted if the peace officer leaves
 6 the employing agency to be employed as a peace officer in another agency in
 7 Louisiana. Any person who fails to comply with this requirement shall be prohibited
 8 from exercising the authority of a peace officer; however, such persons shall not be
 9 prohibited from performing administrative duties.

10 ~~(2)(a) The council shall promulgate administrative rules for the certification~~
 11 ~~requirements of part-time and reserve peace officers employed on or after the~~
 12 ~~effective date of this Act and prior to January 1, 2022 subject to oversight by the~~
 13 ~~House Committee on Judiciary and Senate Committee on Judiciary B.~~

14 (b) Any person who begins employment as a part-time, **volunteer**, or reserve
 15 peace officer in Louisiana on or after ~~January 1, 2022~~ **August 1, 2024**, shall be
 16 subject to the requirements of Paragraph (1) of this Subsection **R.S. 40:2405.2**.

17 * * *

18 **§2405.2. Louisiana P.O.S.T. Reserve Training Academy created; minimum**
 19 **training requirements for part-time, volunteer, and reserve peace**
 20 **officers**

21 **A. There is hereby created the Louisiana P.O.S.T. Reserve Training**
 22 **Academy within the Counsel on Peace Officer Standards and Training for the**
 23 **purpose of allowing local law enforcement agencies to recruit part-time,**
 24 **volunteer, and reserve peace officers to participate in local law enforcement**
 25 **efforts and thereby assist in combating crime in their local communities.**

26 **B. Notwithstanding any other provision of law to the contrary, in order**
 27 **to be certified as part-time, volunteer, or reserve police officers, all such persons**
 28 **shall successfully complete a minimum of one-hundred and ninety four hours**
 29 **of core curriculum for basic peace officers as prescribed by the council.**

1 **C. In order to employ officers with prior law enforcement experience but**
2 **who are currently employed in other careers or are retired law enforcement**
3 **agents from other states or federal agencies, the council shall offer or authorize**
4 **at least a portion of the classroom training to be taught by internet classes**
5 **during evenings or on weekends for some portion of the one-hundred and ninety**
6 **four hours of core curriculum. The council may approve and enter into**
7 **agreements with the universities, technical colleges, or vendors to offer online**
8 **instruction through internet classes for the portion of training that does not**
9 **include those necessary skills, such as defensive driving, that must be taught**
10 **onsite by an instructor. The internet instruction or training provided pursuant**
11 **to this Subsection shall be implemented in the same manner as the procedural**
12 **justice and duty-to-intervene instruction that is provided in R.S. 40:2404.2.**

13 **D. The council shall develop and promulgate administrative rules for the**
14 **certification requirements of part-time, volunteer, and reserve peace officers,**
15 **employed on or after August 1, 2024, and shall apply to all part-time, volunteer,**
16 **and reserve peace officers, except those part-time or reserve police officers who**
17 **are exempt from the requirements of R.S. 40:2404.2.**

18 **E.(1) All part-time, volunteer, or reserve peace officers shall successfully**
19 **complete a minimum of twenty hours of in-service training requirements**
20 **prescribed by the council on an annual basis. All initial training requirements**
21 **must be completed within the first calendar year after receiving P.O.S.T.**
22 **certification and annually thereafter.**

23 **(2) Under certain circumstances, the council may modify, extend, or**
24 **waive an in-service training requirement on a case-by-case basis. Requests for**
25 **modifications, extensions, or waivers of annual in-service training requirements**
26 **for an officer shall be in writing submitted from the agency head to the council.**
27 **Waivers may be considered for extended continuous medical leave or any other**
28 **emergency event or events deemed as such by the council.**

29 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
 2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 4 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

SB 227 Original 2024 Regular Session Hodges

Present law provides relative to the employment, discipline, training, recruitment, and investigation of peace officers. Provides that, in order to be certified as a level one basic law enforcement peace officer, all persons must successfully complete a minimum of 400 hours of core curriculum for basic peace officers as prescribed by the Council on Peace Officer Standards (P.O.S.T.) certification, whether the peace officers are full time or part-time and regardless of previous law enforcement experience. Some exceptions apply to the 400 hour minimum training requirements for certain officers who were employed or volunteered before January 1, 1986, and other exceptions apply to certain officers who were employed or volunteered prior to January 1, 2022.

Proposed law retains present law but reduces the number of hours needed for part-time and reserve peace officers to serve local law enforcement agencies to 194 hours of P.O.S.T. training and also applies to volunteer officers.

Present law provides legislative findings that law enforcement work is of such importance to the health, safety and welfare of the people of this state and is of such a nature as to require education and training of a professional character. The needs of such education and training can be met only by programs adequate in quality and scope and made available to those persons who are serving as such officers including those in a temporary or probationary capacity. Education should also be made available to persons who seek to become peace officers, and this education should be supervised by a special council composed of persons experienced in law enforcement work and the training rather than any other general board composed of nonlaw enforcement members.

Proposed law retains present law but provides legislative intent as it relates to part-time, volunteer, and reserve peace officers, as follows:

- (1) Part-time, volunteer, and reserve peace officers have been utilized for decades by many police departments around the state and nation and have traditionally served as a valuable remedy to combat staffing shortages and to provide additional security during natural disasters and at events attracting large groups of people. These reserve, volunteer, and part-time peace officers have routinely been men and women who volunteered to serve their communities by freely giving their time and talent to assist their local law enforcement agencies and often receiving no monetary compensation whatsoever for their considerable past law enforcement experience. Often many of these reserve, volunteer, and part-time peace officers serving in Louisiana were actually retired, often decorated, former full-time law enforcement officers from other states or employed as agents of elite federal government agencies in a law enforcement capacity.
- (2) On January 1, 2022, with the passage of enhanced training and education requirements for volunteer part-time and reserve police officers, the legislature effectively ended much of the recruitment of part-time and reserve peace officers,

- regardless of the fact that many of these prospective volunteers who were turned away had been highly experienced and decorated law enforcement from other states or the federal government. Act 668 of the 2022 Regular Session set forth the requirement that these volunteer part-time and reserve law enforcement officers, regardless of experience and compensation, undergo the same minimum 400 hours of core curriculum education and training that is required for a full-time, compensated, entry level peace officers with no law enforcement experience whatsoever.
- (3) Although training is necessary for all law enforcement personnel, the necessary training for experienced part-time, volunteer, and reserve peace officers should be distinguished from full-time, career, entry level peace officers with no prior law enforcement experience. A program designed specifically to train part-time, volunteer, and reserve peace officers is, therefore, necessary to provide local law enforcement agencies with the means by which to train and hire these part-time, volunteer, and reserve peace officers and thereby enhance public safety and reduce crime in local communities throughout La.

Proposed law creates the La. P.O.S.T. Reserve Academy within the Counsel on Peace Officer Standards and Training for the purpose of allowing local law enforcement agencies to recruit part-time, volunteer, and reserve peace officers to participate in local law enforcement efforts and thereby assist in combating crime in their local communities.

Proposed law provides that, in order to be certified as part-time, volunteer, or reserve police officers, all such persons must successfully complete a minimum of 194 hours of core curriculum for basic peace officers as prescribed by the council.

Present law provides that the instruction or training provided for procedural justice and duty-to-intervene is to be taught by classroom or internet instruction, or both.

Proposed law provides that, in order for employees who have prior law enforcement experience but who are currently employed in other careers, the counsel will offer or authorize at least a portion of the classroom training to be taught by internet classes during evenings or on weekends for some portion of the 194 hours of core curriculum. The council may approve and enter into agreements with the universities, technical college, or vendors to offer online instruction through internet classes for the portion of training that does not include those necessary skills, such as defensive driving, that must be taught in-person and onsite.

Proposed law provides that the council is to develop and promulgate administrative rules for the certification requirements of part-time, volunteer, and reserve peace officers, employed on or after the effective date of the Act and the requirement for 194 will apply to all part-time, volunteer, and reserve peace officers, except those part-time or reserve police officers who are exempt from the 400-hour training requirements pursuant to present law.

Present law requires all full-time, part-time and reserve peace officers to successfully complete a minimum of 20 hours of additional in-service training requirements prescribed by the council on an annual basis, beginning the year after the officer has taken 400 hours of training and been P.O.S.T. certified. All initial training requirements must be completed within the first calendar year after receiving P.O.S.T. certification and annually thereafter. Requires, under certain circumstances, that the council may modify, extend, or waive an in-service training requirement on a case-by-case basis. Requests for modifications, extensions, or waivers of annual in-service training requirements for an officer must be in writing submitted from the agency head to the council. Waivers may be considered for extended continuous medical leave or any other emergency event or events deemed as such by the council.

Proposed law retains present law but clarifies that the exemptions and waivers also apply to

volunteer officers as required in present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:2401, 2404.2(A) and (B)(1) and 2405(A)(1) and (2); adds R.S. 40:2405.2)