

**Regulatory Analysis**  
LSA Document #23-731**Regulatory Analysis of Proposed Rules****I. Description of Proposed Rules****A. [250 IAC 2-2](#) Basic Training Mandated for Law Enforcement Officers Appointed on or after July 6, 1972**

The Law Enforcement Training Board was tasked with adopting minimum standards for law enforcement training schools administered throughout Indiana under I.C. 5-2-1-9. Administrative Code Rule 2 established the procedures and timing for successful completion of the basic training course for newly appointed law enforcement officers.

Rule 2 currently states that a law enforcement officer who fails to successfully complete the basic training course within one (1) year of the officer's first or original appointment, is disqualified from reapplying to any law enforcement agency and attempting a subsequent basic training course. This disqualification language is more restrictive than the language set forth in I.C. 5-2-1-9, which does not include the phrase "first or original."

The proposed amendments to [250 IAC 2-2-3](#) and [250 IAC 2-2-4](#) are consistent with the statutory language in [IC 5-2-1-9](#) that an officer must successfully complete basic training within one (1) year of date of appointment to a law enforcement agency. These proposed amendments provide individuals additional opportunities for a law enforcement career, by allowing an applicant who is appointed to a law enforcement agency following the year after the applicant's first or original appointment, to enroll in future basic training courses. That officer would not be able to exercise law enforcement authority until successful completion of the subsequent basic training course, consistent with the statutory language in place. This would expand the pool of applicants for law enforcement agencies who are experiencing application shortages, by allowing agencies to consider individuals who previously did not successfully complete a basic training course within the requisite timeframe.

Administrative Code Rule 2 also explains the process by which an officer, who completed basic training in another state, may seek a waiver of the basic training requirement in Indiana from the Law Enforcement Training Board. The proposed amendment to [250 IAC 2-2-1](#) clarifies that the Board will look to Indiana's minimum standards for training in place at the time the officer completed basic training in another state, rather than the current minimum standard in place. When the minimum basic training curriculum is increased, this would still allow officers to look to Indiana for law enforcement careers from out-of-state law enforcement agencies, thereby expanding the pool of applicants for law enforcement agencies who are experiencing application shortages.

The proposed amendments to [250 IAC 2-2-1](#), [250 IAC 2-2-3](#), and [250 IAC 2-2-4](#) do not add any fee, fine, or civil penalty and are for the benefit of the customer base served by the Law Enforcement Training Board, Indiana law enforcement agencies.

**B. [250 IAC 2-4](#) Minimum Curriculum, Attendance, Equipment, and Facility Requirements**

In addition to Administrative Rule 2, the Law Enforcement Training Board created Rule 4 to establish minimum curriculum standards and standardization of training for the two basic training courses set forth in I.C. 5-2-1-9.

[250 IAC 2-4-1](#) currently states that the basic training course for most Indiana law enforcement officers, commonly referred to as "Tier I" training, shall be a minimum of four hundred eighty (480) hours of training. Over the years, that training curriculum has been expanded by the Indiana Law Enforcement Academy to a sixteen (16) week training program, consisting of more than six hundred (600) hours. The proposed amendment to [250 IAC 2-4-1](#) codifies the minimum curriculum that has already been approved by the Training Board, under the authority of I.C. 5-2-1-9 and Administrative Rule 4, which was implemented in the Tier I course curriculum beginning in August 2021. The added curriculum allowed for scenario-based training to better prepare the officer trainees by applying classroom material to practical exercises and providing constructive criticism following each exercise to enhance comprehension.

The Training Board was tasked with adopting rules establishing a town marshal basic training program in I.C. 5-2-1-9(i), which has fewer hours of instruction and fewer courses of study. The town marshal training course, commonly referred to as "Tier II" training, has been expanded by the Training Board to include law enforcement agencies, with approval of their governing boards or hiring entities, such as hospital police departments, Indiana Gaming Commission agents, Capitol Police Officers, and Department of Correction police officers. The amendment to [250 IAC 2-4-1](#), removing former subsection (3), is consistent with the expanded hiring eligibility of the Tier II graduates at those agencies, as well as towns employing the town marshal system. The proposed subsection (3) will list the agencies that have been approved to participate in the Tier II course as stated above.

Further, I.C. 5-2-1-9(i) was amended effective July 1, 2023, to include conservancy district marshals and deputy marshals in the Tier II training course, previously referred to as the town marshal basic training program. The proposed amendment to [250 IAC 2-4-1](#), referring to the course as the town marshal and conservancy district marshal basic training program, aligns the Administrative Rule with statute by the addition of conservancy district marshals and deputy marshals in this basic training course.

The proposed amendment to [250 IAC 2-4-1](#) does not add any fine, fee, or civil penalty.

#### C. [250 IAC 2-7](#) In-Service Training

The Law Enforcement Training Board adopted a mandatory in-service training program for Indiana law enforcement officers pursuant to I.C. 5-2-1-9(g). Administrative Code Rule 7 originally set a mandatory minimum of sixteen (16) hours of annual in-service training, which was later raised to twenty-four (24) hours of in-service training annually.

The Board set mandatory minimum hours of instruction in the three (3) areas of psychomotor skills; firearms, physical tactics or use of force, and police vehicle operations, as referred to as emergency vehicle operations. In-service training in each of these three (3) psychomotor skills was mandated to be a minimum of two (2) hours of instruction per area of instruction.

In 2022, the Legislature required the Training Board to adopt a statewide defensive tactics policy and training program, pursuant to I.C. 5-2-1-1 and 5-2-1-9(a)(2). The Board has adopted a statewide defensive tactics training policy and program requiring in-service training in fourteen (14) categories such as ground fighting, handcuffing, self-defense escapes, and weapon defense and retention. Reasonable use of force during active encounters between officers and suspects, is best accomplished by more training for officers. The proposed amendment to [250 IAC 2-7-1](#) would increase the number of hours spent in physical, or defensive tactics, and use of force, without increasing the total number of hours of annual mandatory in-service training. This would accomplish the Board's goal for consistent annual training for all Indiana law enforcement officers, who will be more prepared for active encounters with suspects, with the goal of fewer injuries for suspects and officers.

The proposed amendment to [250 IAC 2-7-1](#) does not add any fine, fee, or civil penalty.

#### D. [250 IAC 2-8](#) Training Status Report

To ensure compliance with the annual mandatory in-service training described above, all agencies must submit a written report to the Indiana Law Enforcement Academy, pursuant to I.C. 5-2-1-1(d), detailing the training compliance of all Indiana law enforcement officers no later than March 31 of each year. The Training Board adopted Administrative Rule 8, establishing the reporting method of compliance for Indiana law enforcement agencies, submitted between January 31 and March 31 of each year.

A law enforcement officer who did not successfully complete the requisite twenty-four (24) hours of in-service training by December 31, is not eligible for continued employment pursuant to I.C. 5-2-1-9(g). Preparation of the annual training status report is an opportunity for agency training coordinators to identify a deficient officer, suspend the officer's law enforcement authority, and arrange for training to quickly make that officer compliant. With the digitization of tracking training hours, this task can be accomplished more quickly than when this Administrative Rule was adopted over twenty years ago. The proposed amendment to [250 IAC 2-8-3](#) would require the training status report to be submitted by January 31 of each year for the previous year's training. By shortening the reporting timeframe, this will ensure that agencies will not allow training-deficient officers to exercise police authority when there should be none.

The proposed amendment to [250 IAC 2-8-3](#) does not add any fine, fee, or civil penalty.

## II. Fiscal Impact Analysis of Proposed Rules

The proposed amendments to [250 IAC 2-2-1](#), [2-2-3](#), [2-2-4](#), [2-4-1](#), [2-7-1](#), and [2-8-3](#) are anticipated to take effect January 1, 2024.

The proposed amendment to [250 IAC 2-2-1](#), clarifying that the Training Board will evaluate a waiver application of an out-of-state law enforcement officer for Indiana certification based on the basic course minimum standard of curriculum at the time of completion of the training will have no fiscal impact on state or local government resources.

The proposed amendments to [250 IAC 2-2-3](#) and [250 IAC 2-2-4](#), allowing an officer who fails to timely complete the basic training course to regain law enforcement authority after successful completion of a future training course, will have no estimated fiscal impact on state or local government expenditures or revenues. A vacant law enforcement position in an agency must be filled, whether it is filled with a previous applicant, or a new applicant, the need for training, and the expenditure of resources for training is the same.

The proposed amendment increasing the minimum number of hours for the basic training curriculum in [250 IAC 2-4-1](#) reflects the current level of training of six (6) of the seven (7) Indiana law enforcement training academies. For those six (6) academies, there will be no fiscal impact on government resources as our Administrative Rules allows for increases to training and the academies have increased training.

The training program operating in Southwest Indiana at the Southwest Indiana Law Enforcement Academy ("SWILEA") has a curriculum of five hundred sixty-three (563) hours. The SWILEA course commander is a voting member of the Law Enforcement Training Board and has been involved in discussions to add one (1) additional week of training. SWILEA trains approximately thirty (30) officers per year, in one (1) training session. The training staff at SWILEA provides basic training to recruits as well as in-service training for its officers. The salary for the training staff will not be affected by the additional week of recruit training. The officers trained at ILEA are also receiving the same salary while in basic training, therefore there will be no additional expenditures.

The proposed amendment to [250 IAC 2-7-1](#), increasing the in-service training hours devoted to the topic of defensive tactics/use of force is not expected to have an impact on local government expenditures. Each law enforcement agency is currently required to provide twenty-four (24) hours of annual in-service training to officers. The total hours mandated will not be affected, the amendment changes only the topic that must be trained during two (2) of those required hours.

The proposed amendment to [250 IAC 2-8-3](#), shortening the reporting timeframe for the annual training status report will have no fiscal impact on state or local government resources. This is already a requirement of every Indiana law enforcement agency and only changes the reporting date.

## III. Parties Impacted by Proposed Rules

[250 IAC 2-2-1](#) impacts applicants seeking a waiver of basic training based on completion of an out-of-state law enforcement academy. The Training Board approves approximately fifty to sixty (50-60) waiver applicants each year. In 2022, there were forty-two (42) officers who received out-of-state waivers.

[250 IAC 2-2-3](#) and [250 IAC 2-2-4](#) impact potential law enforcement officers who have failed to successfully complete basic training within one (1) year following their first or original appointment. Although the training needs of Indiana's law enforcement agencies are ever-increasing, law enforcement agencies and the Indiana Law Enforcement Academy go to great lengths to ensure that officers are successfully trained within their first year. There are less than twenty-five (25) officers per year who failed a third examination during basic training or were enrolled in the basic training course when the year passed. These amendments will impact these officers, by providing them with another opportunity at a law enforcement career.

[250 IAC 2-4-1](#) impacts one (1) of the seven (7) law enforcement training academies in Indiana. SWILEA will be required to increase the two (2) annual training sessions provided by thirty-seven (37) hours, although this will not impact the salaries of the SWILEA training staff members. SWILEA trains approximately thirty (30) officers in southwest Indiana per session. The impact will be on the agencies employing those sixty (60) officers who will be in training an additional thirty-seven (37) hours rather than performing other law

enforcement duties.

[250 IAC 2-7-1](#) impacts annual training for each Indiana law enforcement officer. As of December 31, 2022, there are seventeen thousand six hundred eight (17,608) Indiana law enforcement officers.

Additionally, this rule impacts those citizens who are arrested by Indiana's law enforcement officers. Indiana State Police compiles arrest data from the Criminal History Repository System. Arrest data is sent to ISP soon after an arrest occurs. The data set is reported quarterly. The quarterly arrests for 2022 in Indiana are: Q1 approximately 218,000 records, Q2 approximately 226,000 records, Q3 approximately 202,000 records, Q4 approximately 172,000 records.

[250 IAC 2-8-3](#) impacts the training coordinators for Indiana's law enforcement agencies. As of December 31, 2022, there are six hundred seventeen (617) law enforcement agencies in Indiana.

#### IV. Table of Changes in Proposed Rules

Original Rule	Changes to the Rule	Authority	Affected	Non-Rule Materials
<a href="#">250 IAC 2-2-1</a> Mandatory basic training; waiver	The new rule will add the language " <b>be subject to the training requirements of <a href="#">IC 5-2-1-9(b)</a> and (e)</b> "	<a href="#">IC 5-2-1-9;</a> <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9;</a> <a href="#">250 IAC 2-2-3;</a> <a href="#">250 IAC 2-2-4;</a> <a href="#">250 IAC 2-4-1;</a> <a href="#">250 IAC 2-7-1;</a> <a href="#">250 IAC 2-8-3</a>	
	The new rule will add the language " <b>at the time of completion of the training</b> "			
	The new rule will remove the phrase " <b>and upon recommendation by the executive director</b> "			
	The new rule will add " <b>and conservancy district marshal</b> " to be consistent with the legislative change to <a href="#">IC 5-2-1-9</a> .			
<a href="#">250 IAC 2-2-3</a> Failure to timely complete course	The new rule will add the language " <b>is subject to the limitations in <a href="#">IC 5-2-1-9(b)</a>.</b> "	<a href="#">IC 5-2-1-9;</a> <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9;</a> <a href="#">IC 5-2-1-17</a>	
	The new rule will remove " <b>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.</b> "			
<a href="#">250 IAC 2-2-4</a> Passing score; failure as grounds for discharge; reexaminations	The new rule will remove the language " <b>should be allowed.</b> "	<a href="#">IC 5-2-1-9;</a> <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9;</a> <a href="#">250 IAC 2-3-3;</a> <a href="#">250 IAC 2-3-7;</a> <a href="#">250 IAC 2-4-1</a>	
	The new rule will also add the language " <b>is given for the current session of the basic training course. Failure to achieve a passing score on the third examination will not prevent enrollment in a subsequent full basic training course.</b> "			
<a href="#">250 IAC 2-4-1</a> Minimum basic training course; town marshal basic training program	The new rule will add the words " <b>and conservancy district marshal</b> " in the title of the rule to align with changes to <a href="#">IC 5-2-1-9</a> .	<a href="#">IC 5-2-1-9;</a> <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9;</a> <a href="#">250 IAC 1-2</a>	
<a href="#">250 IAC 2-4-1-1(1)</a>	The new rule will add " <b>those listed in subsection (3)</b> " and remove the	<a href="#">IC 5-2-1-9;</a> <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9;</a> <a href="#">250 IAC 1-2</a>	

	language " <b>towns having no more than one (1) town marshal and two (2) deputies</b> " to address the agencies approved for Tier II training by the Training Board, statute, and the governing body.			
	The new rule will replace the minimum number of hours for the basic course curriculum. The language " <b>four hundred eighty (480)</b> " will be removed. The new language will read " <b>six hundred (600)</b> " hours as the new minimum standard for the basic course curriculum.			
<a href="#">250 IAC 2-4-1-1(2)</a>	The new rule will add the language " <b>and conservancy district marshal</b> " to align with changes to <a href="#">IC 5-2-1-9</a> .	<a href="#">IC 5-2-1-9</a>	<a href="#">IC 5-2-1-9</a>	
	The rule will add " <b>(the Tier II program)</b> " to refer to the well-known program title for the town marshal and conservancy district marshal program.			
	The rule will remove " <b>town marshal basic training program</b> " and replace it with " <b>session</b> ".			
<a href="#">250 IAC 2-4-1-1(3)</a>	The entire subsection 3 will be removed. The rule will no longer state " <b>(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.</b> "	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 36-5-7</a>	
<a href="#">250 IAC 2-4-1-1(3)</a>	Subsection 3 will be replaced with: " <b>(3) The law enforcement agencies approved by statute, the governing body, and the board to participate in the Tier II program include: (a) towns employing the town marshal system as provided by <a href="#">IC 5-2-1-9(i)</a>, (b) conservancy districts employing a conservancy district marshal as provided by <a href="#">IC 5-2-1-9(i)</a>, (c) hospital police departments by <a href="#">IC 16-18-4-4</a>, (d) Indiana Gaming Commission agents by <a href="#">IC 5-2-1-9(f)</a>, (e) Department of Correction police officers by <a href="#">IC 5-2-1-9(v)</a>, and (f) Indiana State Police capitol police by <a href="#">IC 10-11-2-14</a>.</b> " This will specify the current Tier II agencies approved for the Tier II basic training program.	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 16-18-4-4</a> ; <a href="#">IC 10-11-2-14</a>	
<a href="#">250 IAC 2-4-1-1(4)</a>	The new rule will replace " <b>Town Marshal</b> " and " <b>town marshal basic training</b> " with " <b>Tier II</b> " to be consistent with the common name for the town marshal program.	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9</a> ; <a href="#">250 IAC 1-2</a>	
	The new rule will also be replacing the minimum number of hours for the basic course curriculum. The language " <b>four hundred eighty (480) hour minimum</b> " will be removed. The new language will read " <b>subsection (1)</b> " in two different sentences.			
<a href="#">250 IAC 2-4-1-1(5)</a>	This subsection will be removed as <a href="#">IC 5-2-1-9</a> states the hours can only be amended by rule. The language to be removed is " <b>(5) The minimum hours</b> ".	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 4-22-2</a>		

	<b>and subject matter prescribed in subdivisions (1) and (2) may be increased by the board."</b>			
<a href="#">250 IAC 2-7-1</a> Mandatory in-service training	The rule will add " <b>under <a href="#">IC 5-2-1-9(g)</a></b> "	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 5-2-1-1</a> ; <a href="#">IC 36-8-3-20</a> ; <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 5-2-1-11</a> ; <a href="#">IC 5-2-1-17</a> ; <a href="#">250 IAC 2-7-3</a> ; <a href="#">250 IAC 2-7-4</a>	New Policy adopted in the LETB Uniform Statewide Policy on Defensive Tactics Training, "Attachment 2"
<a href="#">250 IAC 2-7-1(1)</a>	The rule replaces " <b>two (2)</b> " with " <b>four (4)</b> " hours, based on the new requirements adopted by the LETB in the Statewide policy (Attachment 2).	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 5-2-1-11</a> ; <a href="#">IC 5-2-1-1</a> ; <a href="#">IC 36-8-3-20</a> ; <a href="#">IC 4-22-2</a> ; <a href="#">250 IAC 2-7-4</a>	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 5-2-1-11</a> ; <a href="#">IC 5-2-1-17</a> ; <a href="#">250 IAC 2-7-3</a>	New Policy adopted in the LETB Uniform Statewide Policy on Defensive Tactics Training, "Attachment 2"
	The rule adds the requirement of " <b>active participation</b> " in physical (defensive) tactics, as required in the newly adopted Statewide policy (Attachment 2).			
	The rule replaces the word of " <b>physical</b> " with " <b>defensive</b> " as amended by the Legislature.			
	The rule will add " <b>using the categories of technique stated in the Uniform Statewide Defensive Tactics Training Program</b> " as required in the adopted Statewide policy (Attachment 2).			
	The new rule will add the language " <b>mandated by <a href="#">IC 5-2-1-9(g)</a>, as well as any other subjects</b> " to reference the statute that covers mandatory in-service topics.			
	The new rule will add the language " <b>Any additional subjects</b> " and remove " <b>or</b> ".			
<a href="#">250 IAC 2-8-3</a> Report to cover previous calendar year; submission and delinquent dates	The rule changes the due date for the annual training status report that is to be filed by each law enforcement agency. The rule replaces the language " <b>between January 1 and March 31</b> " with " <b>on or before January 31</b> ".	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 5-2-1-11</a> ; <a href="#">IC 36-8-3-20</a> ; <a href="#">IC 4-22-2</a>	<a href="#">IC 5-2-1-9</a> ; <a href="#">IC 5-2-1-11</a> ; <a href="#">250 IAC 2-7-1</a>	

## V. Benefit Analysis of Proposed Rules

The proposed amendment to [250 IAC 2-2-1](#) clarifies the waiver standard that is in place. The Training Board is also proposing to amend [250 IAC 2-4-1](#) to set the minimum standard at the current number of training hours, which is an increase from the minimum established in the current rule. If the basic training curriculum standard is increased, the amendment to [250 IAC 2-2-1](#) will provide benefit to any waiver- seeking law enforcement officers who are initially trained after January 1, 2024, in the eighteen (18) states that have a basic training curriculum between four hundred eighty (480) and six hundred (600) hours, the remaining twenty-nine (29) states are at six hundred (600) hours or above. There are two (2) states that already fall below the four hundred eighty (480) hour minimum. There are a non- quantifiable number of future officers from these eighteen (18) states who would benefit from this amendment.

The proposed amendments to [250 IAC 2-2-3](#) and [250 IAC 2-2-4](#) will provide individuals additional opportunities for a law enforcement career, by allowing an applicant who is appointed to a law enforcement agency following the year after the applicant's first or original appointment, to enroll in future basic training courses. That officer would not be able to exercise law enforcement authority until successful completion of the subsequent basic training course as stated in [IC 5-2-1-9\(b\)](#). This would expand the pool of applicants for law enforcement agencies who are experiencing application shortages, by allowing agencies to consider individuals who previously did not successfully complete a basic training course within the requisite

timeframe. The number of officers who have not successfully completed basic training within one (1) year is unknown. It is also unknown how many individuals would like a second chance at a law enforcement career later in life who failed to complete basic training previously. Opening this opportunity could only provide benefit to the law enforcement community.

The proposed amendment to [250 IAC 2-4-1](#) will benefit Indiana's law enforcement community and Indiana's citizens. Standardizing curriculum in Indiana across training facilities will ensure that officers are receiving the same, or similar, course of instruction. Indiana's officers often move from one hiring agency to another during their careers. By ensuring consistent training for all Indiana's officers, officers within the new hiring agency will be similarly trained.

The proposed amendment to [250 IAC 2-7-1](#) would increase the number of hours spent in physical, or defensive tactics, and use of force, without increasing the total number of hours of annual mandatory in-service training. Reasonable use of force during active encounters between officers and suspects, is best accomplished by more training for officers. The benefit is not quantifiable. The goal of the increased training in this area is to better prepare Indiana's 17,608 law enforcement officers for the 800,000 annual arrests they are likely to make. Not every arrest involves use of force and not every arrest results in injury to the officer or the suspect. Therefore, consistent standardized annual training on the same core physical/defensive tactics principles will result in better trained officers. It is the goal that officers who are equipped with more defensive tactics and de-escalation knowledge and practice are able to gain compliance from resistive suspects quicker, safer, and with fewer injuries for all parties involved.

The proposed amendment to [250 IAC 2-8-3](#) benefits any of the six hundred seventeen (617) law enforcement agencies in Indiana with a training-deficient law enforcement officer. A law enforcement agency that continues to employ a training-deficient officer, exercising law enforcement authority after the officer is no longer eligible for continued employment pursuant to I.C. 5-2-1-9(g), is susceptible to a failure to supervise allegation in civil lawsuits. By requiring an agency to prepare the annual training status report earlier in the year, the discovery will occur more quickly, and remedial action can be taken, saving the agency civil liability. Every year there are training-deficient officers, the benefit is significant to an agency to find these officers more quickly and engage in quick remedial action to avoid potential civil liability.

## VI. Cost Analysis of Proposed Rules

The proposed amendment to [250 IAC 2-2-1](#) does not have any compliance costs to law enforcement agencies or any administrative expenses.

The proposed amendments to [250 IAC 2-2-3](#) and [250 IAC 2-2-4](#), will have no additional cost to law enforcement agencies or any additional costs to the Indiana Law Enforcement Academy. A vacant law enforcement position in an agency must be filled, whether it is filled with a previous applicant, or a new applicant; the need for training, and the expenditure of resources for all sides of training is the same.

The proposed amendment to [250 IAC 2-4-1](#) will have minimal direct costs. As stated above, only one Indiana law enforcement academy will be impacted. SWILEA will be required to increase its two (2) annual training sessions by thirty-seven (37) hours. There will not be a direct cost to SWILEA for creating or performing that additional training, as the staff members are paid a salary whether the training being provided is recruit training, training preparation, or in-service training or preparation. SWILEA trains approximately thirty (30) officers in southwest Indiana per session, for a total of sixty (60) officers. The direct cost will be on each agency with a student enrolled in SWILEA's academy that would be paying the officer an additional \$27.41 an hour, for thirty-seven (37) additional hours, to complete training rather than performing other law enforcement tasks.

The proposed amendment to [250 IAC 2-7-1](#) might have a direct impact on local law enforcement agencies who are not already engaging in at least four (4) hours of physical/defensive tactics training per year. According to the records entered into ACADIS, a training reporting system, over twenty-five percent (25%) of Indiana's officers completed at least four (4) hours of physical tactics in 2022. There would be no cost impact to train those officers for the additional required two (2) hours.

Further, the total number of mandatory in-service training hours is not being amended. Agencies will be able to provide the same amount of in-service training to the officers, which would not affect overtime costs.

The direct cost to agencies who are not already requiring at least four (4) hours of physical/defensive tactics

training per year comes from potential facility fees, a potential need for additional defensive tactics instructors, and potential injury to officers during defensive tactics training. This is not a quantifiable cost.

The need for additional instructors has been addressed by ILEA in our instructor development training for 2022 and 2023. Due to the increased need for instructors, ILEA has hosted or traveled to a minimum of two (2) general instructor courses each month for 2023. There has been an increased number of psychomotor skills instructor courses offered in each of the three (3) psychomotor skills. Fifty-nine (59) instructors were trained in 2022 in physical tactics instruction. At least seven hundred (700) instructors will be trained in 2023 in all areas of instruction including generalists, physical tactics, firearms, and emergency vehicle operations. It is not known how many more instructors will be needed by agencies solely because of this amended rule, as typically each agency will seek to train at least one (1) new instructor every two (2) to three (3) years.

Despite the best plan and preparation, injury is always a possibility. It is possible that the increased hours of training in a physical activity such as defensive tactics will lead to more injuries to officers. It is unknown and is unable to be quantified what that cost might be in the future.

The proposed amendment to [250 IAC 2-8-3](#) will not have any direct or indirect costs to the law enforcement agencies already required to complete and submit the annual training status report. The annual training is required to be completed by December 31, therefore, even the largest law enforcement agencies who have officers completing training on the last day of the year, would be able to comply by entering training hours within a month's time. There will be no new equipment requirements or personnel who would need to be involved, if the training coordinators are entering the training as it occurs, or shortly thereafter.

## VII. Sources of Information

The following sources were consulted to gather information used in this Regulatory Analysis:

1. International Association of Directors of Law Enforcement Standards and Training ("IADLEST") publishes a Reciprocity Handbook, gathering information from the fifty (50) State law enforcement officer standards and training organizations. This Reciprocity Handbook was last revised March 14, 2019, and is available on the internet. This data was used to determine the number of officers who may be impacted by the amendment to [250 IAC 2-2-1](#).
2. Management Performance Hub partnered with the Indiana State Police to create an Indiana Arrest Dashboard which displays information about individuals arrested in Indiana each year. This information is collected and published quarterly. The arrest information is obtained from the Criminal History Repository System (CHRIS), which is fed from a system used for fingerprinting at the time of arrest, a system used by prosecutors to maintain case disposition data, and a system used by the courts for criminal case management. This information was used in the cost-benefit analysis for the proposed amendment to [250 IAC 2-7-1](#). INDIANA ARREST DATA - Dataset - The Indiana Data Hub
3. Indeed's website was used to find the current average hourly salary for officers with the Evansville Police Department and the average annual salary for Indiana's police officers. This information was used in the cost analysis for the amendment to [250 IAC 2-4-1](#).
4. The training numbers from 2022 were found in Indiana Law Enforcement Academy's End of Year Report for 2022. This Report can be found on ILEA's website. [www.in.gov/ilea](http://www.in.gov/ilea)
5. The number of Indiana law enforcement agencies and officers are contained in the 2022 Indiana Law Enforcement Agency Strength Report, a copy of which is maintained and available at the Indiana Law Enforcement Academy in Plainfield.
6. The number of Indiana law enforcement officers who completed at least four (4) hours of physical tactics training in 2022 was reported in ACADIS, a computer software program that maintains the training records uploaded by law enforcement agencies. A copy of the report generated is available at the Indiana Law Enforcement Academy in Plainfield.

## VIII. Regulatory Analysis for Proposed Rules

The benefits of the proposed amendment to [250 IAC 2-2-1](#) justify the need for the amendment, with no added cost agencies or the State. The change only clarifies the waiver standard in place and allows officers to continue to seek a waiver of basic training from the eighteen (18) states that will have a training standard below Indiana's higher minimum curriculum.

The benefits of the proposed amendments to [250 IAC 2-2-3](#) and [250 IAC 2-2-4](#) also justify the need for the amendments. There are no costs of the proposed amendments. These amendments will allow officers, who fail to successfully complete the training course within the first year, to enroll in future basic training courses.



This would expand the pool of applicants for law enforcement agencies, and there would be no additional cost to the agencies or the Indiana Law Enforcement Academy.

The benefits of the proposed amendments to [250 IAC 2-4-1](#) standardizing Indiana's law enforcement training will outweigh the minimal costs to the agencies who will have an officer participating in thirty-seven (37) hours of additional training in SWILEA's training course, rather than using that officer for thirty-seven (37) hours of other law enforcement activity. ILEA hired a Deputy Director of POST in 2022 to standardize training to ensure all Indiana law enforcement officers are receiving the same or similar training to maintain law enforcement standards. Raising the curriculum standard to a minimum of six hundred (600) hours for all Indiana academies will benefit every law enforcement officer and agency in Indiana.

The benefits that will come from increasing the number of in-service training hours devoted to defensive tactics in the proposed amendment to [250 IAC 2-7-1](#) far outweigh any potential costs that would come from the training. The total hours of mandatory in-service training did not change, and agencies may keep their total annual training hours the same. There is a potential for additional training injuries with the added two (2) hours of physical training, however that cost is unknown. Additional instructors have been trained and each instructor is trained in minimizing risk of injury with the psychomotor skill being instructed. Indiana's 17,608 law enforcement officers made approximately 800,000 arrests in 2022. Each officer receiving the additional training in physical/defensive tactics skills will only improve the officer's ability to safely control the forty-five people each officer is likely to arrest per year. The goal of the amendment is to minimize the risk of injury to both suspects and officers during each arrest encounter with the additional training and practice.

The benefits of the proposed amendment to [250 IAC 2-8-3](#) justify the need for the amendment, with no added cost to the agencies or the State. The change benefits agencies with training-deficient officers by allowing these agencies to identify the officer(s) more quickly and solve the problem.

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