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**IDAPA 11
TITLE 11
CHAPTER 01**

11.11.01 - RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

000. LEGAL AUTHORITY.

In accordance with Section 19-5107, Idaho Code, the Peace Officer Standards and Training Council shall promulgate such rules it deems necessary to carry out the provisions of Title 19, Chapter 51, Idaho Code. (3-15-02)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," IDAPA 11, Title 11, Chapter 01. (3-15-02)

02. Scope. These rules constitute the minimum standards of training, education, employment, and certification of peace officers, county detention officers, juvenile detention officers, juvenile probation officers, correction officers, and adult probation and parole officers in Idaho. (4-2-08)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written statements which might pertain to the interpretation of the rules of this chapter or to the documentation of compliance with the rules of this chapter are available for public inspection and copying at cost at the Idaho State Police, Peace Officer Standards and Training, 700 South Stratford Drive, Meridian, Idaho, 83642-6202. (4-2-08)

003. ADMINISTRATIVE APPEALS.

Rules of procedure in contested cases shall be governed by the Administrative Procedures Act. (Title 67, Chapter 52, Idaho Code). (3-15-02)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (4-2-08)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS -- WEBSITE.

The principal place of business of the Idaho State Police, Peace Officer Standards and Training, is in Meridian, Idaho. The office is located at 700 South Stratford Drive, Meridian, Idaho, and is open from 8 a.m. to 5 p.m. except Saturday, Sunday and legal holidays. The mailing address is: Peace Officer Standards and Training Academy, 700 S. Stratford Dr., Meridian, Idaho 83642-6202. The telephone number of administration is (208) 884-7250 and the telephone number of basic academy training is (208) 884-7337. The facsimile number of administration is (208) 884-7295 and the facsimile number of basic academy training is (208) 884-7398. The Peace Officer Standards and Training website at <http://www.post.idaho.gov>. (3-29-10)

006. PUBLIC RECORDS ACT COMPLIANCE.

The rules contained herein have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (3-15-02)

007. -- 009. (RESERVED)

010. DEFINITIONS.

01. Act. Title 19, Chapter 51, of the Idaho Code. (4-5-00)

02. Adult Probation and Parole Officer. Any employee of the Idaho Department of Correction who is responsible for the supervision of offenders on probation or parole. (3-30-07)

03. Agency. A law enforcement agency which is a part of or administered by the state or any political subdivision thereof and which is responsible for the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision; a juvenile detention center; a juvenile probation department; the Idaho Department of Correction; or a private prison contractor of the State Board of Correction that is

responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the facility. (4-2-08)

04. Agency Head. A chief of police of a city, sheriff of a county, or chief administrator of any law enforcement agency of the state of Idaho or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision; the chief administrator of a juvenile detention center; the chief administrator of a juvenile probation department; the director of the Idaho Department of Correction; or the chief administrator of a private prison contractor of the State Board of Correction that is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the facility. (4-2-08)

05. Applicant. Any person applying to participate in a POST training program or applying for POST certification. (4-2-08)

06. Basic Adult Probation and Parole Academy. A basic course of instruction for Adult Probation and Parole Officers as recognized by POST Council. (4-2-08)

07. Basic Correction Academy. A basic course of instruction for Correction Officers as recognized by POST Council. (4-2-08)

08. Basic Detention Academy. A basic course of instruction for Detention Officers as recognized by POST Council. (4-2-08)

09. Basic Juvenile Detention Academy. A basic course of instruction for Juvenile Detention Officers as recognized by POST Council. (4-2-08)

10. Basic Juvenile Probation Academy. A basic course of instruction for Juvenile Probation Officers as recognized by POST Council. (4-2-08)

11. Basic Patrol Academy. A basic course of instruction for Patrol Officers as recognized by POST Council. (4-2-08)

12. College Credit. A unit of work towards a baccalaureate or vocational degree accepted by a college or university of higher education accredited by the Northwest Association of Schools and Colleges or other POST-accepted U.S. regional accrediting agency. (3-18-15)

13. Correction Officer. Any employee of an Idaho Department of Correction facility or private prison contractor of the State Board of Correction who is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the correction facility. (3-30-07)

14. Correction Standards and Training Council. An advisory group to the POST Council that is comprised of members from academia and law enforcement agencies. The purpose of the Correction Standards and Training Council is to advise POST Council in the planning, development, and operation of the Basic Correction Academy and the Basic Adult Probation and Parole Academy. (4-2-08)

15. Council. The Idaho Peace Officer Standards and Training Council. (4-2-08)

16. County Detention Officer. An employee in a county jail who is responsible for the safety, care, protection, and monitoring of county jail inmates. (4-5-00)

17. Crime of Deceit. Any offense described in Section 18-1301 et seq., Idaho Code, (Bribery), Section 18-1401 et seq. (Burglary), Sections 18-1901 (Fictitious Stock Subscription), 18-1902 (Exhibition of False Papers to Public Officers), 18-1903 (Use of False Name in Prospectus), 18-1904 (Illegal Dividends and Reductions of Capital), 18-1905 (Falsification of Corporate Books), 18-1906 (Fraudulent Reports by Officers), 18-2202(1) (Computer Crime), 18-2302 (False Swearing as to Qualifications as Voter), 18-2304 (Procuring Illegal Votes), 18-2305 (Intimidation, Corruption and Frauds), 18-2306 (Illegal Voting or Interference with Election), 18-2307 (Attempting to Vote When Not Qualified or to Repeat Voting), 18-2309 (Officers Attempting to Change Result), 18-2310 (Forging or

Counterfeiting Returns), 18-2311 (Adding to or Subtracting From Votes), 18-2316 (Tampering with Certificates of Nomination or Ballots), 18-2320 (Bribery of Electors), Section 18-2401 et seq. (Theft), Section 18-2601 et seq. (Falsifying Evidence -- Offering Forged or Fraudulent Documents in Evidence), Section 18-2701 et seq. (Bribery of Executive Officers), Sections 18-3105 (False Statement by Commission Merchant, Broker, Agent, Factor or Consignee to Principal or Consignor), 18-3106 (Drawing Check Without Funds -- Drawing Check With Insufficient Funds -- Prima Facie Evidence of Intent -- Standing of Person Having Acquired Rights -- Probation Conditions), 18-3123 (Forgery of a Financial Transaction Card), 18-3124 (Fraudulent Use of a Financial Transaction Card), 18-3125 (Criminal Possession of Financial Transaction Card and FTC Forgery Devices), 18-3125A (Unauthorized Factoring of Credit Card Sales Drafts), 18-3126 (Misappropriation of Personal Identifying Information), 18-3127 (Receiving or Possessing Fraudulently Obtained Goods or Services), 18-3201 (Officer Stealing, Mutilating or Falsifying Public Records), 18-3202 (Private Person Stealing, Mutilating or Falsifying Public Records), 18-3203 (Offering False or Forged Instrument for Record), 18-3204 (False Certificates or Other Instruments from Officers), 18-3206 (Mutilating Written Instruments), Section 18-3601 et seq. (Forgery), Sections 18-4616 (Defacing Marks on Logs or Lumber), 18-4617 (Stealing Rides on Trains), 18-4621 (Stealing Electric Current -- Tampering with Meters), 18-4622 (Stealing Electric Current -- Accessories Liable as Principals), 18-4624 (Taken or Converted Merchandise as Theft), 18-4626 (Willful Concealment of Goods, Wares or Merchandise -- Defense for Detention), 18-4630 (Illegal Use of Documents), 18-4701 (Alteration of Bills), 18-4702 (Alteration of Enrolled Copies), 18-4703 (Offering Bribes to Legislators), 18-4704 (Legislators Receiving Bribes), Section 18-5401 et seq. (Perjury), Section 18-6501 et seq. (Robbery), Sections 18-8201 (Money Laundering and Illegal Investment -- Penalty -- Restitution), 41-293 (Insurance Fraud), 41-294 (Damage to or Destruction of Insured Property), 41-1306 (False Financial Statements), 49-228 (Receiving or Transferring Stolen Vehicles), 49-231 (Farm Implements -- Purchasing or Selling When Identifying Number Altered or Defaced a Felony), 49-232 (Fraudulent Removal or Alteration of Numbers Prohibited), 49-518 (Altering or Forging Certificate -- Stolen Cars -- Destroying or Altering Engine or Decal Number -- Use of Fictitious Name -- Fraud), or any attempt, conspiracy or solicitation to commit any of the foregoing offenses, or any racketeering offense under Section 18-7801 et seq., Idaho Code, in which any of the foregoing offenses constitutes at least one (1) of the predicate acts, or any other crime defined in the Idaho Code involving any form of theft or including fraudulent intent as an element, or an offense equivalent to any of the foregoing in any other jurisdiction.

(4-2-08)

18. Direction. Direction, at its broadest term, allows an employing agency to utilize a Level II reserve officer to work under the immediate presence and direction of a full-time peace officer of the same agency. This does not allow a Level II reserve officer to operate alone in his official capacity. He shall be under direct observation and control of the agency's full-time peace officer.

(3-29-12)

19. Field Training. Training in which an individual receives formal instruction on the job for special and defined purposes.

(7-1-93)

20. Full Time. Employment of one hundred sixty (160) hours or more per month for ninety (90) consecutive calendar days.

(4-2-08)

21. In-Service Training. Training designed to refresh or add to an individual's capabilities to do the task to which they are or may be assigned.

(7-1-93)

22. Juvenile Detention Center. A juvenile detention facility that is part of or administered by the county or any political subdivision thereof and is responsible for the safety, care, protection, and monitoring of juvenile offenders.

(4-2-08)

23. Juvenile Detention Officer. Any employee of a juvenile detention center who is responsible for the safety, care, protection, and monitoring of juvenile offenders held in the detention center.

(4-2-08)

24. Juvenile Probation Officer. Any employee of a juvenile probation department who is responsible for preparing social history reports to the court, making recommendations regarding conditions of probation, and the supervision of juvenile offenders' compliance with court orders.

(4-2-08)

25. Juvenile Training Council. An advisory group to the POST Council that is composed of the Director of the Department of Juvenile Corrections, a Magistrate, a county Juvenile Detention Director, a county Chief Probation Officer, a county Commissioner, a county Clerk, and a county Sheriff. The purpose of the Juvenile

Training Council is to advise POST Council in the planning, development, and operation of the Juvenile Detention and Juvenile Probation Academies. (4-2-08)

26. Law Enforcement Profession. As used in agreements authorized pursuant to Section 19-5112, Idaho Code, means an employee of a police or law enforcement agency that is a part of or administered by the state or any political subdivision thereof and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision; an employee in a county jail who is responsible for the safety, care, protection, and monitoring of county jail inmates; an employee of a juvenile detention center that is part of or administered by the county or any political subdivision thereof and who is responsible for the safety, care, protection, and monitoring of juvenile offenders held in the detention center; an employee of a county juvenile probation department who is responsible for preparing social history reports to the court, making recommendations regarding conditions of probation, and the supervision of juvenile offenders' compliance with court orders; an employee of an Idaho Department of Correction facility or private prison contractor of the State Board of Correction who is responsible for the first-line supervision, security, protection, and risk reduction of offenders housed in the correction facility; or an employee of the Idaho Department of Correction who is responsible for the supervision of offenders on probation or parole. (4-2-08)

27. Manual. This book of Rules as adopted by the Idaho Peace Officer Standards and Training Council. (4-5-00)

28. Part Time. Employment of less than one hundred sixty (160) hours per month for ninety (90) consecutive calendar days. (4-2-08)

29. Part-Time Juvenile Detention Officer. Any employee of a juvenile detention center that is part of or administered by the county or any political subdivision thereof and who is responsible for the safety, care, protection, and monitoring of juvenile offenders held in the detention center, and does not meet the definition of "employee" as defined in Section 59-1302, Idaho Code. (4-2-08)

30. Peace Officer. Any employee of a police or law enforcement agency which is a part of or administered by the state or any political subdivision thereof and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision. "Peace officer" also means an employee of a police or law enforcement agency of a federally recognized Indian tribe who has satisfactorily completed the peace officer standards and training academy and has been deputized by a sheriff of a county or a chief of police of a city of the state of Idaho. (4-5-00)

31. POST. The Idaho Peace Officer Standards and Training Program. (7-1-93)

32. POST Basic Training Academy. The Basic Adult Probation and Parole Academy, the Basic Correction Academy, the Basic Detention Academy, the Basic Juvenile Detention Academy, the Basic Juvenile Probation Academy, or the Basic Patrol Academy. (4-2-08)

33. Prosecutor. A city prosecuting attorney, city assistant prosecuting attorney, county prosecuting attorney, county deputy prosecuting attorney, attorney general, deputy attorney general, United States attorney, or assistant United States attorney. (4-2-03)

34. Qualified Instructor. Any person certified by the Idaho POST Council as being competent to teach in a Council-approved school. (4-2-08)

35. Reserve Peace Officer. An individual assigned by an agency to perform the duties of a peace officer on a part-time basis. All reserve officers shall be under supervision as set forth in these rules unless they hold a current Part-Time Basic certificate. (4-2-08)

36. School. Any school, college, university, academy, or local training program which offers law enforcement training and includes within its meaning the combination of course curriculum, instructors and facilities, or any training session as certified by POST. (7-1-93)

37. School Director or Coordinator. An individual charged with the responsibility of conducting a

training school under the provisions of the Act. (7-1-93)

38. Specification. A description of a requirement supplementing a section of the Rules. (7-1-93)

39. Supervision. Supervision allows the employing agency to utilize a Level I reserve officer to work by himself without the immediate presence or direction of a full-time peace officer, but acting under the overall on-duty supervision of an on-duty, full-time peace officer. This may allow a Level I reserve officer to work alone in his jurisdiction, without immediate oversight of an agency full-time peace officer, as long as there were another full-time peace officer of the agency working at the same time to provide supervision of the Level I reserve officer's activities. (3-29-12)

40. Temporary. Employment of less than ninety (90) consecutive calendar days. (7-1-93)

41. Trainee. An officer participating in any POST approved training program. (3-15-02)

011. -- 029. (RESERVED)

030. GENERAL AND INCIDENTAL POWERS AND DUTIES.

Besides those enumerated previously (those in Title 19, Chapter 51, Idaho Code), the duties of the Council shall be to do and perform all other acts and things required by law or which may be necessary to the full discharge of the duties of said Council, and shall include, but not be limited to the following: (4-5-00)

01. Issue Certification. To issue certification to law enforcement officers when they meet the requirements as established by the POST Council. (4-2-08)

02. Maintain Files. To maintain files on all certified officers, instructors, and schools; and furnish information from files upon request in accordance with the Idaho Public Records Law. (4-2-08)

03. Maintain Records. To receive and maintain as trustees for the state of Idaho in accordance with the Idaho State Police and POST retention schedules all physical properties and records which shall come into the possession of the Council by virtue of its existence. (4-2-08)

04. Establish Committees. To establish such committees, both permanent and temporary, as may be necessary to more fully carry out the administrative duties of the Council. (4-2-08)

05. Elect Vice-Chairman. Pursuant to Idaho Code, the Council shall elect a Vice-Chairman annually from among its membership. (4-2-08)

06. Adopt Rules. To adopt and amend rules and procedures consistent with law for the internal management of POST and the operation of a law enforcement training program. (4-2-08)

07. Assist Departments. Upon request, to assist departments and directors of training in administration and training problems encountered in complying with the various aspects of the Act as well as the ultimate objective of the Act, i.e., raising the level of competence of law enforcement officers in Idaho. (4-2-08)

08. Study Training Methods. To study law enforcement training methods to enable POST to provide current and updated training. (4-2-08)

09. Consult and Cooperate With Agencies. To consult and cooperate with recognized law enforcement agencies or educational institutions concerned with law enforcement training. (4-2-08)

10. Make Recommendations. To make recommendations concerning any matter within its jurisdiction. (4-2-08)

11. Grant Additional Time to Complete POST Training and Certification. The Council, for good cause and in writing, may grant additional time to complete POST training and certification. Good cause may include, but is not limited to, sickness or physical disability of officer or immediate family member, cancellation of

Basic Academy, natural disaster, or reapplication to the Academy after failing or being unable to complete a previous Basic Academy Session. (4-2-08)

031. DIVISION ADMINISTRATOR.

There shall be established in the Idaho State Police a nonclassified position of Division Administrator of the Idaho Peace Officer Standards and Training Council. (4-7-11)

01. Selection of Division Administrator. (4-7-11)

a. The Chairman of the POST Council shall recommend one Chief or Sheriff who is a member of the POST Council to serve on the examining board set up by the Idaho Division of Human Resources. (4-2-08)

b. The Division Administrator shall be selected by the director of the Idaho State Police subject to approval of the POST Council from the approved register established by the Idaho Division of Human Resources after competitive testing. (4-7-11)

02. Under POST Council's Direction. The Division Administrator shall be employed by the Idaho State Police to serve under the direction of the POST Council in carrying out the duties and responsibilities of the Council. (4-7-11)

03. Decertification Investigations. The POST Division Administrator shall report to the Council on a regular basis regarding all decertification proceedings. (3-21-12)

04. Supervision Over Employees. The Division Administrator shall have supervision over the employees and other persons necessary in carrying out the functions of POST. (4-7-11)

05. Administration. For administrative purposes, the Division Administrator and his staff shall be governed by the Policies and Rules of the state of Idaho and the Idaho State Police, concerning but not limited to fiscal, purchasing, and personnel matters. (4-7-11)

032. POST COUNCIL.

01. Compensation. Except for the Division Administrator of the POST Council, the members of the Council receive no compensation from POST for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their functions, as prescribed by law. (4-7-11)

02. Council Resignations. Any Council member who ceases to qualify as such shall at once notify the Governor and Chairman in writing. Any Council member who desires to terminate their services shall notify the Governor and Chairman in writing of their intentions. (4-2-08)

03. Contested Cases. Rules of Procedure in contested cases shall be governed by the Idaho Administrative Procedures Act, Title 67, Chapter 52, Idaho Code, or Section 092, of this rule, as applicable. (3-27-13)

033. HEARING BOARD.

The POST Council may appoint a Hearing Board to hear all matters appropriately brought before the POST Council for decision, pursuant to Chapter 51, Title 19, Idaho Code. (3-30-07)

01. Appointment of Members. The chairman of the POST Council shall appoint three members of the POST Council to serve on the Hearing Board. (4-7-11)

02. Recommended and Final Orders. Orders issued by the Hearing Board at the conclusion of proceedings shall be considered recommended orders and shall become final orders only after POST Council's review pursuant to Section 67-5244, Idaho Code, and IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Subsection 720.01. (4-7-11)

03. Discovery. Pursuant to Section 19-5107, Idaho Code, and IDAPA 04.11.01, "Idaho Rules of

Administrative Procedure of the Attorney General,” Sections 520 through 532, discovery may be conducted in contested cases before the Hearing Board and POST Council. (3-30-07)

034. -- 039 (RESERVED)

040. STANDARDIZATION AND RECORDING OF TRAINING RECORDS AND CERTIFICATIONS.

041. THE RECORDS SYSTEM.

01. Training File. The Idaho Peace Officer Standards and Training Council will maintain a training file on all Idaho law enforcement officers. Officer certifications granted and certified training schools attended by officers will be recorded in these files. (4-5-00)

02. Notification of Employment/Termination. The agency head of any agency whose officers are required to attend a POST Basic Training Academy shall notify the Council of all presently employed officers every January and July. The names of all officers hired after submission of the original list must be submitted to the Council within fifteen (15) days of employment. The termination of an officer’s employment must also be relayed to the Council within fifteen (15) days of such action on an appropriate form designated by the Council. (4-2-08)

03. Training Record. A training record listing all certified courses an officer has completed, the hours credit, and other pertinent data will be kept along with the officer’s file. (4-5-00)

04. Other Law Enforcement Personnel. A file on other law enforcement personnel may be maintained. This file will contain records for other law enforcement persons who successfully complete POST-certified courses. (4-5-00)

05. Instructors. Names of certified instructors will be maintained. (4-5-00)

06. Instructors and Schools. A list of approved instructors and schools will be maintained. (4-5-00)

042. PROCEDURE.

01. Application. Each individual officer may apply for certification when they have met the requirements. When they are certified by the Council, this is entered into their file. (Refer to “Certification of Peace, Detention, Juvenile Detention, and Juvenile Probation Officers.”) (4-2-08)

02. Roster. School coordinators will furnish to the Council a “Course Attendance Roster” on the appropriate form designated by the Council upon the completion of each certified training school. (Refer to “School Formation and Certification.”) (4-2-08)

043. FORMS FOR RECORD USE.

All forms used or referred to in this manual are available upon request from: Idaho Peace Officer Standards & Training Council, 700 S. Stratford Dr., Meridian, Idaho 83642-6202 and from POST’s website at <http://www.post.idaho.gov>. (4-2-08)

044. -- 049. (RESERVED)

050. MINIMUM STANDARDS FOR EMPLOYMENT.

Every peace, county detention, juvenile detention, misdemeanor probation, and juvenile probation officer and Idaho Department of Juvenile Corrections direct care staff must meet the requirements in Sections 050 through 065. In situations where the POST Division Administrator has the authority to grant a waiver, but chooses not to, he must refer the application to the POST Council for consideration. (4-11-15)

051. CITIZENSHIP.

The applicant shall be a citizen of the United States. (4-2-08)

01. Documentation. Proof of citizenship shall not have been mutilated, altered, or damaged, and shall

be in the form of one (1) of the following: (4-2-08)

- a. Birth certificate issued by the city, county, or state and filed within one (1) year of birth; (4-2-08)
- b. Naturalization Certificate; (4-2-08)
- c. U.S. passport; (4-2-08)
- d. Consular Report of Birth Abroad or Certification of Birth; or (4-2-08)
- e. Certificate of Citizenship. (4-2-08)

052. EDUCATION.

01. Acceptable Education. The applicant must: (3-18-15)

a. Be a high school graduate from a school accredited as a high school at the time of graduation by the Department of Education of the state in which the high school is located; (3-18-15)

b. Be a high school graduate from a school accredited as a high school at the time of graduation by the recognized regional accreditation body; (3-18-15)

c. Have passed GED testing; (3-18-15)

d. Have successfully completed a high school equivalency program and obtained a state-issued certificate; or (3-18-15)

e. Have successfully completed a minimum of fifteen (15) academic credits at a U.S. regionally-accredited college. The six (6) POST-accepted regional accreditation agencies are: (3-18-15)

i. Middle States Association of Schools and Colleges; (3-18-15)

ii. New England Association of Schools and Colleges; (3-18-15)

iii. North Central Association of Colleges and Schools (the Higher Learning Commission); (3-18-15)

iv. Northwest Association of Colleges and Universities; (3-18-15)

v. Southern Association of Colleges and Schools; and (3-18-15)

vi. Western Association of Schools and Colleges. (3-18-15)

02. Foreign Education. Applicants who were educated outside the U.S. must provide documentation of having passed GED testing or provide an evaluation from an evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or Association of International Credential Evaluators, Inc. (AICE) showing the applicant's education meets or exceeds the U.S. requirements for high school graduation. (3-18-15)

03. Documentation. Proof of education must not have been mutilated, altered, or damaged, and must be in the form of a photocopy of one (1) of the following: (3-18-15)

a. High school diploma that indicates the date of graduation; (3-18-15)

b. High school transcript that indicates the date of graduation; (3-18-15)

c. Official transcript of GED results indicating a passing score; (3-18-15)

- d. State-issued high school equivalency certificate; (3-18-15)
- e. Official college transcript from a POST-accepted U.S. regionally-accredited college indicating the successful completion of a minimum of fifteen (15) academic credits; or (3-18-15)
- f. Official evaluation of foreign education by a member of the National Association of Credential Evaluation Services (NACES) or Association of International Credential Evaluators, Inc. (AICE) showing the applicant's education meets or exceeds the U.S. requirements for high school graduation. (3-18-15)

053. AGE.
The applicant shall be a minimum of twenty-one (21) years of age. (4-7-11)

054. CHARACTER.

01. Moral Turpitude. The POST Council may take into consideration the commission of any act or offense involving moral turpitude to ensure an applicant is of good moral character and warrants the public trust. "Moral turpitude" is conduct that is contrary to justice, honesty, or morality. The purpose of this requirement is to prohibit persons who engage in dishonest, unprofessional, unethical, or immoral conduct from becoming law enforcement officers, and to protect against acts or conduct that might endanger the safety and welfare of the public. (4-11-15)

02. Applicant May Be Rejected. An applicant may be rejected who has committed any unlawful act involving moral turpitude, even though the applicant has never been charged by a law enforcement agency for such act. (4-11-15)

03. Applicant May Be Accepted. If an applicant committed any unlawful act involving moral turpitude, the applicant may be accepted upon approval of the POST Division Administrator, provided the applicant's agency head, with knowledge of the facts and circumstances concerning the act, recommends approval. (4-11-15)

055. DRUG USE.

01. Marijuana. An applicant must be rejected who has used marijuana: (4-11-15)

- a. Within the past three (3) years; (3-20-14)
- b. While employed as a law enforcement officer, in a prosecutorial position, or in a position of public safety, regardless of when the use occurred; or (3-20-14)
- c. On a regular, confirmed basis within the past five (5) years. (3-20-14)
- d. This prohibition includes use of cannabis, hashish, hash oil, and THC in both synthetic and natural forms. (4-11-15)

02. Other Controlled Substances. An applicant must be rejected who has illegally used any Schedule I through Schedule VI controlled substance, as defined in Sections 37-2705 through 37-2713A, Idaho Code, excluding marijuana: (4-11-15)

- a. Within the past five (5) years; (3-20-14)
- b. While employed as a law enforcement officer, in a prosecutorial position, or in a position of public safety, regardless of when the illegal use occurred; or (3-20-14)
- c. On more than a minimal and experimental basis during the applicant's lifetime. (3-20-14)

03. Prescription Drugs. An applicant may be rejected who has unlawfully used any prescription drug or a legally obtainable controlled substance within the past three (3) years. (4-11-15)

04. Drug Trafficking, Manufacturing, and Related Offenses. Subject to the rules above regarding use of controlled substances, an applicant must be rejected who has violated any provision of: (4-11-15)

a. The Idaho Uniform Controlled Substances Act, Section 37-2701 et seq., Idaho Code, including, but not limited to, the illegal sale or manufacture of a controlled substance or conspiring to illegally sell or manufacture a controlled substance; or (3-20-14)

b. A comparable statute of another state or country. (3-20-14)

c. Provided, however, that the POST Division Administrator may waive any misdemeanor conviction for violation of the Idaho Uniform Controlled Substances Act. (4-11-15)

05. Juvenile Drug Offense Convictions. Any misdemeanor conviction of a drug offense prosecuted pursuant to Title 18, Chapter 15, Idaho Code, or a comparable statute of another state or country, shall not be a basis for rejection of an applicant. However, an applicant may be rejected who has been convicted of a felony drug offense prosecuted pursuant to Title 18, Chapter 15, Idaho Code. If an applicant has been convicted of such a felony drug offense, the applicant may be accepted upon approval of the POST Division Administrator, provided the applicant's agency head, with knowledge of the facts and circumstances concerning the offense or violation, recommends approval. (4-11-15)

056. CRIMINAL RECORD.

01. Fingerprints. The applicant shall be fingerprinted on two (2) copies of the standard FBI Applicant fingerprint form, and a search made of local, state, and national fingerprint files to disclose any criminal record. The original copies of all records check results shall be retained by the POST Council. (4-2-03)

02. Conviction. The term "conviction" shall include: (4-2-03)

a. Any conviction in a federal, tribal, state, county, or municipal court; (3-15-02)

b. A voluntary forfeiture of bail, bond, or collateral deposited to secure a defendant's appearance in court as final disposition; (3-15-02)

c. The payment of a fine; (3-15-02)

d. A plea of guilty, nolo contendere; or (3-15-02)

e. A finding of guilt, notwithstanding the form of judgment or withheld judgment, regardless of whether the sentence is imposed, suspended, deferred, or withheld, and regardless of whether the plea or conviction is set aside or withdrawn, or the case or charge is dismissed or reduced, or the record expunged under Section 19-2604, Idaho Code, or any other comparable statute or procedure, where the setting aside of the plea or conviction, or dismissal or reduction of the case or charge, or expungement of the record is based upon lenity or the furtherance of rehabilitation rather than upon any defect in the legality or factual basis of the plea, finding of guilt, or conviction. (3-29-12)

03. Misdemeanor Conviction. A misdemeanor conviction of any federal, state, or local crime may be grounds for rejection of an applicant, subject to the following provisions: (3-20-14)

a. An applicant shall be rejected who has been convicted of any misdemeanor sex crime or crime of deceit, unless the conviction occurred more than five (5) years prior to application and the applicant's agency head files a written request for review with the POST Council. In the case of a willful concealment or petit theft conviction, the applicant may be accepted upon approval of the POST Division Administrator, and the Division Administrator shall have the discretion to refer the application to the POST Council. In all other cases, the POST Council shall review the application and determine whether the applicant shall be certifiable in the State of Idaho. (3-20-14)

b. An applicant shall be rejected who has been convicted of one (1) or more misdemeanor DUI

offenses within the two (2) years immediately preceding application. No waivers to this rule shall be granted by the POST Council. (3-20-14)

c. An applicant shall be rejected who has been convicted of two (2) or more misdemeanor DUI offenses within the five (5) years immediately preceding application. No waivers to this rule shall be granted by the POST Council. (3-20-14)

d. An applicant who is not subject to the provisions of subsections (b) and (c) above may be rejected if the applicant has been convicted of one (1) or more misdemeanor DUI offenses within ten (10) years prior to application. Such an applicant may be accepted upon approval of the POST Division Administrator, provided the applicant's agency head, with knowledge of the facts and circumstances concerning the offense or violation, recommends approval. The POST Division Administrator shall have the discretion to refer the application to the POST Council. This rule is not a basis for rejection of an applicant if the conviction occurred ten (10) or more years prior to application. (3-20-14)

e. An applicant may be rejected who has been convicted of any other misdemeanor offense within the two (2) years immediately preceding application. If the misdemeanor conviction occurred within the two (2) years immediately preceding application, the applicant may be accepted upon approval of the POST Division Administrator, provided the applicant's agency head, with knowledge of the facts and circumstances concerning the offense or violation, recommends approval. The Division Administrator shall have the discretion to refer the application to the POST Council. (3-20-14)

f. An applicant may be rejected who has been convicted of any other misdemeanor offense two (2) or more years but less than ten (10) years prior to application. If the misdemeanor conviction occurred two (2) or more years but less than ten (10) years prior to application, the applicant may be accepted upon approval of the POST Division Administrator, provided the applicant's agency head, with knowledge of the facts and circumstances concerning the offense or violation, recommends approval. The POST Division Administrator shall have the discretion to refer the application to the POST Council. This rule is not a basis for rejection of an applicant if the conviction occurred ten (10) or more years prior to application. (3-20-14)

g. Any misdemeanor conviction prosecuted pursuant to Title 18, Chapter 15, Idaho Code, or a comparable statute of another state or country, shall not be a basis for rejection of an applicant. (3-20-14)

04. Felony Conviction. An applicant shall be rejected who has been convicted of any felony crime, the punishment for which could have been imprisonment in a federal or state penal institution, unless the felony conviction occurred before the applicant was eighteen (18) years of age and ten (10) or more years prior to application. If the conviction occurred before the applicant was eighteen (18) years of age and ten (10) or more years prior to application, the applicant may be accepted upon approval of the POST Division Administrator, provided the applicant's agency head, with knowledge of the facts and circumstances concerning the offense or violation, recommends approval. The POST Division Administrator shall have the discretion to refer the application to the POST Council. For the purpose of this rule, a felony conviction shall be considered a felony conviction regardless of whether the conviction is later reduced to a misdemeanor conviction under Section 19-2604, Idaho Code, or any other comparable statute or procedure, where the reduction is based upon lenity or the furtherance of rehabilitation rather than upon any defect in the legality or factual basis of the felony conviction. No waivers to this rule shall be granted by the POST Council. (3-20-14)

057. MILITARY RECORD.

01. Military Discharge. A "dismissal," "bad conduct discharge" (BCD), "dishonorable discharge" (DD), or administrative discharge of other than honorable (OTH) from the military service shall disqualify the applicant. The administrative discharge of "general under honorable conditions" (GEN), a "general" discharge, or an "uncharacterized" discharge may be grounds for rejection. In the case of a "general under honorable conditions" or "uncharacterized" discharge, the applicant may be accepted upon approval of the POST Division Administrator. The Division Administrator shall have the discretion to refer the application to the POST Council. In the case of a "general" discharge, the POST Council shall review the application and determine whether the individual shall be certifiable as a peace, detention, juvenile detention, juvenile probation, adult probation and parole, or adult misdemeanor probation officer or as a direct care staff member of the Idaho Department of Juvenile Corrections in

the state of Idaho. (4-7-11)

02. Documentation. Proof of military record shall not have been mutilated, altered, or damaged; shall indicate character of service; and shall be in the form of a photocopy of the following: (4-7-11)

a. DD-214 for any active military service, (4-7-11)

b. NGB Form 22 for any National Guard service, and (4-7-11)

c. AF-216 for any Air Force service. (4-7-11)

058. TRAFFIC RECORD INVESTIGATION.

01. Requirements. (7-1-93)

a. The applicant shall possess a valid driving license from his state of residence and qualify for an Idaho driver's license. (3-15-02)

b. An applicant with a record of a driver's license suspension in any jurisdiction, or a driving without privileges conviction or an equivalent conviction in any other jurisdiction, may be accepted upon approval of the POST Division Administrator provided the suspension concluded or conviction occurred more than two (2) years prior to application and the applicant's agency head, with knowledge of the facts and circumstances concerning the suspension or conviction, recommends approval. The Division Administrator shall have the discretion to refer the application to the POST Council. If the suspension concluded or conviction occurred during the two (2) years immediately preceding application, the POST Council shall review the application and determine whether the individual shall be certifiable as a peace, detention, or juvenile detention officer in the state of Idaho. (3-15-02)

c. Where the applicant's traffic record discloses the commission of five (5) or more moving traffic offenses during the three (3) years immediately preceding application, the POST Council shall review the application and determine whether the individual shall be certifiable as a peace, detention, or juvenile detention officer in the state of Idaho. (3-15-02)

02. Procedures. At a minimum, a check of driving records shall be made of the Motor Vehicle Division, Highway Department, state of Idaho, and the files of the motor vehicle department in the states of the applicant's previous residences. (3-15-02)

059. BACKGROUND INVESTIGATION.

01. Requirements. The applicant shall have undergone a comprehensive background investigation, the results of which attest to the fact that the person meets the minimum standards for employment, has not engaged in conduct or a pattern of conduct that would jeopardize public trust in the law enforcement profession, and is of good moral character. Consideration will be given to any and all law violations, including traffic and fish and game infractions or convictions. (3-15-02)

02. Procedures. (3-15-02)

a. The applicant shall complete and submit to the appointing law enforcement agency a comprehensive application and personal history statement prior to the start of the background investigation. The history statement shall contain questions which aid in determining whether the applicant is eligible for certified status as a peace, detention, juvenile detention, or juvenile probation officer. The background investigation shall include information provided by personal references, schools, and the last three (3) previous employers, as well as law enforcement agency records in jurisdictions where the applicant has lived or worked. This information shall be recorded and retained by the appointing agency. (4-2-08)

b. The appointing agency shall conduct a personal interview with the applicant to ascertain personal attributes such as personal appearance, demeanor, attitudes that are relevant to the law enforcement mission, judgment, maturity, resourcefulness, and ability to communicate. Searching questions shall be asked about: (3-15-02)

- i. Use of intoxicants, narcotics and drugs; (3-15-02)
- ii. Physical, mental, and emotional history; (3-15-02)
- iii. Family problems; (3-15-02)
- iv. Moral outlook and habits; and (3-15-02)
- v. Financial transactions. (3-15-02)
- c. The appointing agency shall have a thorough investigation into the character and reputation of the applicant conducted by an experienced investigator. The applicant's morality, integrity, reputation, honesty, dependability, qualifications, experience, associations, emotional stability, prejudice, and loyalty shall be explored. (3-15-02)
- d. All results of the background investigation shall be considered confidential and processed accordingly. (3-15-02)
- e. The results of the background investigation shall ultimately be evaluated by the agency head and/or the appointing authority to determine whether the applicant is suitable. (3-15-02)

060. PHYSICAL - MEDICAL.

01. Requirements. (7-1-93)

a. Agency Physical Readiness Test. To determine the applicant's physical capability, a physical readiness test based upon the job requirements of the appointing agency must be administered by the appointing agency to each applicant. (3-18-15)

b. Physical Capability Requirement. The applicant must be physically capable of passing all physically demanding tasks and tests while attending any Idaho POST Academy or any academy equivalent program approved by the POST Council. Any applicant who fails a required physical test while attending an Idaho POST Academy will be disenrolled from the academy and provided the option to attend a future academy session. (3-18-15)

061. MENTAL EXAMINATION.

01. Requirement. Where a question of emotional stability or disorder is indicated by physician or the background investigation, a thorough evaluation must be made by a licensed psychiatrist or clinical psychologist to determine if the applicant is free from any emotional or mental condition which might adversely affect the applicant's ability to perform the duties of a peace, detention, juvenile detention, juvenile probation, correction, adult probation and parole, juvenile corrections, or misdemeanor probation officer. (3-18-15)

02. Procedure. During the interview, the examining psychiatrist or psychologist must evaluate the applicant sufficiently to assess those symptoms of a degree that would impair the effective performance of duty. The results of the examination must be recorded and that record or a summary of recommendations must be forwarded to the appointing authority for review. (3-18-15)

062. APTITUDE.

The applicant shall be evaluated on the agency-approved aptitude test to determine if the applicant possesses the aptitude, capacity, and adaptability for absorbing and understanding the training and skills which are essential to the performance of the law enforcement function. (3-15-02)

063. EXCEPTIONS.

The required minimum standards for employment are not applicable to the director of the Idaho State Police or any elected official. (4-2-08)

064. CODE OF ETHICS/STANDARDS OF CONDUCT.

Each applicant shall attest that he has read, understands, and will abide by the POST Council's Code of Ethics as standards of professional conduct and that he has read and understands the conduct that may constitute cause for decertification as found in the POST Council's Code of Ethics and Subsections 091.03 and 091.04. (3-27-13)

01. Fundamental Duty. As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice. (3-21-12)

02. Personal and Official Life. I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret, unless revelation is necessary in the performance of my duty. (3-21-12)

03. Appropriately Enforce the Law. I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and the relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities. (3-21-12)

04. Public Trust. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. (3-21-12)

05. Professional Performance. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement. (3-21-12)

065. PROBATIONARY PERIOD.

01. Probation. Every officer appointed by an agency below the level of agency head shall satisfactorily complete a probationary period of not less than six (6) months. This requirement shall also apply to officers who transfer laterally into an agency. (3-15-02)

02. Supervisor/Mid-Manager. Every officer who is promoted or appointed to a supervisory, middle management, or assistant agency head position shall satisfactorily complete a probationary period of not less than six (6) months in that position. (3-15-02)

03. Extended. No peace, detention, juvenile detention, or juvenile probation officer who lacks the training qualifications required by the Council shall have his temporary or probationary employment extended beyond one (1) year by renewal of appointment or otherwise. (4-2-08)

066. SPECIAL PROVISIONS.

01. Minimum Standards. It is emphasized that these are minimum standards for employment. Higher standards are recommended whenever the availability of qualified applicants meets the demand. (7-1-93)

02. No Discrimination. No agency shall discriminate as to employment against any persons on the basis of race, creed, color, or sex, pursuant to state or federal law. (3-15-02)

03. Equal Opportunity Employer. Every agency shall be an equal opportunity employer. (3-15-02)

067. -- 069. (RESERVED)

070. MINIMUM STANDARDS FOR BASIC TRAINING.

071. BASIC TRAINING ACADEMY.

Every peace and detention officer shall begin the respective POST Basic Training Academy within six (6) months from the date of their appointment as a full-time officer. Every peace, detention, juvenile detention, and juvenile probation officer shall successfully complete the respective POST Basic Training Academy, including the field training portion, within twelve (12) months from the date of their appointment as a full-time officer. This time period includes probationary time. (4-7-11)

01. Closed Campus. The POST Basic Patrol, Juvenile Detention, and Juvenile Probation Training Academies shall operate as a closed campus Monday through Thursday. The POST Division Administrator may consider an exemption to this requirement in the case of a documented personal hardship for the applicant where no other reasonable alternative exists and provided the applicant's agency head files a written request for review with the POST Division Administrator. A trainee granted a hardship exemption shall be required to attend all mandatory classes, and shall not be late to any class. Unauthorized lateness to or absence from any class shall be grounds for revocation of the hardship exemption by the POST Division Administrator. The POST Council may consider an exemption to this requirement on a case-by-case basis for a scheduled POST Basic Patrol, Juvenile Detention, or Juvenile Probation Training Academy. (4-7-11)

02. POST Basic Misdemeanor Probation Academy. The POST Basic Misdemeanor Probation Academy may operate as a closed campus depending upon the availability of POST resources. (3-29-12)

03. Open Campus. All other POST Basic Training Academies shall operate as an open campus. (4-2-08)

04. Attendance. Attendance shall be required of each trainee at all classes in the Basic Training Academy. (3-29-12)

05. Completion. A trainee shall successfully complete the Basic Training Academy within six (6) months of the date they enroll in such course. In a case of delay of more than six (6) months, the entire course shall be repeated. (4-7-11)

06. Field Training. The field training portion shall be completed to be eligible for certification. (4-7-11)

072. WAIVER FOR EQUIVALENT TRAINING - RECIPROCITY.

01. Waiver. The Council may waive the completion of any basic training academy required by the Council upon presentation of documentary evidence by an agency that an officer has satisfactorily completed equivalent training, subject to any supplementary training prescribed by the Council under Section 074. (3-15-02)

a. Training received in states with laws governing or regulating police training shall, if subject to such review, have been approved or certified in the state in which the training was received. (3-15-02)

02. Reciprocity Agreements. The Council is authorized to enter into standing reciprocity, compacts, or agreements with those states which by law regulate and supervise the quality of law enforcement officer training and which require a minimum number of hours of training in the basic training academy equal to or exceeding Idaho's standards. (3-15-02)

073. COLLEGE EDUCATION.

01. Unacceptable in Lieu of Basic Training Academy. Credit for pre-service college education shall not be accepted in lieu of a Basic Training Academy. (3-15-02)

02. Acceptable in Lieu of Basic Training Academy. Vocational education training programs that

have been previously certified by the Council may be accepted as equivalent training in lieu of a POST Basic Training Academy provided the officer successfully graduates from the program, passes the POST certification examination, submits a completed POST Vo-Tech Certification Packet, is appointed to a certifiable position within three (3) years from graduating from the program, and complies with the requirements of Section 101 or Section 176. (4-2-03)

074. SUPPLEMENTARY TRAINING.

The Council may prescribe as a condition of certification supplementary or remedial training necessary to equate previous training with current Idaho standards. (3-15-02)

075. THE BASIC PATROL ACADEMY TRAINING CURRICULUM.

01. Minimum Basic Training. The POST Council shall establish the requirements of minimum basic training which peace officers shall complete in order to be eligible for permanent employment as peace officers. (4-7-11)

02. Additional Instruction Necessary. It is emphasized that the established basic patrol academy training is only a minimum and that additional instruction beyond the basic academy is necessary if the proper training of a peace officer, as required by the profession, is to be accomplished. (4-7-11)

03. Field Training. Successful completion of forty (40) hours of supervised field training in the appointing agency, or another agency if necessary, shall be required. (4-7-11)

04. Certificate of Graduation. The Council shall issue a certificate of graduation from the Basic Patrol Academy to each trainee who successfully completes the Basic Patrol Academy. (4-7-11)

076. FIELD TRAINING.

Field Training shall be conducted in accordance with the procedures as outlined in the Field Training Manual. (3-15-02)

077. THE BASIC DETENTION ACADEMY TRAINING CURRICULUM.

01. Minimum Basic Training. The POST Council shall establish minimum basic training standards for county detention officers. (4-7-11)

02. Additional Instruction Necessary. It is emphasized that the established basic detention academy training is only a minimum and that additional instruction beyond the basic academy is necessary if the proper training of a detention officer, as required by the profession, is to be accomplished. (4-7-11)

03. Jail Training. Successful completion of forty (40) hours of supervised jail training in the appointing agency, or another agency if necessary, shall be required. (4-7-11)

04. Certificate of Graduation. The Council shall issue a certificate of graduation from the Basic Detention Academy to each trainee who successfully completes the Basic Detention Academy. (4-7-11)

078. JAIL TRAINING.

Jail Training shall be conducted in accordance with the procedures as outlined in the Jail Training Manual. (3-15-02)

079. THE PATROL-TO-DETENTION TRANSITION ACADEMY TRAINING CURRICULUM.

01. Eligibility. To be eligible to attend the Patrol-to-Detention Transition Academy, each applicant shall be: (4-2-03)

a. A peace or county detention officer appointed by a duly constituted Idaho law enforcement agency who possesses or is eligible to possess a valid Idaho POST Basic, Intermediate, or Advanced Certificate; (4-2-03)

b. A self-sponsored student who has satisfactorily completed the Idaho POST Basic Patrol Academy

within the last three (3) years; (4-2-08)

- c. A program coordinator of an Idaho POST-certified vocational law enforcement program; or (4-2-08)
- d. A professional member of the POST Council staff. (4-2-03)

02. Training Hours. The amount of training for which certification may be granted in the Patrol-to-Detention Transition Academy shall be a total of one hundred thirty (130) hours, with ninety (90) hours received at the training academy and forty (40) hours received in jail training in the officer's appointing agency or another agency if necessary prior to or subsequent to attendance at the Patrol-to-Detention Transition Academy. (4-2-03)

03. Requirements. (4-2-03)

a. Successful completion of ninety (90) hours of instruction in the following minimum prescribed subject areas at the Patrol-to-Detention Transition Academy shall be required:

Summary	Hours
Jail Standards Procedures	9
Detention Legal Issues	20
Practical Skills	15
Jail Medical Issues	10
Human Relations	6
Detention Techniques	13
Incident Procedures	4
Emergency Procedures	6
Research Assignment	1
Administration/Examinations	6
Sub-Total	90
Jail Training Manual	40
Total	130

(4-2-03)

b. It is emphasized that the established patrol-to-detention transition academy training is only a minimum and that additional instruction beyond the academy is necessary if the proper training of a detention officer, as required by the profession, is to be accomplished. (4-2-03)

c. Successful completion of forty (40) hours of supervised jail training in the appointing agency, or another agency if necessary, shall be required. (4-2-03)

04. Procedure. (4-2-03)

a. Trainees shall be enrolled in the Patrol-to-Detention Transition Academy in sufficient time to permit completion of the course and the supervised jail training during the twelve-month (12) period following their appointment as a detention officer. (4-2-03)

b. The Council shall issue a certificate of graduation from the Patrol-to-Detention Transition

Academy to each trainee who successfully completes the Patrol-to-Detention Transition Academy. (4-2-03)

080. JAIL TRAINING.

Jail training shall be conducted in accordance with the procedures as outlined in the Jail Training Manual. (4-2-03)

081. AGREEMENT TO SERVE.

01. Agreement. Pursuant to Section 19-5112, Idaho Code, any peace officer attending such schools or programs or directly or indirectly receiving the aid authorized by Section 19-5109, Idaho Code, shall execute an agreement whereby said officer promises to remain within the law enforcement profession, as defined in Subsection 010.27, on a full time basis, in the state of Idaho in a position approved by the Council for two (2) years following graduation from the POST Basic Training Academy. (3-30-07)

02. Pay Back. Except as provided below, any peace officer who fails to remain within the law enforcement profession, as defined in Subsection 010.27, on a full time basis, in the state of Idaho in a position approved by the Council for two (2) years following graduation from the POST Basic Training Academy, shall be required to pay back to the Council, the full amount of money set forth in the agreement. For the purposes of this rule, an officer who leaves full-time employment in the law enforcement profession and has not worked four thousand one hundred sixty (4,160) or more hours during the two (2) years following graduation from the POST Basic Training Academy shall be deemed to have failed to remain within the law enforcement profession, on a full time basis, for two (2) years following graduation from the POST Basic Training Academy. (3-30-07)

a. If the officer remains within the law enforcement profession in excess of twelve (12) months but less than twenty-four (24) months and the officer's work within the law enforcement profession during that period averaged at least one hundred sixty (160) hours per month, the amount owed to the Council under Subsection 081.02 shall be prorated monthly and shall be reduced proportionately for each month from the date of graduation in which the officer was employed within the law enforcement profession for at least one hundred sixty (160) hours per month. (4-2-03)

b. If the officer resigns or is terminated for cause by the appointing agency, he shall owe the Council the amount set forth in the agreement. (3-15-02)

c. If the officer is terminated through no fault of his own by the appointing agency, he shall not owe the Council the amount set forth in the agreement. The agency shall provide the Council a letter stating that the officer was terminated through no fault of his own. (3-15-02)

03. Pay Back, Part-Time Basic Certificate. Any peace officer who is awarded a part-time basic certificate who fails to remain employed within the law enforcement profession in a position approved by the Council for the same amount of hours required in Subsection 081.02, shall be required to pay back to the Council the full amount of money set forth in the agreement. (4-2-03)

04. Position. The Council shall approve or disapprove positions on a case by case basis, after affording officers the opportunity to present information as to the duties, nature, and scope of the position. (3-15-02)

082. -- 089. (RESERVED)

090. CERTIFICATION OF PEACE, DETENTION, JUVENILE DETENTION, AND JUVENILE PROBATION OFFICERS.

091. INTRODUCTION.

01. Certificates and Awards. Certificates and awards may be presented by the Council for the purpose of recognizing or raising the level of competence of law enforcement and to foster cooperation among the Council, agencies, groups, organizations, jurisdictions, and individuals. (3-20-97)

02. Property. Certificates and awards remain the property of the Council and are only valid as long as the officer has not been decertified and is appointed as an Idaho peace, county detention, juvenile detention, juvenile

probation, correction, adult probation and parole, or misdemeanor probation officer, or an Idaho Department of Juvenile Corrections Direct Care Staff member. (3-29-10)

03. Decertification – Mandatory, Discretionary, Reporting, Eligibility. (3-27-13)

a. The Council shall decertify any officer who is convicted, as defined in Section 19-5109, Idaho Code, of any felony or offense which would be a felony if committed in this state. (3-27-13)

b. The Council may decertify any officer who is convicted, as defined in Section 19-5109, Idaho Code, of any misdemeanor; willfully or otherwise falsifies or omits any material information to obtain any certified status; or for any of the causes set forth in Subsection 091.04. (3-27-13)

c. Any officer charged with a felony or a misdemeanor shall notify his agency head within five (5) business days. (3-27-13)

d. The agency head of an officer charged with a felony or misdemeanor shall notify the POST Division Administrator within fourteen (14) days of learning of the charge. (3-27-13)

e. Any officer decertified by the Council shall not be eligible for POST certification of any kind for ten (10) years following the date of decertification. An agency head intending to hire an officer who has been decertified shall request a waiver from the POST Council. No decertified officer shall exercise any law enforcement authority until recertified by the POST Council. Any officer who is the subject of a POST decertification investigation shall not be eligible for POST certification of any kind while under investigation. (3-27-13)

04. POST Council's Code of Ethics, Additional Cause for Decertification. In addition to decertifying officers for violating the POST Council's Code of Ethics, the Council may also decertify any officer who engages in any of the following conduct which shall be considered a violation of the POST Council's Code of Ethics and standards of professional conduct: (3-27-13)

a. Engages in criminal conduct whether charged or not. (3-27-13)

b. Consumes alcoholic beverages on duty, except as necessary for the lawful performance of duties. (3-27-13)

c. Illegal or unlawful harassment or intimidation of another. (3-27-13)

d. Lying or falsifying official written or verbal communications. (3-27-13)

e. Engages in inappropriate sexual conduct while on duty. (3-27-13)

f. Engages in an inappropriate relationship, sexual or otherwise, with a person who the officer knows or should have known is a victim, witness, defendant, or informant in an ongoing investigation or adjudication. (3-27-13)

g. Acts of corruption or bribery. (3-27-13)

h. Unauthorized use or unlawful conversion of the property, equipment, or funds of his agency. (3-27-13)

i. Intentional and unauthorized disclosure of confidential information or information that may compromise an official investigation. (3-27-13)

j. Failure to report being charged with a felony or misdemeanor within five (5) business days. (3-27-13)

k. Refusal to respond or failure to respond truthfully to questions asked in relation to an investigation or legal proceeding. (3-27-13)

092. DUE PROCESS PROCEDURES.

01. Legal Authority. In accordance with the Idaho Rules of Administrative Procedure of the Attorney General, IDAPA 04.11.01.050, the POST Council declines to adopt in whole or in part the procedures established in IDAPA 04.11.01 for the resolution of contested cases. The procedures provided within Section 092, Due Process Procedures, are designed and promulgated to specifically meet the unique needs and requirements of the law enforcement profession for expeditious decision-making and handling of petitions for review in order to assure public safety and to secure a just, speedy and economical determination of all contested matters presented to the POST Council. These due process procedures have been designed to meet or exceed minimum Constitutional requirements for due process for the officers involved in contested matters, while providing the Peace Officer Standards and Training Council procedures for fulfillment of its obligations to protect the safety of the public and the integrity of the law enforcement profession. (3-27-13)

02. Overview. The POST Division Administrator shall oversee and conduct investigations into all trustworthy allegations or information received pertaining to officer conduct which could be a cause for decertification as set forth in these rules. Based upon the results of the investigation in each case, the Division Administrator shall make a determination whether decertification proceedings shall be commenced. The due process procedures set forth in these rules shall apply to all decertification proceedings once they are commenced. (3-27-13)

03. Investigations. (3-27-13)

a. The officer may be interviewed during the investigation. The officer shall receive an administrative warning requiring the officer to respond to questions, to answer such questions truthfully, and to acknowledge his understanding that no statements provided shall be used against him in criminal proceedings, as based on *Garrity v. New Jersey* 385 U.S. 493 (1967). (3-27-13)

b. Refusal to respond or failure to respond truthfully to questions asked in relation to an investigation under Section 092 shall be cause for decertification. (3-27-13)

04. Due Process Procedures - Summary Decertification. If the POST Division Administrator determines that the allegations of conduct by the officer constitute cause for decertification and create a situation involving an immediate danger to the public health, safety, or welfare, he shall issue an order of decertification, including a brief, reasoned statement to justify both that the immediate danger exists and the decision to summarily decertify. (3-27-13)

a. The order shall include findings of fact and conclusions of law and shall be effective when issued. (3-27-13)

b. The officer and his agency head shall be provided written notice of the order and a copy of the record. (3-27-13)

i. The notice of the order shall advise the officer of his right to respond to the order and present the POST Division Administrator, in writing or in person, with any reasons why the action should not have been taken. The order shall specify a deadline for such response. (3-27-13)

ii. The notice shall inform the officer of his right to be represented by a person of the officer's own choosing during the opportunity to respond. (3-27-13)

iii. The notice shall establish a date for an emergency hearing on the matter within seven (7) days of the date of the order. (3-27-13)

c. The decision of the POST Division Administrator shall become final if the officer fails to appear at the emergency hearing, or respond within the time allowed, or if a response has been waived in writing by the officer, whichever occurs first. (3-27-13)

d. If the officer appears at the emergency hearing or responds in writing, the POST Division

Administrator shall review and consider his response, and shall, within seven (7) days of the emergency hearing or receiving written response, make a decision and give notice of the decision to the officer. (3-27-13)

e. The decision of the POST Division Administrator is a final decision that is subject to review pursuant to Subsection 092.06. (3-27-13)

f. The agency record need not constitute the exclusive basis for POST action in a summary proceeding or for judicial review thereof. (3-27-13)

05. Due Process Procedures - Non-Summary Decertification. If the POST Division Administrator determines that the allegations of conduct by the officer do not create a situation involving an immediate danger to the public health, safety, or welfare, the officer shall be provided notice and an opportunity to respond before a decision is made to decertify. (3-27-13)

a. The POST Division Administrator shall provide the officer with a notice of the intent to decertify, which shall state the basis or reason for the contemplated decertification and an explanation of the evidence supporting the intended action. (3-27-13)

b. The officer shall be given the opportunity to respond to the notice and present the POST Division Administrator, in writing or in person, any reasons why the intended action should not be taken. The notice shall inform the officer of his right to be represented by a person of the officer's own choosing during the opportunity to respond. The deadline for the opportunity to respond shall not occur sooner than fourteen (14) days after the notice is given. After the officer has responded, or after the period to respond has expired or has been waived in writing by the officer, whichever occurs first, the POST Division Administrator shall, within twenty-eight (28) days, make a decision on the decertification of the officer and give notice of the decision and the reasons therefore to the officer. (3-27-13)

06. Final Decision. The decision or action of the POST Division Administrator shall be final and conclusive unless the officer files with the POST Council a request for a hearing on the decision within fourteen (14) days after the date of the POST Division Administrator's decision. The request for hearing shall include a brief statement of the questions or issues to be addressed during the requested hearing. (3-27-13)

07. Due Process Procedure - Hearing. Upon receipt of a request for hearing, the POST Council shall assign the matter to a hearing board or officer for hearing. If after the hearing, the hearing board or officer determines that proper cause for decertification did not in fact exist under Subsections 091.03 or 091.04 of these rules, or that proper procedures were not followed in reaching the decision, the hearing board or officer shall order the reinstatement of the officer's certification, or may remand the case to the POST Division Administrator for further proceedings. (3-27-13)

a. Process and procedure for the hearing before the hearing board or officer shall be as summary and simple as reasonably may be. (3-27-13)

i. The hearing board or officer appointed by the POST Council shall have the power to subpoena witnesses, administer oaths, and examine such of the records of the parties as relate to the questions in dispute. (3-27-13)

ii. The officer shall have the right to be represented at the hearing by a person of the officer's own choosing. (3-27-13)

iii. The officer shall have the right to discovery under IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Sections 520 through 532. (3-27-13)

iv. Prior to submitting testimonial evidence, the officer shall receive an administrative warning requiring the officer to respond to questions, to answer such questions or provide testimony truthfully, and to acknowledge his understanding that no statements provided shall be used against him in criminal proceedings, as based on *Garrity v. New Jersey* 385 U.S. 493 (1967). (3-27-13)

v. Refusal to respond or failure to respond truthfully to questions asked in relation to a hearing under this section shall be cause for decertification. (3-27-13)

vi. A verbatim record of the proceedings at hearing before the hearing board or officer shall be recorded at the POST Council's expense. The verbatim record shall be the official record of the proceedings. (3-27-13)

vii. Any party to the action may, at its expense, request that a transcript of the proceedings be prepared or that additional recordings be made of the proceedings. Such a request shall be approved if the making of the additional recording does not cause distraction or disruption of the hearing. (3-27-13)

viii. The hearing board or officer to whom the matter has been assigned shall make such inquiry and investigations as shall be deemed necessary. (3-27-13)

ix. The hearings shall be held at the principal office of the Idaho Peace Officer Standards and Training in Ada County or in such place as the hearing board or officer may designate. (3-27-13)

x. The district court, in and for the county of Ada, shall have the power to enforce by proper proceedings the attendance and testimony of witnesses and production and examination of books, papers, and records. (3-27-13)

b. The decision of the hearing board or officer, consisting of such findings of fact, conclusions of law, and orders as are necessary, together with the record of the proceedings, shall be filed with the POST Council. A copy of the hearing board or officer's decision shall be immediately sent to the parties by United States mail. The decision of the hearing board or officer shall be final and conclusive between the parties, unless a petition for review by the full POST Council is filed with the Council within twenty-eight (28) days. The petition for review shall include a brief statement of the reasons that a hearing is requested. Where the decision and order of the hearing board or officer directed the reinstatement of the officer's certification, the certification shall be reinstated by the POST Division Administrator upon the expiration of the time for filing a petition for review. (3-27-13)

08. Due Process Procedure - Review by POST Council. If a petition for review is filed, the POST Council shall review the record of the proceedings before the hearing board or officer, briefs submitted in accordance with any briefing schedule it orders, and any transcripts submitted of the hearing. The Council may grant the parties the opportunity to present oral argument, but need not do so. The officer may be represented by a person of the officer's own choosing during the review process. The Council may affirm, reverse, or modify the decision of the hearing board or officer, or may remand the matter. A decision of the POST Council shall be final and conclusive between the parties. The POST Council's decision may be appealed to district court by filing a notice of appeal within twenty-eight (28) days of the filing of the decision. (3-27-13)

09. Notice. All notices to be given under Section 092, of these rules, shall be made either by personal service, facsimile or by U.S. mail, with postage prepaid, addressed to a party's last known address, as shown in the records and files of the POST Council. Service by mail shall be made by certified mail - return receipt requested. An affidavit of personal service shall be filed by the person making the same. (3-27-13)

093. -- 095. (RESERVED)

096. LAPSE OF PEACE OFFICER CERTIFICATION.

The certification of any peace officer shall be considered lapsed if the officer does not serve as a peace officer in Idaho for three (3) consecutive years. Provided, however, that an Idaho POST-certified peace officer who remains in an administrative, jail, communications, or civil division duty assignment with a police or law enforcement agency that is a part of or administered by the state of Idaho or any political subdivision thereof or in a duty assignment as a tribal police officer with a federally recognized Indian tribe within Idaho and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision shall retain their POST certification provided they satisfy the continuing training requirements of Sections 360 through 363 and work at least one hundred twenty (120) hours per year. The three-year period provided herein shall be tolled during any time period that a peace officer is the subject of a POST decertification investigation and is no longer employed in law enforcement. (3-21-12)

- 01. Three to Five Years.** A peace officer who has been out of full-time law enforcement status from three (3) to five (5) years and who wants to reactivate certification shall meet the following POST requirements: (3-21-12)
- a.** Submit a POST Certification Patrol Challenge Packet; (4-2-03)
 - b.** Disclose information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)
 - c.** Attend an approved course of study in Idaho law and pass the POST Idaho law exam; (4-2-03)
 - d.** Pass the following tests administered by a POST Training Specialist: (4-2-03)
 - i.** The POST patrol certification examination approved by the Council, conducted in the manner set forth in Subsection 101.02.b.; (3-21-12)
 - ii.** The POST Firearms Qualification Course; (4-2-03)
 - iii.** The POST Physical Readiness Test; and (3-21-12)
 - e.** Satisfy the probationary period requirement of Section 065. (4-2-08)
- 02. Over Five Years.** A peace officer who has been out of full-time law enforcement status for over five (5) years shall attend the POST Basic Patrol Academy to reactivate certification. The Council may waive this requirement on a showing of good cause by the officer supported by clear and convincing evidence that during a substantial part of the time out of full-time law enforcement, the officer was engaged in an occupation requiring law enforcement training, skill, and experience. This evidence shall be submitted with a POST Certification Patrol Challenge Packet. Upon receiving a waiver, the officer shall meet the following POST requirements: (3-21-12)
- a.** Disclose information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)
 - b.** Attend an approved course of study in Idaho law and pass the POST Idaho law exam; (4-2-03)
 - c.** Attend and pass Idaho POST-certified courses in Emergency Vehicle Operation, Arrest Techniques, Handgun Retention, and Practical Problems; (4-2-03)
 - d.** Pass the following tests administered by a POST Training Specialist: (4-2-03)
 - i.** The POST patrol certification examination approved by the Council, conducted in the manner set forth in Subsection 101.02.b.; (3-21-12)
 - ii.** The POST Firearms Qualification Course; (4-2-03)
 - iii.** The POST Physical Readiness Test; and (3-21-12)
 - e.** Satisfy the probationary period requirement of Section 065. (4-2-08)
- 03. Over Eight Years.** A peace officer who has been out of full-time law enforcement status for over eight (8) years shall attend the POST Basic Patrol Academy to be recertified. No waiver of this requirement shall be granted by the Council. (3-21-12)
- 04. Exception.** The provisions of Subsections 096.01 through 096.03 shall not apply to officers holding a part-time basic certificate who satisfy the continuing training requirements of Sections 360 through 363 and work at least one hundred twenty (120) hours per year within the law enforcement profession. (3-21-12)

097. PEACE OFFICER CERTIFICATION.

Any peace officer as defined in Section 19-5101(d), Idaho Code, except any elected official, any deputy sheriff serving civil process, the director of the Idaho State Police, or those peace officers whose primary duties involve motor vehicle parking and animal control pursuant to city or county ordinance, shall be certified by the Peace Officer Standards and Training Council within one (1) year after first being appointed unless granted additional time to complete certification by the POST Council as set forth in Subsection 030.11. (4-2-08)

098. GENERAL PROVISIONS.

01. Purpose. Basic, Part-Time Basic, Intermediate, and Advanced Certificates are established for the purpose of fostering professionalism, education, and experience necessary to perform adequately the duties of law enforcement. (4-2-03)

02. Eligibility. To be eligible for the award of a Basic, Intermediate, or Advanced Certificate, each applicant shall be a professional member of the POST Council staff, or a full-time peace officer appointed by a duly constituted Idaho law enforcement agency. To be eligible for the award of a part-time Basic certificate each applicant shall be a professional member of the POST Council staff, or a part-time peace officer appointed by a duly constituted Idaho law enforcement agency. (4-2-03)

03. Applications. All applications for award of the Basic, Part-Time Basic, Intermediate, or Advanced Certificates shall be completed by the applicant on the prescribed form "Application for Certification" as provided by the POST Council. (4-2-03)

04. Submission. The Application for Certification form shall be submitted by the applicant to his agency head who shall review it for accuracy prior to signing it and forwarding it to the Council. Certificates shall be issued to the agency head for award to the applicant. (4-2-03)

05. Minimum Standards. Each applicant shall meet the minimum standards for employment and basic training as provided in Sections 050 through 065 and 070 through 076. (4-2-08)

06. Other. The director of the Idaho State Police or any elected official, although specifically excluded by law from meeting the requirements set by the Council, may be certified if they so desire, provided they meet the minimum requirements for certification as prescribed in these rules. (4-2-08)

099. LAW ENFORCEMENT EXPERIENCE - PEACE OFFICER CERTIFICATION.

01. Law Enforcement Experience. Law enforcement experience, as used herein, means actual time served with a duly constituted law enforcement agency as a peace officer, county detention officer, or communications specialist. The acceptability of time served as a peace officer, county detention officer, or communications specialist in a jurisdiction other than the state of Idaho, or in a jurisdiction which does not comply with the minimum standards for employment as set forth in Sections 050 through 065, shall be subject to the determination of the Council. (3-29-12)

02. Military Law Enforcement Service and Education. An applicant who has served in the military as a full-time military law enforcement officer may be awarded partial credit toward law enforcement experience and training. (3-29-12)

a. The applicant shall have served in the military as a full-time military law enforcement officer for the period of time he is requesting credit for. Regular guard duty does not qualify. (3-29-12)

b. Education shall be military law enforcement schools successfully completed. All certificates, course outlines, diplomas, DD-214's, and certificates of completion showing length of school shall accompany an appropriate application form designated by the Council. (3-29-12)

c. Credit shall be awarded as follows: (3-29-12)

i. One (1) year of accepted military law enforcement service shall equal three (3) months of law

enforcement experience. (3-29-12)

ii. Eight (8) hours of accepted military law enforcement training shall equal four (4) hours of law enforcement training. (3-29-12)

d. No applicant shall be awarded more than two (2) years of law enforcement experience or more than one thousand (1,000) hours of law enforcement training. (3-29-12)

100. COLLEGE CREDITS.

01. College Hour. One (1) college or university semester hour or unit shall equal one (1) college credit. (7-1-93)

02. College Quarter Hour. One (1) college or university quarter hour or unit shall equal two-thirds (2/3) of one (1) college credit. (7-1-93)

03. Conversion to POST Training Hours. College credits may be converted to POST training hours at the rate of one (1) college credit equals twenty (20) POST training hours. (4-2-03)

04. Credits for POST-Approved Training. When college credit is awarded or purchased for POST-approved training, it may be counted for either POST training hours or college credit, whichever is to the advantage of the applicant. (4-2-08)

05. Documentation. Proof of college education shall not have been mutilated, altered, or damaged, and shall be in the form of a photocopy of an official transcript. (4-7-11)

101. THE BASIC AND PART-TIME BASIC CERTIFICATE.

In addition to the requirements set forth in Section 098 of these rules, the requirements in Section 101 are necessary for award of the basic certificate and the part-time basic certificate. (3-21-12)

01. Probation. The applicant shall have satisfactorily completed at least a six (6) month probationary period, which may include basic patrol academy time. The probationary period may be extended by the appointing agency which could delay certification until the probationary period is satisfactorily completed. This six (6) months' time shall be continuous with the agency the officer is appointed to when applying for certification. The probationary period shall not extend over one (1) year for certification purposes. (4-2-03)

02. Basic Training. The applicant shall have satisfactorily completed: (4-2-03)

a. The POST Basic Patrol Academy as required by the Council in Section 071; or (4-2-03)

b. Be a graduate of a college law enforcement program, the curriculum of which has been certified by the Council as being equivalent to the POST Basic Patrol Academy, and shall have passed the POST patrol certification examination approved by the Council. The applicant shall be allowed two (2) attempts to pass the examination. The attempts shall be no less than thirty (30) days apart and no more than six (6) months apart. If an officer fails both attempts or fails to retake the examination within six (6) months, he shall successfully complete the POST Basic Patrol Academy to be certified. (3-21-12)

03. Field Training. The applicant shall have satisfactorily completed forty (40) hours of POST-approved field training. (4-2-03)

04. College Law Enforcement Program Graduates. Graduates from Idaho POST-certified college law enforcement programs shall also comply with the requirements of Subsection 073.02. (3-21-12)

05. Patrol and Detention College Law Enforcement Program or POST Academy Graduates. An applicant who is appointed to a peace officer position from three (3) to five (5) years after satisfactorily completing both the patrol and detention officer training through an Idaho POST-certified college law enforcement program or the Idaho POST Academy, shall be eligible for peace officer certification in Idaho without attending the POST Basic

- Patrol Academy, provided the officer: (3-21-12)
- a. Was appointed to a county detention officer position in Idaho within three (3) years from graduating from the college law enforcement program or POST Academy; (3-21-12)
 - b. Possesses detention officer certification from Idaho; (4-2-08)
 - c. Submits a POST Certification Patrol Challenge Packet; (4-2-08)
 - d. Attends an approved course of study in Idaho law and passes the POST Idaho law exam; (4-2-08)
 - e. Passes the following tests administered by a POST Training Specialist: (4-2-08)
 - i. The POST patrol certification examination approved by the Council, conducted in the manner set forth in Subsection 101.02.b.; (4-2-08)
 - ii. The POST Firearms Qualification Course; (4-2-08)
 - iii. The POST Physical Readiness Test; and (3-21-12)
 - f. Satisfies the probationary period requirement of Section 065. (4-2-08)

102. CHALLENGING THE BASIC PATROL ACADEMY.

Any peace officer presently appointed by a duly constituted Idaho law enforcement agency who, within the last five (5) years, has been employed and certified or commissioned by another state or the federal government as a peace officer or a student who has satisfactorily completed a Basic Police Academy equivalent to the Idaho POST Basic Patrol Academy within the last three (3) years may be eligible for certification in the state of Idaho without attending the Basic Patrol Academy, provided the officer: (3-29-10)

01. Submission of Challenge Packet. Submits a POST Certification Patrol Challenge Packet to POST Council, which shall include copies of POST training records from other states to substantiate the officer's training; and transcripts, certificates, diplomas, or other documents that substantiate the officer's education and experience; (3-21-12)

02. Discloses Decertification Information. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)

03. Law Course Attendance. Attends an approved course of study in Idaho law and passes the POST Idaho law exam; (4-2-03)

04. Passes Required Tests. Passes the following tests administered by a POST Training Specialist: (4-2-03)

a. The POST patrol certification examination approved by the Council, conducted in the manner set forth in Subsection 101.02.b.; (3-21-12)

b. The POST Firearms Qualification Course; and (4-2-03)

c. The POST Physical Readiness Test. (3-21-12)

05. Completes Probationary Period. Completes his probationary period as required by Subsection 101.01. (3-21-12)

103. -- 105. (RESERVED)

106. HIGHER CERTIFICATION.

01. General Provisions. (7-1-93)

a. In addition to the requirements set forth above for the Basic Certificate, each applicant for the award of an Intermediate or Advanced Certificate shall have completed the designated education and training, combined with the prescribed law enforcement experience. (4-2-03)

b. Education shall be supported by copies of transcripts, certificates, diplomas, or degrees attached to the application. (4-2-03)

c. Training not listed on the applicant's Idaho POST training record shall be supported by copies of certificates, course outlines, or other verifying documents attached to the application. (4-2-03)

d. The officer shall have completed the probationary period required by their agency when making application for Intermediate and Advanced Certifications. (4-2-03)

107. INTERMEDIATE CERTIFICATE.

01. Requirements. In addition to the requirements set forth in Section 098 of these rules, the following are required for the award of an Intermediate Certificate: (4-2-03)

a. The applicant shall possess, or be eligible to possess, a Basic Certificate. (7-1-99)

b. The applicant shall have acquired the following combination of college credits and/or POST training hours, combined with the prescribed years of law enforcement experience, or the college degree designated from an accredited college or university, combined with the prescribed years of law enforcement experience, and have graduated from the POST Basic Patrol Academy:

POST Training Hours Including POST Basic Patrol Academy	600 hours	800 hours	1,200 hours	1,600 hours	1,800 hours	POST Basic Patrol Academy	
One College Credit Equals Twenty (20) POST Training Hours	The above may be a combination of College Credits and POST Training Hours					Academic Associate Degree	Academic Baccalaureate Degree
Years of Law Enforcement Experience	8	7	6	5	4	4	2

(4-2-03)

108. ADVANCED CERTIFICATE.

01. Requirements. In addition to the requirements set forth in Section 098 of these rules, the following are required for the award of an Advanced Certificate: (4-2-03)

a. The applicant shall possess, or be eligible to possess, an Intermediate Certificate. (7-1-93)

b. The applicant shall have acquired the following combination of college credits and POST training hours, combined with the prescribed years of law enforcement experience, or the college degree designated from an accredited college or university, combined with the prescribed years of law enforcement experience, and have graduated from the POST Basic Patrol Academy. Graduation from the ten (10) week Drug Enforcement Administration School in Washington, D.C.; the ten (10) week Northwestern University Traffic Institute School of Police Staff and Command; or the eleven (11) week FBI National Academy shall be accepted in lieu of the fifteen (15) college credits required for the Advanced Certificate with thirteen (13) years experience.

POST Training Hours Including POST Basic Patrol Academy	500 hours	600 hours	700 hours	800 hours	900 hours	1,200 hours	POST Basic Patrol Academy		
College Credits	15	20	30	40	45	60	Academic Associate Degree	Academic Baccalaureate Degree	Masters Degree or PhD
Years of Law Enforcement Experience	13	12	11	10	9	8	8	6	4

(4-2-03)

109. -- 115. (RESERVED)

116. CAREER-LEVEL CERTIFICATION.

01. General Provisions.

(4-2-03)

a. To be eligible for the award of a Supervisor, Master, or Management certificate, each applicant shall be a full-time peace officer, county detention officer, or communications specialist appointed by a duly constituted Idaho law enforcement agency or a professional member of the POST Council staff. To be eligible for the award of an Executive certificate, each applicant shall be a full-time peace officer appointed by a duly constituted Idaho law enforcement agency or a professional member of the POST Council staff. (4-2-03)

b. All applications for award of the Supervisor, Master, Management, or Executive Certificates shall be completed by the applicant on the prescribed form "Application for Certification" as provided by the POST Council. (4-2-03)

c. The Application for Certification form shall be submitted by the applicant to his agency head who shall review it for accuracy prior to signing it and forwarding it to the Council. Certificates shall be issued to the agency head for award to the applicant. (4-2-03)

d. Each applicant for the Master and Supervisor certificates shall meet the minimum standards for employment and basic training as provided in Sections 050 through 065 and 070 through 076. Each applicant for the Management and Executive certificates shall meet the minimum standards for employment as provided in Sections 050 through 065. (4-2-08)

117. SUPERVISOR CERTIFICATE.

01. Requirements. For purposes herein, the term "first-line supervision position" means a position above the operational level which is occupied by an individual who holds the rank of sergeant or equivalent title and, in the upward chain of command, principally is responsible for the direct supervision of non-supervisory personnel of an agency. A candidate for the Supervisor Certificate shall: (4-7-11)

a. Possess the Intermediate or Advanced Certificate, Level II or III Detention Officer Certificate, or Level II or III Communications Specialist Certificate. (3-30-07)

b. Have satisfactorily completed one hundred (100) hours of POST-certified supervisory-level training, of which fifty (50) hours shall have been completed within three (3) years prior to submitting an application for the Supervisor Certificate. (4-7-11)

c. Be presently appointed to a first-line supervision position with an Idaho law enforcement agency and shall have served satisfactorily in that position for a minimum of one (1) year prior to application. Proof of position responsibilities shall be submitted to the POST Council in the form of a job description or other documentation from the hiring authority. (4-7-11)

118. MASTER CERTIFICATE.

01. Requirements. The Master Certificate is for individuals below the rank of sergeant who have consciously decided to focus career efforts on line functions such as patrol, investigations, detention, or dispatch. A candidate for the Master Certificate shall: (4-2-03)

a. Possess the Advanced Certificate, Level III Detention Officer Certificate, or Level III Communications Specialist Certificate. (4-2-03)

b. Have satisfactorily completed one thousand five hundred (1,500) hours of POST-certified training. Academic college credits in law enforcement subjects may be converted to POST training hours at the rate of one (1) college credit equals twenty (20) POST training hours. (4-2-03)

c. Have completed a minimum of fifteen (15) years of full-time law enforcement service in assignments which did not include full-time supervisory, management, or executive positions. (4-2-03)

119. MANAGEMENT CERTIFICATE.

01. Requirements. For purposes herein, the term “middle-management position” means a position between a first-line supervision position and an executive position which is occupied by an individual who holds the rank of lieutenant or higher, or equivalent title and, in the upward chain of command, principally is responsible for the direct supervision of supervisory personnel of an agency and/or command duties. A candidate for the Management Certificate shall: (4-7-11)

a. Possess peace officer certification, detention officer certification, or communications specialist certification from Idaho; certification from another state that has minimum peace officer standards; or a certificate of completion from a city, county, state, or federal law enforcement academy. The academy attended shall meet or exceed that state's minimum training standards. (4-2-03)

b. Submits a POST Certification Patrol Challenge Packet to POST Council, which shall include copies of POST training records from other states to substantiate the officer's training; and transcripts, certificates, diplomas, or other documents that substantiate the officer's education and experience. Subsection 119.01.b. applies only to an officer who is uncertified in Idaho. (4-7-11)

c. Attend an approved course of study in Idaho law and pass the POST Idaho law exam. Subsection 119.01.c. applies only to an officer who is uncertified in Idaho. (4-2-03)

d. Have satisfactorily completed one hundred (100) hours of POST-certified management-level training, of which fifty (50) hours shall have been completed within three (3) years prior to submitting an application for the Management Certificate. (4-2-03)

e. Be presently appointed to a middle-management, management, or executive position wherein the predominance of responsibilities are administrative or managerial in nature, and shall have served satisfactorily in that position for a period of six (6) months. Proof of position responsibilities shall be submitted to the POST Council in the form of a job description or other documentation from the hiring authority. (4-2-03)

02. City Police Chiefs. City police chiefs or administrators within state agencies having law enforcement powers, who, because of the number of full-time peace officers they supervise, have duties which are primarily administrative may satisfy the certification requirement of Section 19-5109(2), Idaho Code, by obtaining this certificate. All other city police chiefs or state agency administrators having law enforcement powers may be awarded this certificate upon meeting the requirements, but shall also complete the requirements necessary to obtain a Basic Certificate. (4-2-03)

120. EXECUTIVE CERTIFICATE.

01. Requirements. For purposes herein, the term “executive position” means the head of an agency

and shall be the chief of police, sheriff, director, or chief executive officer. A candidate for the Executive Certificate shall: (4-7-11)

- a.** Possess the Advanced Peace Officer Certificate or Management Certificate from Idaho or another state which has such certification meeting or exceeding Idaho standards. (4-7-11)
- b.** Have satisfactorily completed one hundred (100) hours of POST-certified executive-level training, of which fifty (50) hours shall have been completed within three (3) years prior to submitting an application for the Executive Certificate. (4-2-03)
- c.** Be presently appointed to an executive position, and shall have served satisfactorily in that position for a period of three (3) years. (4-2-03)

121. -- 129. (RESERVED)

130. LEVEL I RESERVE PEACE OFFICER CERTIFICATION.

Any peace officer as defined in Section 19-5101(d), Idaho Code, except any elected official, any deputy sheriff serving civil process, the director of the Idaho State Police, or those peace officers whose primary duties involve motor vehicle parking and animal control pursuant to city or county ordinance, shall be certified by the Peace Officer Standards and Training Council within one (1) year after first being appointed unless granted additional time to complete certification by the POST Council as set forth in Subsection 030.11. (4-2-08)

131. GENERAL PROVISIONS.

01. Eligibility. To be eligible for the award of a Level I Reserve certificate or Level I Reserve Marine Deputy certificate, each applicant must be a reserve peace officer appointed by a duly constituted Idaho law enforcement agency or a professional member of the POST Council staff. (4-6-05)

02. Minimum Standards. Each applicant must meet the minimum standards for employment as provided in Sections 050 through 065, with the exception of fitness which will be left to the discretion of the appointing agency. (4-2-08)

03. Applications. All applications for award of the Level I Reserve certificate or Level I Reserve Marine Deputy certificate must be completed on the prescribed form "Application for Certification" as provided by the POST Council. (4-6-05)

04. Submission. The Application for Certification form must be submitted by the applicant to his agency head who must review it for accuracy prior to signing it and forwarding it to the Council. Certificates must be issued to the agency head for award to the applicant. (4-6-05)

05. Supervision. All certified reserve peace officers must be under supervision of a full-time peace officer. The term "supervision" is intended to limit the activities of a reserve peace officer. Each agency must draft its individual agency policy in reference to the supervision of its certified reserve peace officers, and that policy must be kept on file within each agency. (4-6-05)

06. Limitation. A reserve peace officer's certification will be effective only during those periods when he is formally assigned by the appointing agency to perform the duties of a peace officer. (4-6-05)

07. Retaining Certification. A certified reserve peace officer must satisfy the continuing training requirements of Sections 360 through 363 and work one hundred twenty (120) hours annually in a peace officer capacity to retain certification. Documentation of hours worked must be kept on file at the appointing agency. Any reserve peace officer not satisfying the continuing training requirements of Sections 360 through 363 or working less than one hundred twenty (120) hours annually must complete all requirements as set forth in Sections 130 through 131 and either Sections 132 through 135 or 146 through 149 to be recertified. (4-6-05)

08. Full-Time Peace Officer Status. To be certified as a full-time peace officer, a reserve peace officer, upon appointment to full-time peace officer status, must comply with the requirements in Sections 093

through 097. (4-6-05)

132. LEVEL I RESERVE CERTIFICATION.

In addition to the requirements set forth in Sections 130 and 131 of these rules, the following requirements in Sections 132 through 135 are necessary for award of the Level I Reserve certificate. (4-2-03)

133. MINIMUM TRAINING REQUIREMENTS.

01. Minimum Basic Training. The POST Council shall establish the requirements of minimum basic training which reserve peace officers shall complete in order to be eligible for appointment as reserve peace officers. (4-7-11)

02. Level I Reserve Core Curriculum. Any reserve officer desiring Level I Reserve certification shall successfully complete the POST Council-approved Level I Reserve core curriculum. Part of the core curriculum may be taught by uncertified instructors provided the high liability classes as identified by POST are taught by POST-certified instructors. (4-7-11)

03. Documentation of Completed Training. The Council shall accept written certification from the agency head as proof that a reserve officer has satisfactorily completed the required core curriculum. However, no officer shall be awarded training hours on his POST training record for any training completed which has not been certified by the Council as set out in Sections 281 through 287. (4-7-11)

134. LEVEL I RESERVE CERTIFICATION PACKET.

Prior to taking the Level I Reserve certification examination, each applicant shall submit a completed POST Level I Reserve Certification Packet to POST Council. (4-2-03)

135. LEVEL I RESERVE CERTIFICATION EXAMINATION.

Upon completion of the core curriculum, the reserve officer shall be allowed two (2) attempts to pass the POST Level I Reserve certification examination with a minimum score of seventy-five percent (75%). The attempts shall be no less than thirty (30) days apart and no more than six (6) months apart. If the officer fails both attempts or fails to retake the examination within six (6) months, he shall complete the entire POST Level I Reserve core curriculum again prior to retesting. (4-7-11)

136. CHALLENGING THE LEVEL I RESERVE CORE CURRICULUM.

01. Certified in Idaho. A reserve peace officer who has within the last three (3) years served as a full-time certified Idaho peace officer shall be eligible for Level I Reserve certification without attending the Level I Reserve core curriculum, submitting a completed Level I Reserve Certification Packet, or passing the Level I Reserve certification examination provided he submits a completed Application for Certification form. (4-2-03)

02. Certified in Another State, Commissioned by the Federal Government, or a Graduate of a Basic Police Academy. A reserve peace officer who has within the last three (3) years served as a full-time certified peace officer in another state or as a full-time commissioned peace officer of the federal government or a student who has satisfactorily completed a Basic Police Academy equivalent to the Idaho POST Basic Patrol Academy within the last three (3) years may be eligible for Level I Reserve certification in the state of Idaho without attending the Level I Reserve core curriculum, provided he: (3-29-10)

a. Submits a completed POST Level I Reserve Certification Packet to POST Council, which shall include copies of POST certifications and training records from other states, transcripts, certificates, diplomas, or other documents that substantiate the officer's training and experience; (4-2-03)

b. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)

c. Attends an approved course of study in Idaho law and passes the POST Idaho law exam; and (4-2-03)

d. Passes the POST Level I Reserve certification examination conducted in the manner set forth in Section 135. (4-2-03)

03. Out Over Three Years. A reserve peace officer who has been out of full-time law enforcement for over three (3) years shall complete all requirements as set forth in Sections 130 through 135 to be awarded a Level I Reserve certification. (4-2-03)

137. -- 145. (RESERVED)

146. LEVEL I RESERVE MARINE DEPUTY CERTIFICATION.

01. Authority. Reserve Marine Deputies may be appointed by the sheriff of a county for the purpose of enforcing: (4-2-03)

a. The provisions of Title 67, Chapter 70, Idaho Code; (4-2-03)

b. The provisions of IDAPA 26, Title 01, Chapter 30, Administrative Rules of the Idaho Department of Parks and Recreation; (4-2-03)

c. City and county ordinances pertaining to watercraft and waterways; and (4-2-03)

d. Sections 18-705, 67-7505, and 67-7506, Idaho Code. (4-2-03)

02. Requirements. In addition to the requirements set forth in Sections 130 and 131 of these rules, the requirements in Sections 147 through 149 are necessary for award of the Level I Reserve Marine Deputy certificate. (4-2-03)

147. MINIMUM TRAINING REQUIREMENTS.

01. Minimum Basic Training. The POST Council shall establish the requirements of minimum basic training which reserve peace officers shall complete in order to be eligible for appointment as reserve peace officers. (4-7-11)

02. Level I Reserve Marine Deputy Core Curriculum. Any reserve marine deputy desiring Level I Reserve Marine Deputy certification shall successfully complete the POST Council-approved Level I Reserve Marine Deputy core curriculum. Part of the core curriculum may be taught by uncertified instructors provided the high liability classes as identified by POST are taught by POST-certified instructors. (4-7-11)

03. Documentation of Completed Training. The Council shall accept written certification from the agency head as proof that a reserve marine deputy has satisfactorily completed the required core curriculum. However, no officer shall be awarded training hours on his POST training record for any training completed which has not been certified by the Council as set out in Sections 281 through 287. (4-7-11)

148. LEVEL I RESERVE MARINE DEPUTY CERTIFICATION PACKET.

Prior to taking the Level I Reserve Marine Deputy certification examination, each applicant shall submit a completed POST Level I Reserve Marine Deputy Certification Packet to POST Council. (4-2-03)

149. LEVEL I RESERVE MARINE DEPUTY CERTIFICATION EXAMINATION.

Upon completion of the core curriculum, the reserve marine deputy shall be allowed two (2) attempts to pass the POST Level I Reserve Marine Deputy certification examination with a minimum score of seventy-five percent (75%). The attempts shall be no less than thirty (30) days apart and no more than six (6) months apart. If the officer fails both attempts or fails to retake the examination within six (6) months, he shall complete the entire POST Level I Reserve Marine Deputy core curriculum again prior to retesting. (4-7-11)

150. CHALLENGING THE LEVEL I RESERVE MARINE DEPUTY CORE CURRICULUM.

01. Certified in Idaho. A reserve marine deputy who has within the last three (3) years served as a

full-time certified Idaho peace officer shall be eligible for Level I Reserve Marine Deputy certification without attending the Level I Reserve Marine Deputy core curriculum or submitting a completed Level I Reserve Marine Deputy Certification Packet provided he passes the Level I Reserve Marine Deputy certification examination and submits a completed Application for Certification form. (4-2-03)

02. Certified in Another State, Commissioned by the Federal Government, or a Graduate of a Basic Police Academy. A reserve marine deputy who has within the last three (3) years served as a full-time certified peace officer in another state or as a full-time commissioned peace officer of the federal government or a student who has satisfactorily completed a Basic Police Academy equivalent to the Idaho POST Basic Patrol Academy within the last three (3) years may be eligible for Level I Reserve Marine Deputy certification in the state of Idaho without attending the Level I Reserve Marine Deputy core curriculum, provided he: (3-29-10)

a. Submits a completed POST Level I Reserve Marine Deputy Certification Packet to POST Council, that shall include copies of POST certifications and training records from other states, transcripts, certificates, diplomas, or other documents that substantiate the officer's training and experience; (4-2-03)

b. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)

c. Attends an approved course of study in Idaho law and passes the POST Idaho law exam; and (4-2-03)

d. Passes the POST Level I Reserve Marine Deputy certification examination conducted in the manner set forth in Section 149. (4-2-03)

03. Out Over Three Years. A reserve marine deputy who has been out of full-time law enforcement for over three (3) years shall complete all requirements as set forth in Sections 130 and 131 and 146 through 149 to be awarded a Level I Reserve Marine Deputy certification. (4-2-03)

151. -- 160. (RESERVED)

161. NON-CERTIFIED RESERVE OFFICERS.

162. GENERAL PROVISIONS.

01. Voluntary. The requirements in Sections 161 through 166 for Level II and Level III non-certified reserve officers are not statutorily mandated, but are voluntary. Additional instruction beyond the minimum requirements is encouraged. (4-2-03)

02. Appointment. Appointment of applicants shall be left to the discretion of the appointing agency. (4-2-03)

163. LEVEL II RESERVE OFFICER.

A Level II reserve officer shall work under the direction of a full-time certified peace officer. (4-2-03)

164. CERTIFICATE OF COMPLETION.

01. Eligibility. To be eligible for the award of a certificate of completion from the POST Council, each applicant shall be a professional member of the POST Council staff, or a reserve officer appointed by a duly constituted Idaho law enforcement agency, and shall have completed the requirements in Sections 161 through 165. (4-2-03)

02. Applications. All applications for the award of a certificate of completion shall be completed on the prescribed form "Application for Level II Reserve Officer Certificate of Completion" as provided by the POST Council. (4-2-03)

03. Issuance. Certificates of completion shall be issued to the agency head for award to the applicant.

(4-2-03)

165. MINIMUM TRAINING REQUIREMENTS.

01. Training Courses.

Course	Hours
1. Public & Community Relations	2
2. Report Writing, Notebook, & Notetaking	4
3. Laws of Arrest/Search & Seizure	8
4. Courtroom Demeanor	2
5. Use of Deadly Force & Firearms	6
6. Narcotics Identification	2
7. Jail Procedures	1
Total Number of Training Hours	25

(4-2-03)

02. Firearms Qualification. Each reserve officer shall qualify with his firearm on the POST Short Course. (4-2-03)

166. LEVEL III RESERVE OFFICER.

A Level III reserve officer shall be limited to working temporary extraordinary situations that do not require general law enforcement powers such as jeep posse, mounted posse, parades, etc. (4-2-03)

167. -- 170. (RESERVED)

171. LAPSE OF DETENTION OFFICER CERTIFICATION.

The certification of any county detention officer will be considered lapsed if the officer does not serve as a county detention officer in Idaho for three (3) consecutive years. Provided, however, that an Idaho POST-certified county detention officer who remains in an administrative, patrol, communications, or civil division duty assignment with a police or law enforcement agency that is a part of or administered by the state of Idaho or any political subdivision thereof and whose duties include and primarily consist of the prevention and detection of crime and the enforcement of penal, traffic or highway laws of this state or any political subdivision will retain their POST certification provided they satisfy the continuing training requirements of Sections 360 through 363 and work at least one hundred twenty (120) hours per year. The three-year period provided herein shall be tolled during any time period that a county detention officer is the subject of a POST decertification investigation and is no longer employed in law enforcement. (3-29-10)

01. Three to Five Years. A county detention officer who has been out of full-time law enforcement status from three (3) to five (5) years and who wants to reactivate certification must meet the following POST requirements: (3-29-10)

- a.** Submit a POST Certification Detention Challenge Packet; (4-2-03)
- b.** Disclose information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)
- c.** Attend an approved course of study in Idaho detention legal issues and pass the POST Idaho detention legal issues exam; (4-2-03)
- d.** Pass the following tests administered by a POST Training Specialist: (4-2-03)

- i. The POST detention certification examination approved by the Council, conducted in the manner set forth in Subsection 176.02.c.; (4-2-08)
- ii. The POST Firearms Qualification Course; (4-2-03)
- iii. The POST Physical Fitness Test Battery; and (4-2-03)
- e. Satisfy the probationary period requirement of Section 065. (4-2-08)

02. Over Five Years. A county detention officer who has been out of full-time law enforcement status for over five (5) years must attend the POST Basic Detention Academy to reactivate certification. The Council may waive this requirement on a showing of good cause by the officer supported by clear and convincing evidence that during a substantial part of the time out of full-time law enforcement, the officer was engaged in an occupation requiring law enforcement training, skill, and experience. This evidence must be submitted with a POST Certification Detention Challenge Packet. Upon receiving a waiver, the officer must meet the following POST requirements: (3-29-10)

a. Disclose information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)

b. Attend an approved course of study in Idaho detention legal issues and pass the POST Idaho detention legal issues exam; (4-2-03)

c. Attend and pass Idaho POST-certified courses in Arrest Techniques, Handgun Retention, and Practical Problems; (4-2-03)

d. Pass the following tests administered by a POST Training Specialist: (4-2-03)

i. The POST detention certification examination approved by the Council, conducted in the manner set forth in Subsection 176.02.c.; (4-2-08)

ii. The POST Firearms Qualification Course; (4-6-05)

iii. The POST Physical Fitness Test Battery; and (4-6-05)

e. Satisfy the probationary period requirement of Section 065. (4-2-08)

03. Over Eight Years. A county detention officer who has been out of full-time law enforcement status for over eight (8) years must attend the POST Basic Detention Academy to be recertified. No waiver of this requirement will be granted by the Council. (4-6-05)

172. DETENTION OFFICER CERTIFICATION.

Any county detention officer as defined in Section 19-5101(b), Idaho Code, shall be certified by the Peace Officer Standards and Training Council within one (1) year after first being appointed unless granted additional time to complete certification by the POST Council as set forth in Subsection 030.11. (4-2-08)

173. GENERAL PROVISIONS.

01. Purpose. Level I, Level II, and Level III Certificates are established for the purpose of fostering professionalism, education, and experience necessary to perform adequately the duties of a detention officer. (4-2-03)

02. Eligibility. To be eligible for the award of a Level I, Level II, or Level III certificate, each applicant shall be a full-time county detention officer appointed by a duly constituted Idaho law enforcement agency, a full-time peace officer who has graduated from the Patrol-to-Detention Transition Academy and is currently appointed by a duly constituted Idaho law enforcement agency, or a professional member of the POST Council staff. (4-2-03)

03. Applications. All applications for award of the Level I, Level II, or Level III Certificates shall be completed by the applicant on the prescribed form "Application for Certification" as provided by the POST Council. (4-2-03)

04. Submission. The Application for Certification form shall be submitted by the applicant to his agency head who shall review it for accuracy prior to signing it and forwarding it to the Council. Certificates shall be issued to the agency head for award to the applicant. (4-2-03)

05. Minimum Standards. Each applicant shall meet the minimum standards for employment and basic training as provided in Sections 050 through 065, 070 through 074, 077, and 078. (4-2-08)

06. Conversion. Any county detention officer who currently possesses a Level I, Level II, or Level III detention officer classification shall convert from classified to certified status. (4-2-03)

174. LAW ENFORCEMENT EXPERIENCE - DETENTION OFFICER CERTIFICATION.

01. Law Enforcement Experience. Law enforcement experience, as used herein, means actual time served with a duly constituted law enforcement agency as a peace officer, county detention officer, or communications specialist. The acceptability of time served as a peace officer, county detention officer, or communications specialist in a jurisdiction other than the state of Idaho, or in a jurisdiction which does not comply with the minimum standards for employment as set forth in Sections 050 through 065, shall be subject to the determination of the Council. (3-29-12)

02. Military Law Enforcement Service and Education. An applicant who has served in the military as a full-time military law enforcement officer may be awarded partial credit toward law enforcement experience and training. (3-29-12)

a. The applicant shall have served in the military as a full-time military law enforcement officer for the period of time he is requesting credit for. Regular guard duty does not qualify. (3-29-12)

b. Education shall be military law enforcement schools successfully completed. All certificates, course outlines, diplomas, DD-214's, and certificates of completion showing length of school shall accompany an appropriate application form designated by the Council. (3-29-12)

c. Credit shall be awarded as follows: (3-29-12)

i. One (1) year of accepted military law enforcement service shall equal three (3) months of law enforcement experience. (3-29-12)

ii. Eight (8) hours of accepted military law enforcement training shall equal four (4) hours of law enforcement training. (3-29-12)

d. No applicant shall be awarded more than two (2) years of law enforcement experience or more than one thousand (1,000) hours of law enforcement training. (3-29-12)

175. COLLEGE CREDITS.

01. College Hour. One (1) college or university semester hour or unit shall equal one (1) college credit. (7-1-99)

02. College Quarter Hour. One (1) college or university quarter hour or unit shall equal two-thirds (2/3) of one (1) college credit. (7-1-99)

03. Conversion to POST Training Hours. College credits may be converted to POST training hours at the rate of one (1) college credit equals twenty (20) POST training hours. (4-2-03)

04. Credits for POST-Approved Training. When college credit is awarded or purchased for POST-

approved training, it may be counted for either POST training hours or college credit, whichever is to the advantage of the applicant. (4-2-08)

05. Documentation. Proof of college education shall not have been mutilated, altered, or damaged, and shall be in the form of a photocopy of an official transcript. (4-7-11)

176. THE LEVEL I CERTIFICATE.

In addition to the requirements set forth in Section 173 of these rules, the requirements in Section 176 are necessary for award of the Level I Certificate. (4-2-03)

01. Probation. The applicant shall have satisfactorily completed at least a six (6) month probationary period, which may include basic detention academy time. The probationary period may be extended by the appointing agency which could delay certification until the probationary period is satisfactorily completed. This six (6) months' time shall be continuous with the agency the officer is appointed to when applying for certification. The probationary period shall not extend over one (1) year for certification purposes. (4-2-03)

02. Basic Training. The applicant shall have satisfactorily completed: (4-2-03)

a. The POST Basic Detention Academy as required by the Council in Section 071; (4-2-03)

b. The POST Patrol-to-Detention Transition Academy; or (4-2-03)

c. Be a graduate of a law enforcement vo-tech program, the curriculum of which has been certified by the Council as being equivalent to the POST Basic Detention Academy, and shall have passed the POST detention certification examination approved by the Council. The applicant shall be allowed two (2) attempts to pass the examination. The attempts shall be no less than thirty (30) days apart and no more than six (6) months apart. If an officer fails both attempts or fails to retake the examination within six (6) months, he shall successfully complete the POST Basic Detention Academy to be certified. (4-2-03)

03. Jail Training. The applicant shall have satisfactorily completed forty (40) hours of POST-approved jail training. (4-2-03)

04. Vo-Tech Program Graduates. Graduates from Idaho POST-certified law enforcement vo-tech programs shall also comply with the requirements of Subsection 073.02. (4-2-03)

05. Patrol and Detention Vo-Tech Program or POST Academy Graduates. An applicant who is appointed to a detention officer position from three (3) to five (5) years after satisfactorily completing both the patrol and detention officer training through an Idaho POST-certified law enforcement vo-tech program or the Idaho POST Academy, may be eligible for detention officer certification in Idaho without attending the POST Basic Detention Academy, provided the officer: (4-7-11)

a. Was appointed to a peace officer position in Idaho within three (3) years from graduating from the vo-tech program or POST Academy; (4-7-11)

b. Possesses peace officer certification from Idaho; (4-2-08)

c. Submits a POST Certification Detention Challenge Packet; (4-2-08)

d. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)

e. Attends an approved course of study in Idaho detention legal issues and passes the POST Idaho detention legal issues exam; (4-2-08)

f. Passes the following tests administered by a POST Training Specialist: (4-2-08)

i. The POST detention certification examination approved by the Council, conducted in the manner

- set forth in Subsection 176.02.c.; (4-2-08)
- ii. The POST Firearms Qualification Course; (4-2-08)
 - iii. The POST Physical Fitness Test Battery; and (4-2-08)
 - g. Satisfies the probationary period requirement of Section 065. (4-2-08)

177. CHALLENGING THE BASIC DETENTION ACADEMY.

Any county detention officer presently appointed by a duly constituted Idaho law enforcement agency who, within the last five (5) years, has been employed and certified or commissioned by another state or the federal government as a detention officer or a student who has satisfactorily completed a Basic Detention Academy equivalent to the Idaho POST Basic Detention Academy within the last three (3) years may be eligible for certification in the state of Idaho without attending the Basic Detention Academy, provided the officer: (3-29-10)

01. Submission of Challenge Packet. Submits a POST Certification Detention Challenge Packet to POST Council, which must include copies of POST training records from other states to substantiate the officer's training; and transcripts, certificates, diplomas, or other documents that substantiate the officer's education and experience; (4-6-05)

02. Discloses Decertification Information. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. (3-29-10)

03. Detention Legal Issues Course Attendance. Attends an approved course of study in Idaho detention legal issues and passes the POST Idaho detention legal issues exam; (4-6-05)

04. Passes Required Tests. Passes the following tests administered by a POST Training Specialist: (4-2-03)

a. The POST detention certification examination approved by the Council, conducted in the manner set forth in Subsection 176.02.c.; (4-2-08)

b. The POST Firearms Qualification Course; and (4-2-03)

c. The POST Physical Fitness Test Battery. (4-2-03)

05. Completes Probationary Period. Completes his probationary period as required by Subsection 176.01. (4-2-03)

178. -- 185. (RESERVED)

186. HIGHER CERTIFICATION.

01. General Provisions. (7-1-93)

a. In addition to the requirements set forth above for the Level I Certificate, each applicant for the award of a Level II or Level III Certificate shall have completed the designated education and training, combined with the prescribed law enforcement experience. (4-2-03)

b. Education shall be supported by copies of transcripts, certificates, diplomas, or degrees attached to the application. (4-2-03)

c. Training not listed on the applicant's Idaho POST training record shall be supported by copies of certificates, course outlines, or other verifying documents attached to the application. (4-2-03)

d. The officer shall have completed the probationary period required by their agency when making application for Level II and Level III Certifications. (4-2-03)

187. LEVEL II CERTIFICATE.

01. Requirements. In addition to the requirements set forth in Section 173 of these rules, the following are required for the award of a Level II Certificate: (4-2-03)

a. The applicant shall possess, or be eligible to possess, a Level I Certificate. (7-1-99)

b. The applicant shall have acquired the following combination of college credits and/or POST training hours, combined with the prescribed years of law enforcement experience, or the college degree designated from an accredited college or university, combined with the prescribed years of law enforcement experience, and have graduated from the POST Basic Detention Academy:

POST Training Hours Including POST Basic Detention Academy	600 hours	800 hours	1,200 hours	1,600 hours	1,800 hours	POST Basic Detention Academy	
One College Credit Equals Twenty (20) POST Training Hours	The above may be a combination of College Credits and POST Training Hours					Academic Associate Degree	Academic Baccalaureate Degree
Years of Law Enforcement Experience	8	7	6	5	4	4	2

(4-2-03)

188. LEVEL III CERTIFICATE.

01. Requirements. In addition to the requirements set forth in Section 173 of these rules, the following are required for the award of a Level III Certificate: (4-2-03)

a. The applicant shall possess, or be eligible to possess, a Level II Certificate. (7-1-99)

b. The applicant shall have acquired the following combination of college credits and POST training hours, combined with the prescribed years of law enforcement experience, or the college degree designated from an accredited college or university, combined with the prescribed years of law enforcement experience, and have graduated from the POST Basic Detention Academy. Graduation from the ten (10) week Drug Enforcement Administration School in Washington, D.C., the ten (10) week Northwestern University Traffic Institute School of Police Staff and Command, or the eleven (11) week FBI National Academy shall be accepted in lieu of the fifteen (15) college credits required for the Level III Certificate with thirteen (13) years experience.

POST Training Hours Including POST Basic Detention Academy	500 hours	600 hours	700 hours	800 hours	900 hours	1,200 hours	POST Basic Detention Academy		
College Credits	15	20	30	40	45	60	Academic Associate Degree	Academic Baccalaureate Degree	Masters Degree or PhD
Years of Law Enforcement Experience	13	12	11	10	9	8	8	6	4

(4-2-03)

189. -- 195. (RESERVED)

196. **COMMUNICATIONS SPECIALIST CERTIFICATION.**

197. **GENERAL PROVISIONS.**

01. Certificates and Awards. Certificates and awards may be presented by the Council for the purpose of recognizing or raising the level of competence of law enforcement and to foster cooperation among the Council, agencies, groups, organizations, jurisdictions, and individuals. Communications Specialist Certification is not statutorily mandated, but is voluntary. (4-2-03)

02. Property. Certificates and awards remain the property of the Council and are only valid as long as the communications specialist is appointed as an Idaho communications specialist by a duly constituted Idaho law enforcement agency and has not been decertified. (3-29-10)

03. Eligibility. To be eligible for the award of a Level I, Level II, Level III, or Advanced certificate, each applicant shall be a full-time communications specialist appointed by a duly constituted Idaho law enforcement agency. (4-2-03)

04. Applications. All applications for award of the Level I, Level II, Level III, or Advanced Certificates shall be completed by the applicant on the prescribed form "Application for Certification" as provided by the POST Council. (4-2-03)

05. Submission. The Application for Certification form shall be submitted by the applicant to his agency head who shall review it for accuracy prior to signing it and forwarding it to the Council. Certificates shall be issued to the agency head for award to the applicant. (4-2-03)

06. Training. Training not listed on the applicant's Idaho POST training record shall be supported by copies of certificates, course outlines, or other verifying documents attached to the application. (4-2-03)

07. Minimum Standards. Each applicant shall meet the minimum standards for employment as provided in Sections 050, 051, 052, 054, 055, 056, 057, and 059. (3-29-12)

198. **COMMUNICATIONS SPECIALIST EXPERIENCE.**

Communications specialist experience, as used herein, means actual time served as a full-time communications specialist with a duly constituted law enforcement agency. The acceptability of time served as a communications specialist in a jurisdiction other than the state of Idaho, or in a jurisdiction which does not comply with the minimum standards for employment as set forth in Sections 050, 051, 052, 054, 055, 056, 057, and 059, shall be subject to the determination of the Council. (3-29-12)

199. **LEVEL I CERTIFICATE.**

01. Requirements. In addition to the requirements set forth in Section 197 of these rules, the requirements in Section 199 are necessary for award of the Level I certificate. (4-2-03)

a. The applicant shall have satisfactorily completed a minimum of eighty (80) hours of POST-certified communications-related training, which shall include the ILETS Classification Level I certificate. (4-2-03)

b. The applicant shall have at least one (1) year of communications specialist experience. (4-2-03)

200. **LEVEL II CERTIFICATE.**

01. Requirements. In addition to the requirements set forth in Section 197 of these rules, the requirements in Section 200 are necessary for award of the Level II certificate. (4-2-03)

a. The applicant shall possess, or be eligible to possess, a Level I certificate. (4-2-03)

b. The applicant shall have satisfactorily completed a minimum of one hundred twenty (120) hours of POST-certified training. (4-2-03)

c. The applicant shall have at least three (3) years of communications specialist experience. (4-2-03)

201. LEVEL III CERTIFICATE.

01. Requirements. In addition to the requirements set forth in Section 197 of these rules, the requirements in this Section are necessary for award of the Level III certificate. (4-2-03)

a. The applicant shall possess, or be eligible to possess, a Level II certificate. (4-2-03)

b. The applicant shall have satisfactorily completed a minimum of two hundred (200) hours of POST-certified training. (4-2-03)

c. The applicant shall have at least six (6) years of communications specialist experience. (4-2-03)

202. ADVANCED CERTIFICATE.

01. Requirements. The Advanced Certificate is for individuals who have consciously decided to focus career efforts on public safety communications. A candidate for the Advanced Certificate shall: (3-29-12)

a. Possess the Level III Communications Specialist Certificate. (4-2-03)

b. Have satisfactorily completed five hundred (500) hours of POST-certified communications-related training. (4-2-03)

c. Have satisfactorily completed the POST Basic Dispatch Academy. (3-29-12)

d. Have a minimum of ten (10) years of communications specialist experience. (4-2-03)

02. Exception. An applicant who has a minimum of twenty (20) years of communications specialist experience but has not satisfactorily completed the POST Basic Dispatch Academy shall be eligible for the Advanced Certificate without attending the academy provided he meets all other requirements as set forth in Section 202 of these rules and can pass the final examination for the academy with a minimum score of seventy-five percent (75%). The applicant shall be allowed two (2) attempts to pass the examination. The attempts shall be no less than thirty (30) days apart and no more than six (6) months apart. If an applicant fails both attempts or fails to retake the examination within six (6) months, he shall successfully complete the POST Basic Dispatch Academy to be eligible for the Advanced Certificate. (3-29-12)

203. -- 209. (RESERVED)

210. CANINE EVALUATOR CERTIFICATION.

01. Purpose. Canine Evaluator Certificates are established for the purpose of recognizing competence as an evaluator of police canine teams. (4-11-06)

02. Certification. The Council shall certify applicants who meet the requirements set forth in this section and are deemed qualified by their training and experience to evaluate police canine teams. Certificates shall be issued in the areas of Patrol and Detection. The applicant shall show training and experience in each area he is requesting certification in. Certificates shall be issued to the agency head for award to the applicant. (3-29-12)

03. Revocation. Canine Evaluator certification may be revoked by the Council whenever a canine evaluator is deemed to be unqualified to continue evaluating police canine teams. Review of canine evaluator certification may be initiated upon the request of an agency head or other reliable source. Such review may also be initiated by the Council in the absence of external requests or complaints. (4-11-06)

04. Eligibility. To be eligible for the award of a Canine Evaluator Certificate, each applicant shall meet the following POST requirements: (3-29-12)

- a.** Be a POST-certified or federally commissioned peace, detention, correction, or adult probation and parole officer who is actively involved in a law enforcement canine program; (4-11-06)
- b.** Have three (3) years of canine handler experience; (4-11-06)
- c.** Have three hundred ninety (390) hours of POST-certified or federally-approved canine-related training; (4-11-06)
- d.** Successfully complete the Idaho POST-certified Canine Evaluators course; (4-11-06)
- e.** Evaluate seven (7) dogs while under supervision of a current Idaho POST-certified canine evaluator; and (4-11-06)
- f.** Submit an Idaho POST Canine Evaluator Application Packet to POST Council, which shall include:
 - i.** Transcripts, certificates, diplomas, or other documents that substantiate the applicant's education and training in the canine field; and (4-11-06)
 - ii.** A letter of recommendation from an administrator within the applicant's employing agency. (5-8-09)

05. Retaining Certification. To retain certification, a certified canine evaluator shall evaluate a minimum of four (4) dogs every two (2) years. Any canine evaluator not satisfying this requirement shall complete all requirements as set forth in Section 210 of these rules to be recertified. (3-29-12)

211. CANINE TEAM CERTIFICATION.

These rules are intended to set minimum standards of performance for the certification of Idaho police canine teams. Nothing in these rules is intended to limit the use of canine teams employed by other states or federal agencies for law enforcement purposes, or the use of volunteer canine teams in which the handler is not an Idaho peace, detention, correction, or adult probation and parole officer. (4-11-06)

212. DEFINITIONS.

- 01. Canine Team.** A specific person and a specific canine controlled by that person in the capacity of handler, formally assigned by the appointing agency to work together in the performance of law enforcement duties. (3-15-02)
- 02. Pace.** A distance measuring approximately two (2) feet. (4-11-06)

213. GENERAL PROVISIONS.

- 01. Mandatory Certification.** A canine team shall be Idaho-POST certified in order to perform their duties. (4-7-11)
- 02. Eligibility.** The canine handler shall be an Idaho POST-certified peace, detention, correction, adult probation and parole, juvenile detention, juvenile probation, or adult misdemeanor probation officer employed by a law enforcement agency which is a part of or administered by the state or any political subdivision thereof, or an Idaho POST-certified direct care staff member of the Idaho Department of Juvenile Corrections to be eligible for certification under these rules. Contract employees shall not be eligible for canine team certification. (4-7-11)
- 03. Notification of Canine Being Put Into Service.** Prior to a canine being put into service, the law enforcement agency head shall submit written notification to the Council of such pending action unless the canine team is POST-certified in another state or approved by the federal government, in which case notification shall be

submitted within fifteen (15) days of the canine being put into service in Idaho. (4-7-11)

04. Training. (4-11-06)

a. A patrol canine handler shall have completed two hundred forty (240) hours of POST-approved canine handler training. The training shall include, but not be limited to: (4-7-11)

i. Suspect search; (4-11-06)

ii. Apprehension; (4-11-06)

iii. Handler protection; (4-11-06)

iv. Obedience; and (4-11-06)

v. Agility. (4-11-06)

b. A tracking, evidence search, controlled substance detection, or explosive substance detection canine handler shall have completed one hundred sixty (160) hours of POST-approved canine handler training. The training shall include, but not be limited to: (4-7-11)

i. Obedience; and (4-11-06)

ii. Odor recognition specific to the area the canine team is seeking certification in. (4-11-06)

05. Evaluation. In evaluating the proficiency of the canine teams, the evaluators shall use the standards approved by the POST Council for that particular skill category. Performance shall be rated on a pass/fail basis. The evaluator shall have the discretion to discontinue the testing if excessive time has been spent without results. The evaluator shall not be the owner or handler of the canine being evaluated, and shall not have a proprietary interest in the training of the canine team being evaluated. A POST Training Specialist shall be notified of all canine certification testing. (4-7-11)

06. Failed Evaluation. If a canine team fails any portion of an evaluation, the entire evaluation is considered to be failed, and all skills shall be repeated and successfully demonstrated during retesting. The canine team shall wait at least twenty-four (24) hours before retesting, and they shall be retested by the same evaluator that evaluated the failed test or his designee. (4-7-11)

07. Areas of Certification. The Council shall certify a canine team which successfully demonstrates the handler's ability to control the canine, under the scrutiny of a canine evaluator, in addition to proficiency in one (1) or more of the following areas: (4-7-11)

a. Patrol; (3-30-01)

b. Tracking; (3-30-01)

c. Evidence search; (3-30-01)

d. Controlled substance detection; or (3-30-01)

e. Explosive substance detection. (3-30-01)

08. Expiration of Certification. Each certification issued pursuant to these rules shall remain valid for fifteen (15) months. A canine team shall be evaluated prior to their certification expiration date to maintain their certification. A canine team certification shall lapse if the handler and canine cease to perform canine team functions together. (4-7-11)

09. Appeal. Any handler who believes there have been improper procedures applied in implementing

the standards may file an appeal with the Idaho Peace Officer Standards and Training in writing. This appeal shall be filed within thirty (30) days of the testing date. (3-29-12)

214. -- 218. (RESERVED)

219. PATROL DOGS.

220. CERTIFICATION TEST.

01. Required Skills. The skills required for certification of a patrol dog team are: (4-2-03)

a. Suspect search; (3-30-01)

b. Apprehension; (3-30-01)

c. Handler protection; and (3-30-01)

d. Obedience-agility. (3-30-01)

02. Failed Evaluation. If a canine team fails any one (1) of the four (4) required skills, the entire evaluation is considered to be failed, and all four (4) skills must be repeated and successfully demonstrated during retesting. (4-11-06)

03. Conclusion of Evaluation. The patrol dog evaluation must be concluded within twenty-four (24) hours. This is to establish that the dog's mental and physical endurance is sufficient to withstand the rigors of active service. (4-11-06)

221. PERFORMANCE OBJECTIVES.

222. SUSPECT SEARCH.

Under direction and reasonable control, the canine must demonstrate the ability to detect and audibly alert the handler to a hidden person in a structure or building and locate a person in an outdoor open area. The handler must inform the evaluator of the manner in which the canine alerts prior to the exercise beginning. In a structure or building of at least one thousand five hundred (1,500) square feet with multiple rooms and hiding places, the dog must demonstrate the ability to locate a hidden person and audibly alert the handler. In an outdoor area at least one (1) acre in size with multiple hiding locations, the dog must demonstrate the ability to locate a hidden person and audibly alert the handler. (4-11-06)

223. APPREHENSION.

01. Without Contact. While off leash and under direction of the handler, the dog must demonstrate the ability to pursue a person acting as a suspect without any physical contact. The police service dog team must begin the exercise off leash from a predesignated starting point. While the handler controls the dog, the evaluator will signal the "suspect" to visually present himself at a reasonable distance of at least thirty (30) yards from the canine team. The handler must verbally challenge the "suspect" to stop. The "suspect" will ignore the order and continue to flee. The handler must then release the dog in pursuit of the "suspect" and tactically follow the dog, keeping the dog and "suspect" in full view. The "suspect" will stop fleeing and stand still. As predetermined by the handler, the dog must either return to the handler or stay and guard the "suspect." During this exercise, the dog must not make physical contact with the "suspect." (4-11-06)

02. With Contact. While under control of the handler and with the dog off-leash, the dog must demonstrate the ability to pursue and apprehend a "suspect" with physical contact. The police service dog team must begin the exercise off leash from a predesignated starting point. While the handler controls the dog, the evaluator will signal the "suspect" to visually present himself at a reasonable distance of at least thirty (30) yards from the canine team. The handler must verbally challenge the "suspect" to stop. The "suspect" will ignore the order and continue to flee. The handler must then release the dog in pursuit of the "suspect" and tactically follow the dog, keeping the dog and "suspect" in full view. The "suspect" will continue to flee. The handler must send the dog to physically

apprehend the “suspect” and the dog must hold the “suspect” until called off (verbal only) by the handler. (4-11-06)

224. HANDLER PROTECTION.

The dog must demonstrate the ability to defend the handler without command during a physical attack on the handler by a “suspect.” On verbal command from the handler, the dog must cease physical apprehension of the assailant. Upon the dog releasing the “suspect,” the dog must assume a guard position while the handler takes control and conducts a “pat down” of the “suspect.” (4-11-06)

225. OBEDIENCE-AGILITY.

The handler must demonstrate the ability to control the canine during an obedience performance test. Testing will be conducted using reasonable distractions that may be encountered during the performance of law enforcement duties. (4-11-06)

01. Heeling. The canine team must demonstrate the ability to perform basic routine left, right, and about turns, both slow and quick pace, on and off leash. Testing will consist of two (2) right turns, two (2) left turns, two (2) about turns, and two (2) stop/sits, both on and off leash. (4-11-06)

02. Down in Motion. With the team moving forward, the handler must “down” the dog on the evaluator’s command and continue to move forward until the handler reaches a designated point (at least thirty (30) paces away). At the evaluator’s command, the handler must recall the dog to the “heel” position by means of voice and/or hand commands. (4-11-06)

03. Stay from a Distance. With the dog in a down-stay or a sit-stay position, the handler must face the dog from a location at least thirty (30) paces away. After the dog has remained for five (5) minutes, the handler must return to the dog. (4-11-06)

04. Obstacle (at Least Thirty-Six Inches High). From the heel position, and at least two (2) paces in front, the handler must command the dog to jump the obstacle and to stay in a sit, stand, or down position on the other side of the obstacle. The handler must inform the evaluator prior to the jump what position the dog will assume. The handler must then proceed to the dog and command the dog to heel to complete the exercise. (4-11-06)

05. Gunfire Sureness Test (Off-Lead). The handler must heel his canine onto the test field. After approximately twenty (20) paces, the handler must stop, place his dog in a down or sit, draw a pistol and fire two (2) shots (blanks only). The canine may show interest, but no uncontrollable aggression toward the handler or persons in the area. (4-11-06)

226. -- 230. (RESERVED)

231. TRACKING DOGS.

The dog must demonstrate the ability to follow the trail of a person along a track that is four hundred (400) to six hundred (600) paces in length, having two (2) ninety (90) degree turns and aged a minimum of thirty (30) minutes. A cross-track will be placed at some point along the third leg as a diversion. The dog must not be diverted from the original track. (4-11-06)

232. EVIDENCE SEARCH DOGS.

The dog must demonstrate the ability to locate two (2) well-scented, small items that the evaluator has hidden within an eight hundred (800) square yard area. The dog and the handler must be out of sight when the items are placed. The handler must direct the dog to search systematically. The dog must demonstrate the ability to indicate the location of these items as it encounters them. (4-11-06)

233. -- 236. (RESERVED)

237. DETECTION DOGS.

238. CERTIFICATION TEST.

01. Required Skills. Detection dog teams must demonstrate the ability to detect substances in

buildings (residential and commercial), vehicles (private and commercial), containers, and exterior open areas. During testing, substances will be hidden by the evaluator, outside the knowledge of the handler. The canine must start the search at a point determined by the handler. (4-11-06)

a. Buildings. The building search will consist of an area designated by the evaluator that may vary in size, location, or environment, but must consist of at least four (4) rooms. Substances will be hidden high and low. (4-11-06)

b. Vehicles. The vehicle search will consist of at least four (4) vehicles which may vary in size, location, or environment. The search must include the interior and exterior of the vehicles. Substances may be hidden inside or on the outside of the vehicle. (4-11-06)

c. Containers. This search will consist of at least six (6) containers of different sizes and/or shapes. These pieces may vary in location or environment. (4-11-06)

d. Exterior open areas. The exterior search will consist of an area in open air that may vary in size, location, or environment, and may include buried substance. (4-11-06)

02. Basic Control. Each handler must demonstrate the ability to control their canine. This must include “sit,” “stay,” “heel,” and “come” commands. (4-11-06)

239. SUBSTANCES.

01. Types and Amounts. The types and amounts of substance in each search will be at the discretion of the evaluator. Substances must be set in place at least thirty (30) minutes prior to each test. (4-11-06)

02. Pseudo Substances. Pseudo substances must not be used. (4-11-06)

240. CONTROLLED SUBSTANCES.

Controlled substances will consist of four (4) main areas. A drug detection dog must locate two (2) finds of each of the following: (4-11-06)

01. Marijuana and Hashish (two (2) grams or greater). (3-20-97)

02. Cocaine (hydrochloride) (two (2) grams or greater). (3-20-97)

03. Heroin and Opiate Derivatives (two (2) grams or greater). (3-20-97)

04. Methamphetamine (two (2) grams or greater). (3-30-01)

241. EXPLOSIVE SUBSTANCES.

Explosive substances shall consist of twelve (12) areas. An explosive detection dog shall locate one (1) find of each of the following: (4-11-06)

01. C-4 Explosive. (4-11-06)

02. Pyrodex. (4-11-06)

03. Ammonium Nitrate. (4-11-06)

04. Detonating Cord. (4-11-06)

05. Time Fuse. (4-11-06)

06. Nitro Methane. (4-11-06)

07. TNT. (4-11-06)

08. **PETN.** (3-29-12)
09. **Dynamite.** (3-29-12)
10. **Sodium Chlorate.** (4-11-06)
11. **Potassium Chlorate.** (4-11-06)
12. **Gun Powder.** (4-11-06)
- 242. TESTING PROCEDURE.**
01. **Type of Alert.** Prior to the start of the testing, the handler must give the evaluator information on the type of alert (passive or aggressive). (4-11-06)
02. **Start and Finish.** The evaluator will signal the start and finish of each test and will allow reasonable time for the team to cover the area and indicate the location of the substance. (4-11-06)
03. **Alert.** The handler must verbally indicate to the evaluator that he has a positive alert from his dog and believes that the substance has been found and is in the immediate vicinity. Any false or incorrect alert called by the handler is an automatic failure. (4-11-06)
- 243. -- 249. (RESERVED)**
- 250. INSTRUCTOR CERTIFICATION.**
- 251. GENERAL PROVISIONS.**
01. **Purpose.** Instructor Certificates are established for the purpose of recognizing competence as an instructor of law enforcement subjects and/or general subjects pertinent to law enforcement personnel. (4-2-03)
02. **Certification.** The Council shall certify instructors who meet the requirements set forth in Sections 250 through 256 and are deemed qualified to teach one (1) or more of the prescribed training courses. (4-2-03)
03. **Applications.** All applications for award of Instructor Certificates shall be completed by the applicant on the prescribed "Certified Instructor Packet" as provided by the POST Council. (4-2-03)
04. **Submission.** The Certified Instructor Packet shall be submitted by the applicant to his agency head who shall review it prior to signing it and forwarding it to the POST Regional Training Specialist. Certificates shall be issued to the agency head for award to the applicant. (4-2-03)
05. **POST Training Credit.** No POST training credit shall be given for attendance at a school taught by one (1) or more instructors who are not POST-certified instructors. However, POST training credit may be given for attendance at a school taught by an instructor seeking instructor certification in the respective subject pursuant to Sections 250 through 256. (4-2-03)
06. **POST-Certified School.** A school taught by one (1) or more POST-certified instructors in their respective subjects shall be considered a POST-certified school. (4-2-03)
07. **Quality.** Instructor certification cannot insure good instruction. Therefore, it shall be the continuing responsibility of school directors or coordinators to see that instructors are assigned only subjects which they are qualified to teach and are supervised on a regular basis to insure that instructional excellence is maintained. (4-7-11)
08. **Revocation.** Instructor certification may be revoked by the Council whenever an instructor is deemed to be unqualified to continue teaching. Review of instructor certification may be initiated upon the request of an agency head, school director or coordinator, or other reliable source. Such review may also be initiated by the

Council in the absence of external requests or complaints. (4-2-03)

09. Exceptions. Judges, attorneys, educators, doctors, federal officials, state officials, and other non-police personnel are exempt from the instructor certification requirements, and should be utilized when their talents are deemed appropriate. (4-7-11)

252. REQUIREMENTS FOR INSTRUCTORS OF LAW ENFORCEMENT SUBJECTS.

The requirements in Sections 250 through 252 are necessary for award of the instructor certificate for law enforcement subjects: (4-2-03)

01. Law Enforcement Experience. The applicant shall have a minimum of three (3) years of law enforcement experience. (4-2-03)

02. Education. The applicant shall be a high school graduate or the equivalent as recognized by the Council. (4-2-03)

03. Instructor Development Course. The applicant shall have satisfactorily completed an Instructor Development Course approved by the Council. The Council may waive this requirement in exceptional cases reflecting outstanding education, experience, or achievement; or under unusual circumstances upon written application by a school director or coordinator. (4-2-03)

04. Subsequent Applications. A current POST-certified instructor making application for instructor certification in an additional subject and who has already satisfactorily completed an Instructor Development Course approved by the Council shall not have to complete the course again. (4-2-03)

05. Conducted Energy Device Instructor Certification. An applicant for Conducted Energy Device Instructor Certification shall provide proof of successful completion of the manufacturer's "operator" and "instructor" courses for the Conducted Energy Device they will be instructing in. (4-7-11)

253. REQUIREMENTS FOR INSTRUCTORS OF GENERAL SUBJECTS PERTINENT TO LAW ENFORCEMENT PERSONNEL.

The requirements in Sections 250, 251, and 253 are necessary for award of the instructor certificate for general subjects pertinent to law enforcement personnel such as criminal law, human relations, and management topics: (4-2-03)

01. Experience. The applicant shall have a minimum of three (3) years of experience in the subject area to be instructed. (4-2-03)

02. Education. The applicant shall have a baccalaureate or higher degree in a related field. (4-2-03)

03. Recommendation. The applicant shall be recommended by a school director or coordinator. (4-2-03)

254. PROCEDURES.

01. Application. After meeting the requirements set out in Sections 250 and 251, and either 252 or 253, the applicant shall submit to his POST Regional Training Specialist a completed Certified Instructor Packet, which shall include: (4-2-03)

a. Three (3) letters of recommendation; (4-2-03)

b. A resume of schools attended in preparation for instructing the selected subject; (4-2-03)

c. A lesson plan, including visual aids, equipment needed, handouts, performance objectives, and test questions with answers. (4-2-03)

02. Evaluation. (4-2-03)

a. Within two (2) weeks after submitting the packet, the applicant shall contact his POST Regional Training Specialist to set up a time for the Training Specialist to monitor a class the applicant is instructing. In addition to evaluating the quality of instruction provided by the applicant, the Training Specialist shall take into consideration background, education, achievement, teaching experience, and qualifications, as well as such variables as need, region, and recommendations. (4-2-03)

b. A current POST-certified instructor making application for instructor certification in an additional subject and who has previously had a class monitored by a POST Training Specialist shall not be required to have a class in the additional subject monitored. (4-2-03)

03. Recommendation. After ensuring all requirements are met and the Certified Instructor Packet is complete, the POST Regional Training Specialist shall attach his recommendation to the packet and forward it to the POST Division Administrator. The POST Division Administrator shall review the POST Regional Training Specialist's evaluation and recommendation, and upon approval, issue the certification. (4-7-11)

255. EXPIRATION.

01. Valid. Instructor certification shall remain valid for a period of two (2) years with the exception of firearms instructor certification which shall remain valid for a period of one (1) year. (4-7-11)

02. Conducted Energy Device. A POST-certified Conducted Energy Device instructor shall maintain valid certification through the manufacturer for each Conducted Energy Device they are POST-certified to instruct. If their certification through the manufacturer becomes invalid for any reason, their POST Conducted Energy Device Instructor Certification for that device shall immediately be deemed inactive. (4-7-11)

256. RENEWAL.

01. Notification. At the end of the certification period, the POST Council will send notification to the instructor, provided the instructor still meets the qualifications for instructor certification. (4-11-15)

02. Requirements. To renew the certification, the instructor must submit the following to POST Council: (4-11-15)

a. A teaching log indicating the instruction of at least one (1) class during the last certification period; (4-2-03)

b. An updated lesson plan, if any changes have been made since it was last submitted; and (4-2-03)

c. A firearms qualification score sheet witnessed by a current POST-certified firearms instructor other than the renewing instructor. The qualification course must be the POST Council-approved course pertinent to the topic the instructor is certified to teach. This requirement applies only to POST-certified firearms instructors who are renewing their firearms instructor certification. (4-11-15)

d. Instructors must meet recertification requirements in compliance with Council and applicable industry standards. (4-11-15)

e. In addition to the above subsections, instructors of topics related to Defensive Tactics, Firearms, and Emergency Vehicle Operations must complete a minimum of eight (8) hours of continuing instructor training every two (2) years, to include use of force law, liability, and further instructor training specific to the knowledge and skills to teach in the certified instructional topic area. (4-11-15)

f. Conducted Energy Device instructors must submit proof of successful completion of the manufacturer's recertification requirements for each Conducted Energy Device they are POST-certified to instruct. (4-11-15)

257. -- 259. (RESERVED)

260. CANINE INSTRUCTOR CERTIFICATION.

Canine Instructor Certificates are established for the purpose of recognizing competence as an instructor of canine subjects pertinent to law enforcement personnel. (5-8-09)

261. REQUIREMENTS.

In addition to the requirements set forth in Sections 251 and 252 of these rules, the requirements in Sections 261 and 262 are necessary for award of the canine instructor certificate: (5-8-09)

01. Instructor Development Course. The applicant must have satisfactorily completed an Instructor Development Course approved by the Council. (5-8-09)

02. Canine Instructor School. The applicant must have satisfactorily completed a Canine Instructor School approved by the Council. (5-8-09)

03. Handler in Specific Discipline. The applicant must have served a minimum of five (5) years as a handler in the specific discipline. (5-8-09)

04. Annual Certifications. The applicant must have a minimum of five (5) annual certifications in the specific discipline. (5-8-09)

05. Canine Training. The applicant must have received a minimum of six hundred eighty (680) hours of canine training. (5-8-09)

06. Recommendation. The applicant must be recommended for canine instructor certification by a selection committee comprised of a POST Training Specialist and two (2) POST-certified canine instructors. (5-8-09)

262. PROCEDURES.

01. Application. After meeting the requirements set out in Section 261 of these rules, the applicant must submit a completed Certified Instructor Packet to POST. (5-8-09)

02. Maintain Certification. To maintain certification, a POST-certified canine instructor must teach a minimum of forty (40) hours every two (2) years in the specific discipline they are certified to teach. (5-8-09)

263. EXPIRATION AND RENEWAL.

01. Expiration. Canine instructor certification will remain valid for a period of two (2) years. (5-8-09)

02. Notification. At the end of the certification period, the POST Council will send notification to the instructor, provided the instructor still meets the qualifications for instructor certification. (5-8-09)

03. Requirements. To renew the certification, the instructor must submit the following to POST Council: (5-8-09)

a. A teaching log indicating the instruction of at least forty (40) hours during the last certification period; and (5-8-09)

b. An updated lesson plan, if any changes have been made since it was last submitted. (5-8-09)

264. -- 265. (RESERVED)

266. MASTER INSTRUCTOR CERTIFICATION.

Master Instructor Certificates are established for the purpose of recognizing competence as an instructor of instructors of law enforcement subjects and/or general subjects pertinent to law enforcement personnel, especially high liability subjects such as Arrest Techniques, Conducted Energy Devices, DUI, Emergency Vehicle Operation, Firearms, Impact Weapons, Instructor Development, and Weapons Retention. (3-29-10)

267. REQUIREMENTS.

In addition to the requirements set forth in Sections 250 and 251 of these rules, the requirements in Sections 266 through 269 are necessary for award of the master instructor certificate: (4-2-03)

01. Instructor Development Course. The applicant shall have satisfactorily completed an Instructor Development Course approved by the Council. (4-2-03)

02. POST-Certified Instructor. The applicant shall be a current POST-certified instructor in the subject he is applying for Master Instructor certification in, and shall have held that certification for a minimum of three (3) years prior to application. The Council may waive this requirement in exceptional cases reflecting outstanding education, experience, or achievement; or under unusual circumstances upon written application by the POST Division Administrator. (4-7-11)

03. Instruction. The applicant shall have instructed a minimum of forty (40) hours of classes in the subject he is applying for Master Instructor certification in during each of the previous two (2) years. (4-2-03)

04. Additional Training or Education. The applicant shall have received additional training or education beyond basic training in the area of their instructor certification. (4-7-11)

05. Exceptional Ability. The applicant shall have demonstrated exceptional ability to develop and present training. (4-2-03)

06. Recommendation. The applicant shall be recommended for master instructor certification by a POST Regional Training Specialist or a current POST-certified master instructor. (4-2-03)

07. Maintain Certification. The applicant shall be willing to commit to teaching a minimum of one (1) instructor class during the certification period to maintain certification. (4-2-03)

08. Conducted Energy Device Master Instructor. An applicant who is applying to become a Master Instructor in Conducted Energy Devices shall also: (4-7-11)

a. Attend and successfully complete a “Master Instructor”-level Conducted Energy Device course offered by a reputable manufacturer as approved by the POST Council; (4-7-11)

b. Provide proof of successful completion of at least one (1) course on “excited delirium” or “positional asphyxia;” and (4-7-11)

c. At the request of POST Council or the POST Division Administrator, serve as a subject matter expert on any conducted energy device product recommended for use by law enforcement. (4-7-11)

09. Maintaining Conducted Energy Device Master Instructor Certification. A POST-certified Conducted Energy Device Master Instructor shall maintain and provide proof of valid “master instructor” certification through the manufacturer for each Conducted Energy Device they are POST-certified as a Master Instructor to instruct. If their “master instructor” certification through the manufacturer becomes invalid for any reason, their POST Conducted Energy Device Master Instructor Certification for that device shall immediately be deemed inactive. (4-7-11)

268. PROCEDURES.

01. Application. After meeting the requirements set out in Sections 266 and 267, the applicant shall submit to his POST Regional Training Specialist a completed Certified Instructor Packet. (4-2-03)

02. Audit Instructor Course. The applicant shall audit an instructor course coordinated by a POST Training Specialist and taught by a current POST-certified master instructor. (4-2-03)

03. Assist in Teaching. The applicant shall assist in teaching a class under the supervision of a current

POST-certified master instructor and shall receive a written recommendation from that instructor. (4-2-03)

04. Co-Instruct. The applicant shall co-instruct a class with a current POST-certified master instructor. (4-2-03)

05. Evaluation. The applicant shall receive a final evaluation by a POST Training Specialist. (4-2-03)

269. EXPIRATION AND RENEWAL.

Master instructor certification shall remain valid for a period of three (3) years. At the end of the certification period, the certification shall be automatically renewed provided the master instructor still meets the qualifications and he has instructed at least one (1) instructor class during the last certification period. (4-2-03)

270. -- 275. (RESERVED)

276. INSTRUCTOR REIMBURSEMENT.

Reimbursement to instructors for travel, lodging and meals for POST-certified schools may be granted by the Council. If reimbursement is granted for travel, lodging and meal expenses, the reimbursement shall not exceed allowances currently authorized for employees of the state of Idaho for official business. (4-2-03)

277. -- 280. (RESERVED)

281. SCHOOL FORMATION AND CERTIFICATION.

282. GENERAL PROVISIONS.

01. Purpose. School certification is established for the purpose of recognizing schools deemed adequate to effectively teach law enforcement subjects and/or general subjects pertinent to law enforcement personnel. (4-2-03)

02. Certification. The Council shall certify schools deemed adequate to effectively teach one (1) or more of the prescribed training courses. (4-2-03)

03. Applications. All applications for award of school certification shall be completed by the school director on the prescribed "Application for Certification of School" as provided by the POST Council. (4-2-03)

04. Submission. The Application for Certification of School form shall be submitted by the school director to his agency head who shall review it prior to signing it and forwarding it to the POST Regional Training Specialist. (4-2-03)

05. Appeal. In the event that certification is denied, appeal may be made directly to the Council. (7-1-93)

06. No POST Training Credit. No POST training credit shall be given for attendance at a school that has not been certified by the Council. (4-2-03)

07. POST-Certified School. A school sponsored and conducted by the POST Council or a school taught by a POST-certified instructor in their respective subject shall be considered a POST-certified school. (4-2-03)

08. Revocation. Certification may be revoked by the Council whenever a school is deemed to be inadequate. In such event, the head of the sponsoring agency of the school shall be notified by the Council. The school may be recertified by the Council when it deems the deficiencies have been corrected. (4-2-03)

283. EXAMINATIONS.

Written examinations may be required of each trainee in each school certified by the Council for thirty-five (35) or more POST training hours. (4-2-03)

284. CERTIFICATES OF COMPLETION.

Certificates of completion may be issued by the Council to those satisfactorily completing schools worth thirty-five (35) or more POST training hours. (4-2-03)

285. SCHOOL CERTIFICATION.

01. Temporary Certification. Temporary certification may be granted for a specific law enforcement training school offered on a one (1) time or infrequent basis. Temporary certification shall be issued for a definite period of time not to exceed one (1) year. (4-2-03)

02. Continuing Certification. Continuing certification may be granted for longer than one (1) year for law enforcement training schools offered on a regular basis. Such certification may be reviewed at any time at the discretion of the POST Division Administrator. (4-2-03)

286. PROCEDURES.

01. Application. The completed Application for Certification of School form shall be submitted to the POST Regional Training Specialist a minimum of thirty (30) days prior to the start of the school, and shall include: (4-2-03)

- a.** A course outline; (4-2-03)
- b.** A course description of the subject material being offered and the time period to be devoted to each subject area; (4-2-03)
- c.** A schedule of classes; (4-2-03)
- d.** A statement about the law enforcement personnel to whom it shall be directed; (4-2-03)
- e.** A resume on each instructor, unless the instructor is a POST-certified instructor; and (4-2-03)
- f.** A lesson plan, unless the lesson plan is permanently on file at the sponsoring agency. (4-2-03)

02. Evaluation. An evaluation of the school shall be made on the basis of the information provided in the Application for Certification of School. A school inspection may be conducted by the Council or its representative as part of the certification procedure. If there is still a question about whether or not the school shall be certified after the evaluation is complete, the POST Council shall review the application and determine whether the school shall be certified. (4-2-03)

03. Notification. Notification of approval or denial of the request for certification shall be sent in the form of a letter from the POST Regional Training Specialist to the agency head. If approval is granted, the letter shall indicate how many POST training hours shall be awarded for completion of the training. (4-2-03)

04. Course Attendance Roster. The school director shall submit the original copy of the POST Course Attendance Roster to the POST Regional Training Specialist within seven (7) days of completion of the school. (4-2-03)

287. THE SCHOOL DIRECTOR.

01. Responsibilities. The school director shall be responsible for the overall supervision of the school, including, if applicable: (4-2-03)

- a.** Arranging for qualified instructors; (4-2-03)
- b.** Arranging for adequate facilities such as classrooms, gymnasium, safe firearms ranges, etc.; (4-2-03)
- c.** Applying for POST certification of school; (4-2-03)

- d. Providing for food and lodging for trainees where appropriate; (4-2-03)
- e. Preparing and grading examinations; (4-2-03)
- f. Grading classroom notebooks; and (4-2-03)
- g. The conduct and discipline of the trainees. (7-1-93)

02. Determination of Successful Completion. The school director shall make the final determination as to whether a trainee has successfully completed all reasonable standards and requirements of the training course. The school director shall also have the authority to dismiss from the school any trainee prior to the completion of the course if, in the school director's opinion, the trainee is unable or unwilling to successfully complete the prescribed training course. Immediately upon such dismissal, the school director shall submit a written report to the Council and the trainee's agency head with a detailed explanation of the action. (4-2-03)

03. Records. The school director shall maintain complete records on each trainee. Within seven (7) days of completion of the school, he shall submit the original copy of the POST Course Attendance Roster to the POST Regional Training Specialist. (4-2-03)

288. -- 295. (RESERVED)

296. CERTIFICATION OF HIGH LIABILITY SCHOOLS.

In addition to the requirements set forth in Sections 281 through 287 of these rules, the requirements in Sections 296 through 298 are necessary for evaluation of the request for certification of a high liability school. (4-2-03)

297. REQUIREMENTS.

01. Determination of High Liability. The POST Training Specialist shall have the discretion to make the determination whether the school includes an element of risk or potential damage or injury to the trainees, property, or a third party not directly involved with the school. If such a determination is made, some or all of the following may be required: (4-2-03)

- a. Course evaluations from past participants or from agencies having direct knowledge of the course content and presentation; (4-2-03)
- b. A list of past participants having direct knowledge of the course content and presentation; (4-2-03)
- c. Documentation of certification of the school in other states; (4-2-03)
- d. A complete lesson plan, to include: (4-2-03)
 - i. How the material relates to Idaho Code; (4-2-03)
 - ii. Any applicable court rulings; (4-2-03)
 - iii. Any content warnings or precautions; (4-2-03)
 - iv. A safety plan; and (4-2-03)
 - v. A legal review. (4-2-03)
- e. A demonstration of the course for the POST Training Specialist and/or a subject matter expert who shall evaluate the content and presentation. (4-2-03)

02. Specialized Equipment. Any associated costs or specialized equipment needed for the evaluation process shall be provided by the applicant at the time of application. (4-2-03)

03. Liability Disclaimer. A liability disclaimer indemnifying the state of Idaho may be required as a condition of POST-certification of the school. (4-2-03)

298. COURSE EVALUATION FEE.

01. Fee Schedule. The entity making application shall be charged a course evaluation fee at the time of application. The course evaluation fee schedule is as follows: (4-2-03)

- a.** The fee for evaluating a one (1) to four (4) hour course shall be two hundred dollars (\$200). (4-2-03)
- b.** The fee for evaluating a five (5) to eight (8) hour course shall be four hundred dollars (\$400). (4-2-03)
- c.** The fee for evaluating a nine (9) to sixteen (16) hour course shall be six hundred dollars (\$600). (4-2-03)
- d.** The fee for evaluating a seventeen (17) to twenty-four (24) hour course shall be eight hundred dollars (\$800). (4-2-03)
- e.** The fee for evaluating a twenty-five (25) to forty (40) hour course shall be one thousand dollars (\$1,000). (4-2-03)
- f.** The fee for evaluating a course in excess of forty (40) hours shall be a combination of the above as determined by the POST Division Administrator. (4-2-03)

02. Exception. The course evaluation fee shall not be charged for courses developed and conducted by governmental agencies. (4-2-03)

03. Waiver. The course evaluation fee may be waived in whole or in part at the discretion of the POST Division Administrator. (4-2-03)

299. -- 305. (RESERVED)

306. CERTIFICATION OF SCHOOLS UTILIZING ALTERNATIVE METHODS OF TRAINING DELIVERY.

307. ALTERNATIVE METHODS OF TRAINING DELIVERY. Alternative methods of training delivery shall include, but not be limited to, the following types of technology: (4-2-03)

- 01. Videotape;** (4-2-03)
- 02. Television-Based;** (4-2-03)
- 03. Computer-Based;** (4-2-03)
 - a.** Simulator; (4-2-03)
- 04. Web-Based;** (4-2-03)
 - a.** Distance learning; (4-2-03)
 - b.** On-line interactive; and (4-2-03)
- 05. Correspondence.** (4-2-03)

308. GENERAL PROVISIONS.

- 01. Minimum Length.** Each course shall be a minimum of two (2) hours in length. (4-2-03)
- 02. Notification.** Notification of approval or denial of the request for certification shall be sent in the form of a letter from the POST Regional Training Specialist to the applicant. If approval is granted, the letter shall indicate how many POST training hours shall be awarded for completion of the training. (4-2-03)
- 03. Examinations.** (4-2-03)
- a.** Upon completion of the course, each trainee shall be given an examination to assess their knowledge of the course material. The examination shall be proctored by an Idaho POST-certified instructor or a subject matter expert approved by POST prior to the examination. (4-2-03)
- b.** Only those trainees receiving a passing score on the examination shall be awarded POST training hours for the course. (4-2-03)
- 04. POST Training Credit.** To receive credit on their POST training record, the trainee shall submit the following to POST: (4-2-03)
- a.** The certificate of completion; (4-2-03)
- b.** A signed statement from their agency head verifying participation and completion of the course. (4-2-03)
- 05. Falsification of Information.** The POST Council may proceed with decertification proceedings against any officer who falsifies any information. (4-2-03)
- 06. Liability Disclaimer.** A liability disclaimer indemnifying the state of Idaho shall be printed on all commercially-developed or distributed training materials certified by POST Council. (4-2-03)

309. REQUIREMENTS.

In addition to the requirements set forth in Sections 281 and 282 of these rules, the requirement in Sections 306 through 311 are necessary for evaluation of the request for certification of a school utilizing an alternative method of training delivery. (4-2-03)

- 01. Training Medium.** The training medium utilized shall be indicated on the Application for Certification of School. (4-2-03)
- 02. Specialized Equipment.** Any specialized equipment, software, network access, etc. needed for the evaluation process shall be provided to POST free-of-charge by the applicant at the time of application. (4-2-03)
- 03. Course Evaluation Fee.** A course evaluation fee shall be charged pursuant to Section 298 of these rules. (4-2-03)

310. RECORDS.

A course file shall be maintained by the applicant and shall be readily available to POST Council. The file shall include: (4-2-03)

- 01. Name.** The name of the course provider; (4-2-03)
- 02. The Lesson Plan;** (4-2-03)
- 03. Objectives.** The course learning objectives; (4-2-03)
- 04. Hours Awarded.** The number of POST training hours awarded; (4-2-03)

05. Attendance. The attendance policy and the methodology for ascertaining and validating trainee attendance and participation, such as secure password, attendance roster, encrypted passcode, etc. (4-2-03)

06. Assessment Record. The trainee assessment record; (4-2-03)

07. Certificate of Completion. The names of the trainees awarded a certificate of completion and the date they completed the course; and (4-2-03)

08. Course Evaluations. The Course Evaluations By The Trainees. (4-2-03)

311. CERTIFICATES OF COMPLETION.

The applicant shall issue a certificate of completion to each trainee successfully completing the training course. The certificate shall include the following information: (4-2-03)

01. Course Provider. The name of the course provider; (4-2-03)

02. Trainee. The name of the trainee successfully completing the course; (4-2-03)

03. Date. The date the trainee completed the course; (4-2-03)

04. Hours. The number of course hours completed; and (4-2-03)

05. Course Administrator. The name of the person responsible for the general administration of the course. (4-2-03)

312. -- 320. (RESERVED)

321. VOCATIONAL LAW ENFORCEMENT PROGRAM CERTIFICATION.

322. DEFINITIONS.

01. POST Assessment Team. The two POST Regional Training Specialists not currently assigned to the region where the vocational law enforcement program is located. (4-11-06)

02. Program Coordinator. An individual designated by the college/university who is responsible for the vocational law enforcement program. (4-11-06)

03. Satellite Facility. A facility located away from the certified vocational law enforcement program facility which the certified program uses to conduct training. This includes firing ranges, driver training sites, and physical fitness or arrest techniques sites which may be located away from the certified program facility. (4-11-06)

04. Vocational Law Enforcement Program. A college/university vocational law enforcement program certified by the Idaho Department of Education with a curriculum based on POST performance objectives for basic training. The curriculum must include the minimum instruction in each topic as described in Subsections 075.02.a. and/or 077.02.a. of these rules. (4-11-06)

05. Vocational Law Enforcement Program Facility. A facility in which training programs are conducted. It houses classrooms and offices for instructors and staff. Other facilities such as a firing range, driver training track, multipurpose training areas, library and satellite locations are considered to be part of such facility but need not be located at the same site. (4-11-06)

323. GENERAL PROVISIONS.

01. Purpose. Vocational law enforcement program certification is established for the purpose of recognizing those programs whose curriculum is equivalent to the POST Basic Patrol Academy and/or POST Basic Detention Academy. (4-11-06)

02. Eligibility. To be eligible for vocational law enforcement program certification, the applying entity must be in compliance with all standards established by the Idaho Department of Education for such programs, the curriculum requirements of Subsections 075.02.a. and/or 077.02.a. of these rules, and the requirements in Sections 321 through 333 of these rules. (4-2-08)

03. Assessment Form. All assessments must be completed on the prescribed form as provided by the POST Council. (4-11-06)

04. Assessment Visits. Entities seeking vocational law enforcement program certification and those programs already certified will be subject to scheduled and unscheduled visits by the POST Regional Training Specialists and other members of the Peace Officer Standards and Training Council during which adherence to certification standards will be assessed. (4-11-06)

05. Expiration of Certification. Vocational law enforcement program certification will remain valid for two (2) years. (4-11-06)

06. Renewal of Certification. To maintain certified status, a vocational law enforcement program must successfully complete the recertification process prior to the expiration of their certification. Upon renewal, the vocational law enforcement program certification will remain valid for another two (2) years. If a program is granted temporary certification, upon approval of full certification status, the program's certification will expire on the date it would have expired had full certification initially been granted at time of renewal. (4-11-06)

324. PROCEDURES.

01. Permission to Proceed. An entity seeking vocational law enforcement program certification must receive permission to proceed from the Peace Officer Standards and Training Council prior to beginning the certification process. (4-11-06)

02. Assessment. Upon complying with the requirements of Sections 321 through 333 of these rules, the program coordinator for the entity seeking vocational law enforcement program certification must contact a POST Regional Training Specialist to schedule a comprehensive on-site assessment by a POST Assessment Team. (4-2-08)

a. Upon completion of an on-site assessment, if it is determined that one (1) or more of the requirements for program certification have not been met, the applying entity will be given ninety (90) days to correct the deficiency. Written notification of the requirement(s) not met and the date scheduled for a second on-site assessment of the program will be provided to the program coordinator by the POST Regional Training Specialist. (4-11-06)

b. Upon completion of an on-site assessment, if it is determined that all requirements for program certification have been met, the POST Council will issue a certificate to the applying entity. (4-11-06)

325. CERTIFIED VOCATIONAL LAW ENFORCEMENT PROGRAM.

01. Assessment. A POST Assessment Team will contact the program coordinator of the certified vocational law enforcement program to set up a comprehensive on-site assessment. A minimum of two weeks prior notice must be given. (4-11-06)

02. Failure to Maintain Compliance with Certification Standards. If at any time it is determined that a POST-certified vocational law enforcement program does not meet one (1) or more of the requirements for program certification, the POST Council may suspend the program certification and issue a temporary certification pending corrective action. The vocational law enforcement program will be given a maximum of ninety (90) days from the initial assessment date to correct the deficiency unless an extension is granted by the POST Council. The program coordinator will receive written notification of the requirement(s) not met, and will be contacted by a POST Regional Training Specialist to schedule an on-site reassessment of the program. (4-11-06)

03. Reassessment. A reassessment of the program will be conducted by a POST Assessment Team. If one (1) or more of the certification standards still have not been met, the administrator and/or advisory board chairman of the vocational law enforcement program will be notified in writing that upon reassessment the standards still have not been met. The POST Council will review the reassessment report and determine whether additional time to correct the deficiency will be granted. (4-11-06)

04. Second Reassessment. If additional time to correct the deficiency is granted, a POST Assessment Team will conduct a second reassessment. If one (1) or more of the certification standards still have not been met, the POST Council will review the findings of the second reassessment. The vocational law enforcement program will be given the opportunity to provide verbal testimony. After reviewing the information, the POST Council will determine whether the program should be certified. (4-11-06)

326. REQUIREMENTS.

327. ADMINISTRATION.

01. POST Council Administrative Rules. The college law enforcement program shall maintain access to a current copy of the POST Council's Administrative Rules. (3-20-14)

02. Advisory Board/Committee. The college law enforcement program shall have an advisory board/committee comprised of the POST Division Administrator or his designee and criminal justice executives from several area agencies/organizations representative of the region the college law enforcement program serves. (3-20-14)

a. The advisory board/committee shall elect a chairman and vice-chairman from among the agency heads on the board/committee. The terms of office shall be initially staggered. No chairman or vice-chairman shall serve in that capacity for longer than four (4) consecutive years. (3-20-14)

b. The chairman or vice-chairman is responsible for scheduling and setting the agendas for all advisory board/committee meetings as well as for working with the program coordinator and/or administration of the college law enforcement program. The chairman or vice-chairman may perform other duties as necessary. (3-20-14)

03. Waiver Requests. The chairman of the advisory board/committee may request a waiver, as allowed in the Minimum Standards for Employment provided in Sections 050 thru 065 of these rules, for a student by following these procedures: (3-20-14)

a. The advisory board/committee chairman shall conduct a thorough background investigation to include the review of all police and court documents, including arrest reports and court dispositions; military records; and a written explanation from the student fully describing the circumstances and disposition of each arrest and incident. (3-20-14)

b. The advisory board/committee chairman has sole discretion in determining whether a waiver shall be requested. The advisory board/committee may be afforded an appeal at the chairman's discretion or if the advisory board/committee has a policy in place. (3-20-14)

c. If the advisory board/committee chairman determines that a waiver shall be pursued, he shall submit a written request along with all documentation to the POST Division Administrator. The request shall indicate that the advisory board/committee is aware of the arrest or incident, has investigated the circumstances surrounding the arrest or incident, and that he recommends approval of a waiver. (3-20-14)

328. RECORDS.

01. Course File. The vocational law enforcement program must maintain an administrative file on each course it conducts. The file must include the curriculum, the schedule of classes, attendance records, discipline records, counseling records, tests with answer sheets, course summary, and course evaluations. The course file may be combined with the respective student training files at the discretion of the program. (4-11-06)

02. Application to Attend. Each student must submit an application to attend the vocational law enforcement program and must comply with the policies and minimum standards of both the POST Council and the college. (4-11-06)

03. Training File. The vocational law enforcement program must maintain a training file on each student attending the program. The file must include sufficient records to document whether the student has successfully completed all performance objectives. The records must be computerized and maintained in a secure database while the student is attending the program. The student training files may be combined with the respective course file at the discretion of the program. (4-11-06)

04. Instructor File. The vocational law enforcement program must maintain an administrative file on each instructor who teaches for the program. (4-11-06)

a. For law enforcement personnel, the file must include a copy of the instructor's POST instructor certificate for each subject the instructor teaches, a signed copy of the POST instructor code of ethics, a copy of student evaluations of the instructor for the past year, a copy of the instructor's training record from the past year or some other acceptable documentation that shows that the instructor's instructor certificate is still valid, and any other pertinent information related to the instructor's instructor certification status and/or performance. (4-11-06)

b. For non-law enforcement personnel, the file must include a copy of the instructor's resume, a signed copy of the POST instructor code of ethics, a copy of student evaluations of the instructor for the past year, a copy of the instructor's training record from the past year, and any other pertinent information related to the instructor's performance. (4-11-06)

329. MINIMUM ATTENDANCE.

The vocational law enforcement program must have a policy on the minimum number of students in a class. Mandated training will not be conducted for a class of less than six (6) students. Exceptions may be considered by the POST Council upon receipt of a written request from the program coordinator of the vocational law enforcement program specifying why an exception is needed. The POST Council will review the request and determine if sufficient cause exists to grant an exception. Written notification of approval or denial of the request will be provided to the program coordinator. (4-11-06)

330. POST-GRADUATION EVALUATIONS.

The vocational law enforcement program must conduct post-graduation evaluations of their entry-level training. The evaluations must occur from six (6) to twelve (12) months after students leave the program, and must assess the job-relatedness of the training provided. (4-11-06)

331. FACILITIES.

01. First Aid Equipment. All facilities utilized by the vocational law enforcement program must be adequately equipped with first aid equipment. (4-11-06)

02. Secure Storage for Ammunition. The vocational law enforcement program must have access to an adequate, secure storage facility in which to store ammunition. The facility may be located at the vocational law enforcement program or at the firing range. The facility must have posted signs in accordance with law and must be protected from illegal entry and fire. (4-11-06)

03. Firing Range. The vocational law enforcement program must have scheduled access to a firing range that has: (4-11-06)

a. Shotgun/less lethal weapons capabilities; (4-11-06)

b. Adequate facilities for classes prescribed by the POST Council; and (4-11-06)

c. At least five (5) firing points if used for basic training. (4-11-06)

332. INSTRUCTION.

The vocational law enforcement program must comply with all instruction standards established by POST Council and must establish quality control methods to insure adequate instruction is provided. (4-11-06)

- 01. Evaluation of Instructors.** The students must be given the opportunity to complete written evaluations of every instructor. (4-11-06)
- 02. Lesson Plans.** (4-11-06)
 - a.** The vocational law enforcement program must have a lesson plan on file for every training class. (4-11-06)
 - b.** Lesson plans and curricula must be reviewed on a regular basis and updated if necessary to ensure compliance with POST Council requirements. (4-11-06)
- 03. Monitoring of Instruction.** The vocational law enforcement program must conduct periodic and random monitoring of the instruction provided to insure that: (4-11-06)
 - a.** Lesson plans are being used; (4-11-06)
 - b.** Objectives are being addressed; (4-11-06)
 - c.** Appropriate audio-visual aids are available and being used properly; (4-11-06)
 - d.** The instructor is in control of the class and is holding the students' attention; and (4-11-06)
 - e.** Classroom conditions such as lighting, noise levels, and temperature are acceptable. (4-11-06)
- 04. Follow Up.** The vocational law enforcement program must take appropriate action to follow up on any student complaint regarding an instructor or the training process. (4-11-06)
- 05. Testing Results.** The vocational law enforcement program must analyze and evaluate testing results. (4-11-06)

333. CONDUCT AND BEHAVIOR.

- 01. POST Minimum Standards for Employment.** Each vocational law enforcement student shall meet the Minimum Standards for Employment as provided in Sections 050 through 065 of these rules with the exception of age. Any vocational law enforcement student that does not meet the standards shall not be given the final test unless they have been granted a waiver in accordance with Subsection 327.03 of these rules. (4-7-11)
- 02. Code of Conduct/Code of Ethics.** Every vocational law enforcement student shall attest that he has read, understands, and will abide by the Law Enforcement Code of Conduct as found in Subsection 091.04 of these rules and the Law Enforcement Code of Ethics as found in Section 064 of these rules. (4-7-11)
- 03. Integrity.** The vocational law enforcement program shall have a policy on integrity. This policy shall clearly state that dishonesty, including acts of academic dishonesty and plagiarism; untruthfulness; or discourtesy shall not be tolerated. This policy shall be reviewed with all vocational law enforcement students upon entry into the program. (4-7-11)
- 04. Social Contact.** The vocational law enforcement program shall have a policy expressly prohibiting students from having social contact, either on or off campus, with any vocational law enforcement program staff member or instructor. Associations between students and vocational law enforcement program staff members or instructors shall be professional in nature at all times. (4-7-11)
- 05. Other Standards of Conduct and Behavior.** The vocational law enforcement program shall address other standards of conduct and behavior that reflect good taste, courtesy, consideration, and respect for the rights and privileges of others. Any conduct detrimental to the conduct, efficiency, or discipline of the vocational law

enforcement program shall be prohibited. (4-7-11)

334. -- 340. (RESERVED)

341. STANDARDS FOR CONDUCT AND BEHAVIOR OF POST BASIC TRAINEES.

01. Objective. To state in general terms and standards of conduct required of POST Basic trainees; designate the authority for establishing specific requirements of attendees; and make reference to the specific requirements and their acceptance by attendees. (7-1-93)

02. Policy Statement. (7-1-93)

a. As representatives of law enforcement agencies, all trainees are expected to conduct themselves in a manner which will bring credit to the profession. Standards of behavior must reflect good taste, courtesy, consideration and respect for the rights and privileges of fellow trainees and the Idaho Police Academy faculty and community. (7-1-93)

b. Dishonesty, untruthfulness, or discourtesy must not be tolerated. Any conduct detrimental to the conduct, efficiency or discipline of the academy, whether or not specifically stated in the instructions, is prohibited and can be cause for disciplinary action or dismissal from the academy. (7-1-93)

c. For any infraction of the rules, while attending the Academy, the trainee's chief, sheriff, or department head will be made aware of such infraction. (7-1-93)

d. The POST Council shall determine the specific requirements relating to residency, equipment and supplies, and conduct while at the academy. These requirements will accompany the letter of acceptance to the applicant's agency. (7-1-93)

e. Registration at the academy by the attendee shall constitute acceptance by such attendee of the specific requirements and of the general standards stated above. (7-1-93)

342. -- 350. (RESERVED)

351. SELF-SPONSORED STUDENT PROGRAM SELECTION STANDARDS.

01. Requirement. Every Self-Sponsored Student shall meet the minimum standards for employment (Sections 050 through 065) of this manual. (4-2-08)

02. Procedures. (3-20-97)

a. The applicant shall be required to complete and submit to the POST Council a comprehensive application and personal history packet, along with two (2) sets of fingerprints on FBI applicant fingerprint cards. A non-refundable application fee is required and must accompany the application. (3-20-97)

b. In order to determine the applicant's suitability as a Self-Sponsored Student, the POST Council shall conduct a thorough criminal and personal history background investigation. The fingerprint cards shall be submitted to the Bureau of Criminal Identification, which shall use one (1) set to conduct a statewide search, and shall forward the other set to the FBI for a national criminal history record check. All results of the background investigation will be considered confidential and processed accordingly. (3-20-97)

c. The applicant must also successfully complete a polygraph, psychological evaluation, physical agility test, and a Police Officer Selection written examination approved by POST Council. (3-20-97)

352. -- 359. (RESERVED)

360. MINIMUM STANDARDS FOR CONTINUING TRAINING.

361. REQUIREMENTS.

To retain certification, from and after January 1, 2004, every peace officer and county detention officer appointed by an agency must satisfactorily complete forty (40) hours of continuing training related to law enforcement every two (2) calendar years beginning January 1 following the date the officer was certified. The continuing training completed does not have to be POST-certified training. (4-6-05)

362. DOCUMENTATION.

01. Submission of Written Certification. In January of each year, the law enforcement agency head shall submit written certification to the Council of the number of hours of continuing training each officer within his agency has completed during the previous calendar year. (4-7-11)

02. No Credit on POST Training Record. The Council shall accept written certification from the agency head as proof that an officer has satisfactorily completed the required forty (40) hours of continuing training every two (2) calendar years. However, no officer shall be awarded training hours on his POST training record for any training completed which has not been certified by the Council as set out in Sections 281 through 311 of these rules. (4-7-11)

03. Non-Compliance With Continuing Training Requirement. Any peace or county detention officer out of compliance with the continuing training requirement shall be notified in writing, along with his agency head. After notice and an opportunity to be heard, if compliance is still not achieved, the Council may suspend the officer's certification, which shall be immediately restored as soon as compliance is achieved. (4-7-11)

04. Exception for Active Duty Military Service. The two (2) calendar year continuing training period shall be tolled during a peace or county detention officer's active duty military service, and shall recommence upon the officer's return to peace or county detention officer duties with his appointing agency. The appointing agency shall complete and submit to the Council a Notice of Separation/Change in Status form designated by the Council upon the officer's departure from and return to the agency. (4-7-11)

363. RECORDS.

01. Training Course. A file on each continuing training course completed must be maintained by the agency and must be readily available to the POST Council. The file must include: (4-6-05)

- a. The name of the course provider; (4-6-05)
- b. The name and resume of the course instructor; (4-6-05)
- c. The course learning objectives; (4-6-05)
- d. The course schedule listing the number of instructional hours; (4-6-05)
- e. The number of continuing training hours awarded; (4-6-05)
- f. The attendance policy, attendance rosters, and the methodology for ascertaining and validating trainee attendance and participation; and (4-6-05)
- g. The names of the trainees completing the course and the date they completed the course. (4-6-05)

02. College Course. An officer fulfilling the continuing training requirement by successfully completing a college course must provide a transcript from the college to the appointing agency. The transcript must be maintained by the agency and must be readily available to the POST Council. (4-6-05)

364. -- 999. (RESERVED)

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