



Loganville Police Department  
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M.D. Lowry

Chief of Police

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#### MEMORANDUM

To: Mr. Danny Roberts

From: Chief M.D. Lowry *[Signature]*

Ref: Recruiting Proposal

Date: May 9, 2022

As you are aware, the Loganville Police Department, like all law enforcement agencies in the country, has struggled to fill vacancies for POST Certified Police Officers. Despite our recent increase in officer salary and the availability of hiring incentives for both certified and non-certified officers, we are still not seeing the level of quality candidate we desire submitting applications.

I discuss this issue daily with my contemporaries in agencies in our area, as well as the larger Metro Atlanta area. Some are offering hiring incentives as much as \$10,000.00 and still are shorthanded while others have been approved to "over hire" up to five additional positions in order to stay at full authorized strength, when officers retire or otherwise leave employment. These efforts are likewise failing.

One area that we have not explored is the buying out of law enforcement training contracts. Under Georgia law, OCGA 35-8-22, there is a provision that requires any candidate that is sponsored through the police academy to remain with the sponsoring agency for 24 months or the hiring agency must pay for the cost of training (salary, benefits, uniforms, etc.), with the additional caveat that after 15 months from academy attendance, the amount is reduced to half the cost of training.

The following cost of training is based on current LPD police cadet salary & benefits:

|                   |                                    |                    |
|-------------------|------------------------------------|--------------------|
| Salary:           | 600 Hours x 20.65                  | \$12,390.00        |
| Overtime:         | 120 hours x 30.97                  | \$3,716.40         |
| Benefits:         | Family Coverage & Retirement (est) | \$7,400.00         |
| FICA & Medicare:  |                                    | \$1,232.10         |
| Equipment & Fuel: |                                    | \$1,000.00         |
| <b>Total:</b>     |                                    | <b>\$25,738.50</b> |

*It should be noted that there is no guarantee of successful completion of basic mandate training OR successful completion of field training, for which we have no financial recourse.*

In an effort to utilize every available recruiting tool at our disposal, I am requesting authorization and funding to allow the buy out of such contracts, not to exceed **\$24,000.00** per officer, with a provision for not more than two (2) such buyouts, totaling **\$48,000.00**, in any budgetary period. Additionally, any officer hired under the buyout program will not be eligible for any additional hiring incentives.

O.C.G.A. 35-8-22 (2010)

35-8-22. Reimbursement of training expenses by subsequent employer of peace officer; collection procedure; required documentation

(a) Unless otherwise provided by an employment contract to the contrary, if the State of Georgia or any county or municipality thereof employs a peace officer and said peace officer is hired by another agency within 15 months after completing mandated or formalized training requirements, then the total expense of training, including salary paid during training, shall be reimbursed by the hiring agency to the State of Georgia or any county or municipality thereof which initially paid for such training. If said officer is hired by another agency during a period of 15 to 24 months after mandated or formalized training requirements are completed, then one-half of the total expense of training, including salary paid during training, shall be reimbursed by the hiring agency to the State of Georgia or any county or municipality thereof which initially paid for such training. The council shall set standards for reimbursement by hiring agencies based upon actual expenses incurred in mandated or formalized training by individual departments.

(b) The State of Georgia or any county or municipality thereof which initially paid for the training of a peace officer shall submit an itemized, sworn statement to the new employer of the peace officer and shall demand payment thereof and may enforce collection of such obligation through civil remedies and procedures.

(c) Effective July 1, 2003, in order for the State of Georgia or any county or municipality thereof to demand reimbursement, the demanding governmental unit must be able to document that the peace officer in question signed an acknowledgment of the terms of this Code section or an employment contract specifying the provisions of this Code section prior to such peace officer's employment with the demanding governmental unit. Otherwise, this Code section shall not apply to such demand for reimbursement.



# POST Policy Statement

## O.C.G.A. § 35-8-22

O.C.G.A. § 35-8-22 titled "*Reimbursement of training expenses by subsequent employer of peace officer; collection procedure*" states that the Council shall set standards for reimbursement by hiring agencies or peace officers based upon actual expenses incurred in mandated or formalized training by individual departments.

The code section stipulates that if a peace officer is hired by another agency **within 15 months** after completing **mandated or formalized** training requirements, then the total expense of training, including salary paid during training, shall be reimbursed by the hiring agency to the agency who initially paid for such training.

If the peace officer is hired during a period of **15 to 24 months** after mandated or formalized training requirements are completed, then one-half (½) of the total expense of training shall be reimbursed by the hiring agency to the agency who initially paid for such training.

### Definitions:

**Mandated Training-** training which is required by state law. The basic training course identified in O.C.G.A. § 35-8-9 is the only course "mandated" by state law.

**Formalized Training-** training identified in an agency's standard operating procedure (S.O.P.) manual which dictates training that all new basic recruits must complete as part of their employment with the hiring agency.

Since the State of Georgia bears the tuition cost for the majority of Georgia's peace officers, it does not become an issue when attempting to seek reimbursement. Reimbursement of the officer's salary paid during training is typically the only issue.

The State of Georgia or any county or municipality thereof which initially paid for the training of a peace officer shall submit an itemized, sworn statement to the new employer of the peace officer and shall demand payment by the hiring agency and may **enforce collection of such obligation through civil remedies** and procedures. (O.C.G.A. § 35-8-22(b))

**NOTE:** Effective July 1, 2003, in order for the State of Georgia or any county or municipality thereof to demand reimbursement, the demanding governmental unit must be able to document that the peace officer in question signed an acknowledgment of the terms of this Code section or an employment contract specifying the provisions of this Code section prior to such peace officer's employment with the demanding governmental unit. (O.C.G.A. § 35-8-22(c))

**The Georgia Peace Officer Standards and Training Council does not play a part in the enforcement of this act since it is a civil matter.**

*Revised July 1, 2003*