

## **IC 10-11-2**

### **Chapter 2. State Police Department**

#### **IC 10-11-2-1**

##### **"Civilian employee"**

Sec. 1. As used in this chapter, "civilian employee" means an employee assigned to a position other than a position having police rank as a peace officer.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-2**

##### **"Employee"**

Sec. 2. (a) As used in this chapter, "employee" means an employee of the department.

(b) The term includes police employees.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-3**

##### **"Police employee"**

Sec. 3. As used in this chapter, "police employee" means an employee who is assigned police work as a peace officer under section 21 of this chapter.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-4**

##### **Department established**

Sec. 4. The state police department is established.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-5**

##### **State police board established**

Sec. 5. (a) The state police board is established. The board shall administer, manage, and control the department.

(b) The board consists of six (6) members appointed by the governor, not more than three (3) of whom may belong to the same political party. A member of the board appointed by the governor shall serve for a term of four (4) years except when appointed to fill a vacancy for an unexpired term. In making appointments to the board, the governor shall select one (1) member from each of six (6) geographical regions in Indiana as described in subsection (d). Each member must be a permanent resident of the region from which the member is appointed.

(c) As vacancies occur, the governor shall select new members by region, beginning with the lowest numbered region that is not represented and continuing in that manner until each region is represented.

(d) For purposes of appointments to the state police board, the geographical regions described in subsections (b) and (c) are as

follows:

(1) Region I is comprised of Lake, Porter, LaPorte, Newton, Jasper, Starke, Pulaski, Benton, White, Warren, and Fountain counties.

(2) Region II is comprised of St. Joseph, Elkhart, LaGrange, Steuben, Marshall, Kosciusko, Noble, DeKalb, Whitley, and Allen counties.

(3) Region III is comprised of Fulton, Cass, Miami, Wabash, Huntington, Wells, Adams, Carroll, Howard, Grant, Blackford, Tippecanoe, Clinton, Tipton, Madison, Montgomery, Boone, Hamilton, and Jay counties.

(4) Region IV is comprised of Hendricks, Marion, and Hancock counties.

(5) Region V is comprised of Vermillion, Parke, Putnam, Morgan, Vigo, Clay, Owen, Monroe, Brown, Sullivan, Greene, Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer, and Perry counties.

(6) Region VI is comprised of Delaware, Randolph, Henry, Wayne, Johnson, Shelby, Rush, Fayette, Union, Bartholomew, Decatur, Franklin, Jackson, Jennings, Ripley, Dearborn, Ohio, Washington, Scott, Jefferson, Switzerland, Clark, Harrison, and Floyd counties.

(e) Members appointed to the board shall serve during their respective terms and until their respective successors have been appointed and qualified. A member of the board may be removed by the governor for inefficiency, incompetency, or neglect of duty after the member has been accorded a hearing by the governor upon reasonable notice of the charge being made against the member.

(f) As compensation for service on the board, each member of the board is entitled to receive the following:

(1) Twenty-five dollars (\$25) per day for each day or part of a day during which the member is engaged in transacting the business of the board.

(2) The member's actual traveling and other expenses necessarily incurred in discharging the duties of the member's office.

(g) The members of the board shall organize by the election of a president and a secretary from among their own membership, each of whom shall serve a term of one (1) year.

(h) Four (4) members of the board constitute a quorum for the transaction of business. The board shall hold regular monthly meetings and special meetings throughout the year as necessary to transact the business of the department.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-6**

##### **Appointment of superintendent**

Sec. 6. (a) The governor shall appoint a superintendent of the

department.

(b) The superintendent:

(1) shall be selected on the basis of training and experience; and

(2) must:

(A) have:

(i) served at least five (5) years as a police executive; or

(ii) had five (5) years experience in the management of military, semi-military, or police bodies;

to equip the superintendent for the position; and

(B) have been trained in police affairs or public administration.

(c) The superintendent:

(1) is the executive officer; and

(2) has general charge of the work of the department.

(d) The superintendent shall serve at the pleasure of the governor.

(e) The governor shall fix the salary of the superintendent.

(f) The superintendent may be removed by the governor with or without cause.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-7**

##### **Department organization**

Sec. 7. The department shall be organized in conformity with the rules adopted by the board.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-8**

##### **Purchases; expenditures; salaries**

Sec. 8. (a) The state purchasing agent shall purchase all personal property, supplies, and equipment the department needs.

(b) All capital expenditures shall be made with the approval of the budget committee.

(c) The salaries and compensation of police employees and other employees shall be fixed by the board with the approval of the governor.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-9**

##### **Rules**

Sec. 9. The superintendent, with the approval of the board, may adopt rules for the government of the department.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-10**

##### **Rank, grade, and position classifications**

Sec. 10. (a) The superintendent, with the approval of the board, shall establish a classification of ranks, grades, and positions in the department.

(b) For each rank, grade, and position established, the

superintendent shall designate the authority and responsibility within the limits of this chapter.

(c) For each rank, grade, and position established, the superintendent shall set standards of qualifications in conformity with the plans and standards most widely adopted in other states, dominions, and provinces. The superintendent shall fix the prerequisites of training, education, and experience for each rank, grade, and position.

(d) The board, with the approval of the budget agency and the governor, shall prescribe the salaries to be paid for each rank, grade, and position.

(e) The superintendent, with the approval of the board and in accordance with the rules adopted by the superintendent, shall designate the rank, grade, and position held by each employee of the department until the superintendent designates an employee to hold another rank, grade, or position. The superintendent may assign and reassign each employee of the department to serve at stations and to perform within the limits of this chapter the duties the superintendent designates to the employee. The superintendent may determine the conditions and amounts of bonds required in appropriate cases.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-11**

##### **Use of seized motor vehicle**

Sec. 11. (a) The superintendent, with the approval of the board and the budget agency, may accept for use by the department a motor vehicle forfeited under IC 16-42-20-5.

(b) If the department accepts a vehicle described in subsection (a), the department shall pay all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, and advertising and court costs.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-12**

##### **Employees; appointments; political activities**

Sec. 12. (a) The superintendent:

- (1) with the approval of the board;
- (2) within the limits of any appropriation made available for the purpose; and
- (3) subject to section 14 of this chapter;

shall appoint personnel to the ranks, grades, and positions of the department that the superintendent considers necessary for the efficient administration of the department.

(b) The superintendent shall:

- (1) devise and administer examinations designed to test applicants; and
- (2) appoint only those applicants who best meet the prescribed standards and prerequisites.

(c) An employee appointed to the department is on probation for

one (1) year from the date of appointment. The board may extend the employee's probationary status for cause for a period of not more than one (1) additional year.

(d) An employee may:

- (1) be a candidate for elected office or a political party office if permitted under 5 U.S.C. 1502 and serve in that office if elected;
- (2) be appointed to or selected for a pro tempore appointment to any office and serve in that office if appointed or selected; and
- (3) if the employee is not on duty, solicit votes and campaign funds and challenge voters for the office for which the person is a candidate.

An employee may serve in a part-time local elected office. However, service in a part-time local elected office must be in accordance with IC 4-2-6 and the rules and employee policies of the department. If elected to other than a part-time local elected office, the employee or appointee shall resign as an employee or appointee before assuming elected office.

*As added by P.L.2-2003, SEC.2. Amended by P.L.100-2012, SEC.24.*

#### **IC 10-11-2-13**

##### **Salaries; police employees**

Sec. 13. (a) The board shall categorize salaries of police employees within each rank based upon the rank held and the number of years of service in the department through the twentieth year. The salary ranges the board assigns to each rank shall be divided into a base salary and twenty (20) increments above the base salary, with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the department; and
- (2) the highest salary in the rank paid to a person with at least twenty (20) years of service in the department.

(b) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency before implementation.

*As added by P.L.2-2003, SEC.2. Amended by P.L.234-2007, SEC.306.*

#### **IC 10-11-2-14**

##### **Training school**

Sec. 14. (a) The superintendent, with the approval of the board, shall organize and maintain a training school for police employees of the department.

(b) A police employee may not be assigned to regular active duty until the police employee receives the training and successfully passes the course for probationers prescribed by the superintendent.

(c) Training courses, other than for probationers, shall be prescribed and conducted by the superintendent for all police employees of the department.

*As added by P.L.2-2003, SEC.2.*

## **IC 10-11-2-15**

### **Discharge, demotion, and suspension of employee; hearings; judicial review**

Sec. 15. (a) The superintendent may discharge, demote, or temporarily suspend an employee of the department for cause, after setting forth charges in writing.

(b) The charges may be based on any violation of the laws of Indiana or any violation of the rules of the department approved by the board. A copy of the charges shall be personally delivered to the employee by the employee's immediate commanding officer.

(c) An employee who is charged under this section has a right to answer the charges in a personal appearance before the superintendent. The superintendent shall set the appearance not less than five (5) days after the delivery of the copy of the written charges to the employee.

(d) Under the charges and after the personal appearance under this section, disciplinary action taken by the superintendent is subject to review at a public hearing before the board if the hearing is demanded by the disciplined employee not later than fifteen (15) days after receiving notice of the disciplinary action. The notice shall be by certified mail, return receipt requested, and shall be addressed to the employee at the employee's last known place of residence. If the employee fails to request a hearing before the board not later than fifteen (15) days after receiving notice of disciplinary action, as provided in this section, the decision and action of the superintendent are final and not subject to review.

(e) An employee who requests a hearing before the board under this section may be represented by counsel. The attorney general shall appear in the case to represent the interests of the people of the state.

(f) The state has the burden of proving the charges giving rise to the hearing. The procedure in a hearing before the board is informal and without recourse to the technical common law rules of evidence required in proceedings in courts.

(g) The board shall:

- (1) designate a reporter for the hearing; and
- (2) after all evidence has been introduced, make an informal finding of facts and a determination based upon the facts.

(h) The board shall notify the employee of its findings and determination by certified mail, return receipt requested, addressed to the employee at the employee's last known place of residence. If aggrieved by the determination, an employee may seek judicial review under IC 4-21.5-5.

(i) Probationers may be discharged, demoted, or temporarily suspended without right to a hearing before the board.

(j) An employee may not be discharged, demoted, temporarily suspended, or disciplined:

- (1) because of political affiliation; or
- (2) after the employee's probationary period, except as provided

in this chapter.

(k) This chapter may not be construed to prevent the exercise of disciplinary measures by commanding officers within the department under the rules approved by the board.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-16**

##### **Number of citations as performance evaluation factor**

Sec. 16. (a) This section applies to the issuance of a citation for a traffic violation under:

(1) IC 9; or

(2) a local ordinance that corresponds to a provision under IC 9.

(b) The department may not give greater consideration to the number of citations (as defined in IC 9-28-2-1), including:

(1) a summons;

(2) a ticket; or

(3) any other official document;

arising from a parking or standing violation that a law enforcement officer issues than to any other factor in the evaluation of the law enforcement officer's performance.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-17**

##### **Uniforms and equipment**

Sec. 17. (a) The board shall provide, within amounts appropriated for the purpose, the uniforms and equipment necessary for the employees of the department to perform their respective duties.

(b) The uniforms and equipment provided to employees under this section remain the property of the state.

(c) The board may sell uniforms and equipment, with the consent of the governor, if the uniforms and equipment become unfit for use. Money received from a sale under this section must be paid into the state treasury and credited to the state general fund.

(d) The board shall charge against an employee of the department the value of any property of the department lost or destroyed through carelessness or neglect of the employee. If the board determines that the loss or destruction of the department's property was due to carelessness or neglect of an employee, the value of the equipment shall be deducted from the pay of the employee.

(e) An employee of the department may perform nonduty work, for compensation, using the issued uniform, radio, and firearm provided by the board, if that work is approved by the superintendent in accordance with the rules and employee policies of the department. The employee shall reimburse the department for the value of any uniforms or equipment lost or destroyed in the performance of the nonduty work.

*As added by P.L.2-2003, SEC.2. Amended by P.L.83-2006, SEC.1.*

#### **IC 10-11-2-18**

**Official hat and insignia; violation**

Sec. 18. (a) The superintendent shall file with the secretary of state a drawing or photograph and a worded description, including the color, of the official uniform hat and insignia to be worn by state police officers while on duty.

(b) A person who wears or uses in public the hat or insignia or any imitation, reproduction, or facsimile of the hat or insignia, except an appointed member of the department authorized by the superintendent to wear the hat or insignia, commits a Class C infraction.

(c) After the drawing or photograph and worded description of the hat and insignia are filed with the secretary of state, the hat and insignia may not be changed by the department.

*As added by P.L.2-2003, SEC.2.*

**IC 10-11-2-19****Employee expenses, lodgings, and subsistence**

Sec. 19. (a) The superintendent may approve vouchers to pay expenses incurred by employees of the department in the discharge of their duties.

(b) The vouchers shall be audited and paid out of the appropriations for the department in the manner provided by law.

(c) Allowances for lodging and subsistence while away from official station may be paid to the employees of the department under the terms and conditions that the superintendent may prescribe. The superintendent may provide lodging and subsistence for employees of the department at their official stations.

*As added by P.L.2-2003, SEC.2.*

**IC 10-11-2-20****Headquarters; purchase of services and equipment; special fund**

Sec. 20. (a) The superintendent shall establish headquarters and stations in localities the superintendent considers advisable for the enforcement of the laws of the state.

(b) Within the limits of appropriations, the superintendent may do the following:

- (1) Purchase, lease, or otherwise acquire suitable places, lands, buildings, or rooms as local headquarters.
- (2) Erect and equip buildings and headquarters as necessary.
- (3) Purchase or otherwise acquire motor equipment, horses, and other services, commodities, and equipment the superintendent considers essential for the needs of the employees of the department in carrying out their duties.
- (4) Discontinue any headquarters or stations if the superintendent considers it desirable for the proper enforcement of the laws of the state.
- (5) Purchase and install any approved standard mechanical devices or equipment for the instantaneous or rapid transmission or broadcasting of any information concerning crime or the

apprehension of criminals.

(c) The superintendent, with the approval of the board, may sell, dispose of, or destroy property that becomes unnecessary or unfit for further use by the department. Any money received from a sale under this subsection shall be deposited in the state treasury as a special fund to be used for the purchase of new equipment. The fund does not revert to the state general fund.

(d) Authority vested in the superintendent under this section shall be exercised with the approval of the board.

*As added by P.L.2-2003, SEC.2.*

### **IC 10-11-2-21**

#### **Enforcement powers; transfer of control or direction of department members prohibited**

Sec. 21. (a) The officers and police employees of the department have all necessary police powers:

- (1) to enforce the laws of the state for the regulation and use of vehicles;
- (2) for the protection of the surface or other physical part of the highways in Indiana; and
- (3) without writ or warrant, to make an arrest for violation of the laws of the state for the regulation and use of vehicles when the violation is committed in their presence.

(b) The police employees of the department shall:

- (1) prevent and detect offenses;
- (2) apprehend offenders;
- (3) enforce the laws; and
- (4) perform other duties imposed upon them by law.

(c) Police employees of the department have:

- (1) in any part of Indiana, the same powers concerning criminal matters and the enforcement of related laws as sheriffs, constables, and police officers have in their respective jurisdictions; and
- (2) power to act as agents for the state on return of parolees, fugitives from justice, and persons extradited to Indiana for offenses.

(d) A warrant of arrest or search warrant may be executed by any police employee of the department in any part of the state, according to the terms of the warrant without endorsement.

(e) Police employees are subject to the call of the governor. The governor may assign to the department other police duties that the executive department considers advisable, including the duties performed by deputy fire marshals.

(f) Police employees have power to arrest, without warrant, a person who is committing or attempting to commit in their presence or view a violation of the laws of the state.

(g) Under order of the superintendent, police employees may cooperate with any other department of the state or with local authorities.

(h) Police employees may not:

- (1) exercise their powers within the limits of a city in labor disputes; or
- (2) suppress rioting and disorder;

except by direction of the governor or upon the request of the mayor of the city with the approval of the governor or, if the governor is not available, with the approval of the lieutenant governor. Outside the limits of a city, police employees may not exercise their power in labor disputes except by direction of the governor or upon the request of the judge of the circuit court of the county, with the approval of the governor or, if the governor is not available, with the approval of the lieutenant governor.

(i) The control or direction of the officers or members of the department may not be transferred or delegated to any other agency or officer of the state or any subdivision of the state.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-22**

##### **Fingerprints; identification data**

Sec. 22. (a) The members of the department:

- (1) shall take fingerprints and any other identification data prescribed by the superintendent of persons taken into custody for felonies; and
- (2) may, if they consider it advisable, take the fingerprints and other data of persons taken into custody for offenses other than felonies.

(b) Members of the department shall promptly transmit and file fingerprints and other data collected under this section.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-23**

##### **Cooperation with other agencies**

Sec. 23. The employees of the department shall cooperate and exchange information with:

- (1) any other department or authority of the state or with other police forces, both within and outside Indiana; and
- (2) federal police forces;

to achieve greater success in preventing and detecting crimes and apprehending criminals.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-24**

##### **Correctional institutions to receive prisoners; medical examination or treatment**

Sec. 24. (a) Except as provided in subsection (b), a person who has charge of a jail, prison, correctional facility, or other place of detention shall:

- (1) receive a prisoner arrested by a police employee of the department within the jurisdiction served by the jail; and

(2) detain the prisoner in custody until otherwise ordered by a court or by the superintendent.

A person who refuses to receive a prisoner or who releases a prisoner except as directed may be removed from office by the governor.

(b) A person who has charge of a jail, prison, correctional facility, or other place of detention may not receive or detain a prisoner in custody under subsection (a) until the arresting police employee has had the prisoner examined by a physician or competent medical personnel if the prisoner appears to be:

- (1) unconscious;
- (2) suffering from a serious illness;
- (3) suffering from a serious injury; or
- (4) seriously impaired by alcohol, a controlled substance (as defined in IC 35-48-1-9), a drug other than a controlled substance, or a combination of alcohol, a controlled substance, or drugs.

(c) Except as provided in subsection (d), the cost of the examination and resulting treatment under subsection (b) is the financial responsibility of the prisoner receiving the examination or treatment.

(d) If a prisoner is unable to bear the financial responsibility for the cost of the examination and treatment under subsection (b), the prisoner may apply for indigent medical assistance.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-25**

##### **Pension program rights preserved**

Sec. 25. All rights, duties, and liabilities of the state police department and its employees provided by IC 10-1-2 (before its repeal) and IC 10-12-2 are continued and preserved in the state police department established by this chapter and in those eligible to receive its benefits as though this chapter had not been enacted.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-26**

##### **Weigh station personnel; powers**

Sec. 26. (a) The superintendent may assign qualified persons who are not state police officers to supervise or operate permanent or portable weigh stations. A person assigned under this section may stop, inspect, and issue citations to operators of trucks and trailers having a declared gross weight of at least ten thousand one (10,001) pounds and buses at a permanent or portable weigh station or while operating a clearly marked Indiana state police vehicle for violations of the following:

- (1) IC 6-1.1-7-10.
- (2) IC 6-6-1.1-1202.
- (3) IC 6-6-2.5.
- (4) IC 6-6-4.1-12.
- (5) IC 8-2.1.

- (6) IC 9-18.
- (7) IC 9-19.
- (8) IC 9-20.
- (9) IC 9-21-7-2 through IC 9-21-7-11.
- (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic control device for a weigh station.
- (11) IC 9-21-8-45 through IC 9-21-8-48.
- (12) IC 9-21-9.
- (13) IC 9-21-15.
- (14) IC 9-21-21.
- (15) IC 9-24-1-1 through IC 9-24-1-1.5.
- (16) IC 9-24-1-7.
- (17) Except as provided in subsection (c), IC 9-24-1-6, IC 9-24-6-17, and IC 9-24-6-18, commercial driver's license.
- (18) IC 9-24-4.
- (19) IC 9-24-5.
- (20) IC 9-24-11-4.
- (21) IC 9-24-13-3.
- (22) IC 9-24-18-1 through IC 9-24-18-2.
- (23) IC 9-25-4-3.
- (24) IC 9-28-4.
- (25) IC 9-28-5.
- (26) IC 9-28-6.
- (27) IC 9-29-5-11 through IC 9-29-5-13.
- (28) IC 9-29-5-42.
- (29) IC 10-14-8.
- (30) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.
- (31) IC 13-30-2-1.

(b) For the purpose of enforcing this section, a person assigned under this section may detain a person in the same manner as a law enforcement officer under IC 34-28-5-3.

(c) A person assigned under this section may not enforce IC 9-24-6-14 or IC 9-24-6-15.

*As added by P.L.2-2003, SEC.2. Amended by P.L.210-2005, SEC.72; P.L.156-2006, SEC.23; P.L.21-2007, SEC.4; P.L.26-2010, SEC.1; P.L.125-2012, SEC.399; P.L.135-2013, SEC.11; P.L.2-2014, SEC.51; P.L.217-2014, SEC.180.*

### **IC 10-11-2-27**

#### **Salaries; motor carrier employees**

Sec. 27. (a) The board shall categorize salaries of motor carrier inspectors within each rank based upon the rank held and the number of years of service in the department through the tenth year. The salary ranges the board assigns to each rank shall be divided into a base salary and ten (10) increments above the base salary, with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the department; and
- (2) the highest salary in the rank paid to a person with at least ten (10) years of service in the department.

(b) For purposes of creating the salary matrix prescribed by this section, the board may not approve salary ranges for any rank that are less than the salary ranges effective for that rank on January 1, 1995.

(c) The salary matrix prescribed by this section:

(1) shall be reviewed and approved by the budget agency before implementation; and

(2) must include the job classifications of motor carrier district coordinator, motor carrier zone coordinator, and motor carrier administrator.

*As added by P.L.2-2003, SEC.2. Amended by P.L.234-2007, SEC.304.*

### **IC 10-11-2-28**

#### **Security at state buildings and grounds; special police employees; capitol police officers; rules**

Sec. 28. (a) The department shall maintain security and preserve the peace in and about the following:

(1) The state capitol building.

(2) A state office building.

(3) A state parking facility.

(4) A state motor pool garage.

(5) A state warehouse.

(6) The Indiana state library.

(7) The governor's residence.

(8) Any other building or property used by the state for any of the following purposes:

(A) Housing of personnel or activities of an agency or a branch of state government.

(B) Providing transportation or parking for state employees or persons having business with state government.

(b) A special police employee of the department assigned to the security activities under this section, other than an officer or police employee of the department who possesses police powers under section 21 of this chapter, possesses all of the common law and statutory powers of law enforcement officers except for the service of civil process.

(c) For purposes of IC 5-2-1, a special police employee assigned to the security activities under this section, other than a regular police employee of the department, is a capitol police officer.

(d) Capitol police officers shall enforce IC 4-20.5 and rules of the Indiana department of administration.

(e) The superintendent may adopt rules under IC 4-22-2 to do the following:

(1) Enforce IC 4-20.5 and rules of the Indiana department of administration concerning the security of state property.

(2) Carry out the responsibilities for security of state property under this section.

*As added by P.L.2-2003, SEC.2. Amended by P.L.83-2006, SEC.2.*

### **IC 10-11-2-28.1**

#### **Transfer of certain employees from Indiana department of administration to department; treatment of employee prior service**

Sec. 28.1. (a) The special police employees of the state police assigned to security activities under IC 10-1-1-29 or IC 10-1-1-30 (before their repeal) initially shall be composed of the employees of the Indiana department of administration who are employed on June 30, 2002, as part of its security officer activity. Civilian employees of the Indiana department of administration who support the security officer activity become employees of the department.

(b) Except as provided in subsection (c), an employee of the Indiana department of administration who becomes a member of the department under subsection (a) on July 1, 2002:

(1) is entitled to have the employee's service under the Indiana department of administration before July 1, 2002, included for the purpose of computing all applicable employment rights and benefits with the security section;

(2) is a member of the state retirement fund or pension plan in which the employee was a member on June 30, 2002; and

(3) if the employee was covered on June 30, 2002, by a labor agreement to which the state is a party, continues to be subject to the terms and conditions of the agreement and any successor labor agreements entered into by the state.

(c) An employee of the Indiana department of administration who:

(1) becomes a member of the department under subsection (a); and

(2) becomes a state police officer after fulfilling the law enforcement training requirements and all other requirements of the department;

is not entitled to have the employee's service under the Indiana department of administration or the security section included for the purpose of computing all applicable employment rights and benefits as a state police officer.

*As added by P.L.16-2009, SEC.16.*

### **IC 10-11-2-28.5**

#### **Salary matrix for capitol police officers**

Sec. 28.5. (a) After June 30, 2007, the board shall use a salary matrix that categorizes salaries of capitol police officers described in section 28 of this chapter within each rank based upon the rank held and the number of years of service in the department through the tenth year. The salary ranges the board assigns to each rank shall be divided into a base salary and ten (10) increments above the base salary, with:

(1) the base salary in the rank paid to a capitol police officer with less than one (1) year of service in the department; and

(2) the highest salary in the rank paid to a capitol police officer with at least ten (10) years of service in the department.

(b) For purposes of creating the salary matrix prescribed by this

section, the board may not approve salary ranges for any rank of capitol police officers that are less than the salary ranges effective for that rank on January 1, 2006.

(c) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency before implementation.

(d) The salary matrix developed under subsection (a) must use the same percentage differentials between increments that are used for the salary matrix for police employees under IC 10-11-2-13.

*As added by P.L.83-2006, SEC.3.*

#### **IC 10-11-2-29**

##### **Assignment of special police employees as gaming agents**

Sec. 29. The superintendent may assign a special police employee described in section 28(b) of this chapter to serve as a gaming agent under an agreement with the Indiana gaming commission under IC 4-33-4-3.5.

*As added by P.L.2-2003, SEC.2. Amended by P.L.97-2004, SEC.40.*

#### **IC 10-11-2-30**

##### **Wellness program**

Sec. 30. The department may establish a wellness program for department employees as set forth in IC 4-15-13.

*As added by P.L.2-2003, SEC.2.*

#### **IC 10-11-2-31**

##### **Reporting guidelines; format; number and geographical dispersal**

Sec. 31. (a) The superintendent shall adopt:

- (1) guidelines; and
- (2) a reporting form or a specified electronic format, or both;

for the report of a methamphetamine laboratory by a law enforcement agency under IC 5-2-15-3.

(b) The guidelines adopted under this section must require a law enforcement agency to report the existence of a methamphetamine laboratory to:

- (1) the department;
- (2) the local fire department that serves the area in which the methamphetamine laboratory is located;
- (3) the county health department or, if applicable, multiple county health department of the county in which the methamphetamine laboratory is located; and
- (4) the Indiana criminal justice institute;

on the form or in the specified electronic format adopted by the superintendent.

(c) The guidelines adopted under this section:

- (1) may incorporate a recommendation of the methamphetamine abuse task force (IC 5-2-14, expired June 30, 2007, and repealed) that the superintendent determines to be relevant;
- (2) may require the department to report the existence of the methamphetamine laboratory to one (1) or more additional

agencies or organizations;

(3) must require the department to maintain reports filed under IC 5-2-15-3 in a manner permitting an accurate assessment of:

(A) the number of methamphetamine laboratories located in Indiana in a specified period;

(B) the geographical dispersal of methamphetamine laboratories located in Indiana in a specified period; and

(C) any other information that the superintendent determines to be relevant; and

(4) must require a law enforcement agency to report any other information that the superintendent determines to be relevant.

*As added by P.L.192-2005, SEC.4. Amended by P.L.186-2007, SEC.7; P.L.3-2008, SEC.83.*

#### **IC 10-11-2-31.1**

##### **Adoption of guidelines for receiving information regarding cleanup of property contaminated by methamphetamine manufacture; removal of property from public list of contaminated sites**

Sec. 31.1. (a) The superintendent shall adopt:

(1) guidelines; and

(2) a reporting form or a specified electronic format, or both;

for receiving an approved certificate of cleanup from the department of environmental management that property used for the manufacture of methamphetamine or polluted by waste from the manufacture of methamphetamine has been certified as decontaminated by an inspector approved under IC 13-14-1-15.

(b) Guidelines adopted under this section must require that the department remove, in accordance with the time periods described in IC 5-2-6-19, the decontaminated property from any publicly available list of methamphetamine contaminated properties compiled or made available by the department.

*As added by P.L.180-2014, SEC.3.*

#### **IC 10-11-2-32**

##### **Operation of Indiana intelligence fusion center**

Sec. 32. The superintendent shall operate the Indiana intelligence fusion center established by IC 10-11-9-2.

*As added by P.L.27-2010, SEC.2.*

#### **IC 10-11-2-33**

##### **Medical forensic examination kits**

Sec. 33. (a) The superintendent shall adopt guidelines to establish a standard medical forensic examination kit for victims of a sex crime.

(b) The superintendent shall distribute the standard medical forensic examination kits to hospitals and other health care providers who may provide forensic medical examinations to the victims of a sex crime. The superintendent may adopt guidelines to carry out this subsection.

*As added by P.L.161-2014, SEC.1.*

**IC 10-11-2-34**

**Informational pamphlet distributed to law enforcement agencies**

Sec. 34. (a) As used in this section, "law enforcement agency" has the meaning set forth in IC 5-2-17-2.

(b) The superintendent shall provide a written informational pamphlet about the National Center for Missing and Exploited Children and the National Runaway Safeline. The pamphlet must include the following information:

(1) The twenty-four (24) hour toll free numbers for the following:

(A) The National Center for Missing and Exploited Children.

(B) The National Runaway Safeline.

(2) A description of the services that the National Center for Missing and Exploited Children and the National Runaway Safeline provide to families of missing children.

(c) The superintendent shall distribute a copy of the pamphlet to every law enforcement agency.

(d) The superintendent shall annually review the pamphlet information to ensure that the information is accurate. If the pamphlet information is not accurate, the superintendent shall:

(1) provide a new written informational pamphlet that includes the information described in subsection (b); and

(2) distribute a copy of the updated pamphlet to every law enforcement agency.

*As added by P.L.23-2015, SEC.2.*

**IC 10-11-2-34.2**

**Forfeitures conducted by the federal government; report to legislative council**

Sec. 34.2. (a) The superintendent shall annually report to the legislative council, to the extent the information is available, the amount of money that the state police department has received from the federal government as the result of a forfeiture conducted by the federal government.

(b) The report shall be:

(1) submitted before July 15 of every year; and

(2) in an electronic format under IC 5-14-6.

(c) The report may include any other information that the superintendent believes would be helpful.

*As added by P.L.237-2015, SEC.3.*