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**IDAPA 11
TITLE 11
CHAPTER 04**

**11.11.04 – RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL
FOR CORRECTION OFFICERS AND ADULT PROBATION AND PAROLE OFFICERS**

000. LEGAL AUTHORITY.

01. Section 20-214, Idaho Code. Pursuant to Section 20-214, Idaho Code, the State Board of Correction shall have power and authority to specify the training of such assistants, officers and other persons necessary for the proper and efficient administration of the Department of Correction and the Parole and Probation system. (4-11-06)

02. Section 19-5109(7), Idaho Code. Pursuant to Section 19-5109(7), Idaho Code, the Peace Officer Standards and Training Council may, upon recommendation of the Correction Standards and Training Council, implement minimum basic training and certification standards for correction officers and for adult probation and parole officers. (4-11-06)

03. Section 20-241A(3)(c), Idaho Code. Pursuant to Section 20-241A(3)(c), Idaho Code, any contract between the State Board of Correction and a private prison contractor providing for the housing, care, and control of inmates shall require that the private prison contractor provide training to its personnel to a level acceptable to the Idaho Department of Correction. The Idaho Department of Correction may provide training to the personnel of a private prison contractor and may charge a reasonable fee for the training, not to exceed the cost of training. (4-11-06)

001. TITLE AND SCOPE.

01. Title. These rules will be cited as IDAPA 11.11.04, "Rules of the Idaho Peace Officer Standards and Training Council for Correction Officers and Adult Probation and Parole Officers," IDAPA 11, Title 11, Chapter 04. (4-11-06)

02. Scope. These rules constitute the minimum standards of training, education, employment, and certification of correction officers and adult probation and parole officers in Idaho. (4-11-06)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written statements which might pertain to the interpretation of these rules or to the documentation of compliance with these rules will be available for public inspection and copying at cost to the extent allowed by Title 74, Chapter 1, Idaho Code, at the Department of Correction, 1299 N. Orchard, Suite 110, P.O. Box 83720, Boise, Idaho, 83720-0018 and at the Idaho State Police, Peace Officer Standards and Training, 700 S. Stratford Dr., Meridian, Idaho 83642-6202. (4-11-06)

003. ADMINISTRATIVE APPEALS.

Rules of procedure in contested cases will be governed by the Administrative Procedures Act. (Title 67, Chapter 52, Idaho Code). (4-11-06)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (4-11-06)

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

01. Idaho State Police, Peace Officer Standards and Training. 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)

02. Idaho Department of Correction. The principal place of business of the Idaho Department of Correction is in Boise, Idaho. The office is located at 1299 North Orchard, Suite 110, Boise, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: Idaho Department of Correction, P.O. Box 83720, Boise, Idaho 83720-0018. The telephone of the office is (208) 658-2000. The facsimile number of the office is (208) 327-7496. (4-11-06)

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. (4-11-06)

007. -- 009. (RESERVED)

010. DEFINITIONS.

01. 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. (4-11-06)

02. Basic Adult Probation and Parole Academy. A basic course of instruction for Adult Probation and Parole Officers as recognized by POST Council. (4-11-06)

03. Basic Correction Academy. A basic course of instruction for Correction Officers as recognized by POST Council. (4-11-06)

04. 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. (4-11-06)

05. 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. (4-11-06)

011. -- 020. (RESERVED)

021. CERTIFICATION OF CORRECTION AND ADULT PROBATION AND PAROLE OFFICERS.

022. GENERAL PROVISIONS.

01. POST Basic Correction Academy Costs for Personnel of Private Prison Contractors. Pursuant to Section 20-241A(3)(c), Idaho Code, the Idaho Department of Correction may provide training to personnel of private prison contractors and charge a fee not to exceed the cost of training. Since the Basic Correction Academy is conducted by the Peace Officer Standards & Training Council, any fees collected by the Idaho Department of Correction for attendance at the POST Basic Correction Academy by personnel of private prison contractors must be submitted to the POST Council. (4-11-06)

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 correction or adult probation and parole officer. (3-29-10)

03. Eligibility. To be eligible for the award of a Basic Correction Officer certificate, each applicant must be a full-time correction officer or a professional member of the POST Council staff. To be eligible for the award of a Basic Adult Probation and Parole Officer certificate, each applicant must be a full-time adult probation and parole officer or a professional member of the POST Council staff. (4-11-06)

04. Applications. All applications for award of certification must be completed by the applicant on the

prescribed form “Application for Certification” as provided by the POST Council. (4-11-06)

05. 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 will be issued to the agency head for award to the applicant. (4-11-06)

06. Decertification. The Council may decertify any correction or adult probation and parole officer in the same manner as provided in IDAPA 11.11.01, “Rules of the Idaho Peace Officer Standards and Training Council,” Subsection 091.03. (4-11-06)

023. -- 030. (RESERVED)

031. MINIMUM STANDARDS FOR EMPLOYMENT FOR CORRECTION OFFICERS.

Every correction officer must meet the minimum standards for employment as provided in IDAPA 11.11.01, “Rules of the Idaho Peace Officer Standards and Training Council,” Sections 050 through 066. (3-29-17)

032. -- 050. (RESERVED)

051. LAPSE OF CORRECTION OFFICER CERTIFICATION.

The certification of any correction officer will be considered lapsed if the officer does not serve as a correction officer in Idaho for three (3) consecutive years. Provided, however, that an Idaho POST-certified correction officer who remains in an administrative duty assignment with the Idaho Department of Correction will retain their POST certification provided they do not leave employment with the Idaho Department of Correction and satisfy the continuing training requirement of at least twenty (20) hours per year. The three-year period provided herein will be tolled during any time period that a correction officer is the subject of a POST decertification investigation and is no longer employed in law enforcement. (3-25-16)

01. Three to Five Years. A correction officer who has been out of full-time correction officer status from three (3) to five (5) years and who wants to be recertified must meet the following POST requirements: (3-25-16)

- a.** Submit a POST Certification Correction Challenge Packet; (4-11-06)
- 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.** Pass the following tests administered by a POST Training Specialist: (4-11-06)
 - i.** The POST correction certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (3-25-16)
 - ii.** The POST Firearms Qualification Course; and (3-25-16)
- d.** Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

02. Over Five Years. A correction officer who has been out of full-time correction officer status for over five (5) years must attend the POST Basic Correction Academy or a POST-certified private prison contractor's correction officer training program to be recertified. 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 correction officer status, the officer was engaged in an occupation requiring correction officer training, skill, and experience. This evidence must be submitted with a POST Certification Correction Challenge Packet. Upon receiving a waiver, the officer must meet the following POST requirements: (3-25-16)

- 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.** Pass the following tests administered by a POST Training Specialist: (4-11-06)

- i. The POST correction certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (3-25-16)
- ii. The POST Firearms Qualification Course; and (3-25-16)
- c. Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

03. Over Eight Years. A correction officer who has been out of full-time correction officer status for over eight (8) years must attend the POST Basic Correction Academy or a POST-certified private prison contractor's correction officer training program to be recertified. No waiver of this requirement will be granted by the Council. (3-25-16)

052. CORRECTION OFFICER CERTIFICATION.

01. Mandatory Certification. Every correction officer employed after July 1, 2005 must 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 IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 030.11. (4-2-08)

02. Voluntary Certification. Correction officers employed prior to July 1, 2005, although specifically excluded by law from meeting the requirements set by the Council, may be certified provided they meet the minimum requirements for certification as prescribed in Sections 022, 031, and 053 of these rules. However, the requirement for successful completion of the POST Basic Correction Academy will be waived if the officer scores a minimum of seventy-five percent (75%) on the POST correction certification examination approved by the Council. The applicant will be allowed two (2) attempts to pass the examination. The attempts must 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 must successfully complete the POST Basic Correction Academy to be certified. This option closes on June 30, 2010. (3-29-17)

053. THE BASIC CERTIFICATE.

In addition to the requirements set forth in Sections 022 and 031 of these rules, the requirements in Section 053 of these rules are necessary for award of the Basic Correction Officer certificate. (3-29-17)

01. Probation. The applicant must have satisfactorily completed at least a six (6) month probationary period, which may include basic correction 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 must be continuous with the agency the officer is appointed to when applying for certification. The probationary period must not extend over one (1) year for certification purposes. (4-11-06)

02. Basic Training. The applicant must have satisfactorily completed: (4-11-06)

a. The POST Basic Correction Academy; or (4-11-06)

b. Be a graduate of a private prison contractor's correction officer training program, the curriculum of which has been certified by the Council as being equivalent to the POST Basic Correction Academy, and must have passed the POST correction certification examination approved by the Council. The applicant will be allowed two (2) attempts to pass the examination. The attempts must 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 must successfully complete the POST Basic Correction Academy to be certified. (4-11-06)

03. Correction Field Training Manual. The applicant must have satisfactorily completed forty (40) hours of POST-approved correction field training. (4-11-06)

04. Private Prison Contractor's Correction Officer Training Program. A graduate from an Idaho POST-certified private prison contractor's correction officer training program must also submit a completed POST Correction Officer Certification Packet. (4-11-06)

054. CHALLENGING THE BASIC CORRECTION ACADEMY.

Any correction officer presently appointed by the Idaho Department of Correction or by a private prison contractor of the State Board of Correction who, within the last five (5) years, has been employed and certified or commissioned by another state or the federal government as a correction officer or a student who has satisfactorily completed a Basic Correction Academy equivalent to the Idaho POST Basic Correction Academy within the last three (3) years will be eligible for certification in the state of Idaho without attending the Basic Correction Academy, provided the officer:

(4-11-06)

01. Submission of Challenge Packet. Submits a POST Certification Correction 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; (4-11-06)

02. Discloses Decertification Information. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof; (3-25-16)

03. Passes Required Tests. Passes the following tests administered by a POST Training Specialist:

(4-11-06)

a. The POST correction certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (3-25-16)

b. The POST Firearms Qualification Course; and (3-25-16)

04. Completes Probationary Period. Completes his probationary period as required by Subsection 053.01. (4-11-06)

055. -- 060. (RESERVED)

061. MINIMUM STANDARDS FOR EMPLOYMENT FOR ADULT PROBATION AND PAROLE OFFICERS.

Every adult probation and parole officer must meet the minimum standards for employment as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Sections 050 through 065. (4-11-15)

062. LAPSE OF ADULT PROBATION AND PAROLE OFFICER CERTIFICATION.

The certification of any adult probation and parole officer will be considered lapsed if the officer does not serve as an adult probation and parole officer in Idaho for three (3) consecutive years. Provided, however, that an Idaho POST-certified adult probation and parole officer who remains in an administrative duty assignment with the Idaho Department of Correction will retain their POST certification provided they do not leave employment with the Idaho Department of Correction and satisfy the continuing training requirement of at least twenty (20) hours per year. The three-year period provided herein will be tolled during any time period that an adult probation and parole officer is the subject of a POST decertification investigation and is no longer employed in law enforcement. (3-25-16)

01. Three to Five Years. An adult probation and parole officer who has been out of full-time adult probation and parole officer status from three (3) to five (5) years and who wants to be recertified must meet the following POST requirements: (3-25-16)

a. Submit a POST Certification Adult Probation and Parole Challenge Packet; (4-11-06)

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. Pass the following tests administered by a POST Training Specialist: (4-11-06)

i. The POST adult probation and parole certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (4-2-08)

- ii. The POST Firearms Qualification Course; and (3-25-16)
- d. Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

02. Over Five Years. An adult probation and parole officer who has been out of full-time adult probation and parole officer status for over five (5) years must attend the POST Basic Adult Probation and Parole Academy to be recertified. 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 adult probation and parole officer status, the officer was engaged in an occupation requiring adult probation and parole officer training, skill, and experience. This evidence must be submitted with a POST Certification Adult Probation and Parole Challenge Packet. Upon receiving a waiver, the officer must meet the following POST requirements: (3-25-16)

- 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 and pass Idaho POST-certified courses in Arrest Techniques and Practical Problems; (4-11-06)
- c. Pass the following tests administered by a POST Training Specialist: (4-11-06)
 - i. The POST adult probation and parole certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (4-2-08)
 - ii. The POST Firearms Qualification Course; and (3-25-16)
 - d. Satisfactorily complete a probationary period of not less than six (6) months. (4-11-06)

03. Over Eight Years. An adult probation and parole officer who has been out of full-time adult probation and parole officer status for over eight (8) years must attend the POST Basic Adult Probation and Parole Academy to be recertified. No waiver of this requirement will be granted by the Council. (3-25-16)

063. ADULT PROBATION AND PAROLE OFFICER CERTIFICATION.

01. Mandatory Certification. Every adult probation and parole officer employed after July 1, 2005 must 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 IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 030.11. (4-2-08)

02. Voluntary Certification. Adult probation and parole officers employed prior to July 1, 2005, although specifically excluded by law from meeting the requirements set by the Council, may be certified provided they meet the minimum requirements for certification as prescribed in Sections 022, 061, and 064 of these rules. However, the requirement for successful completion of the POST Basic Adult Probation and Parole Academy will be waived if the officer scores a minimum of seventy-five percent (75%) on the POST adult probation and parole certification examination approved by the Council. The applicant will be allowed two (2) attempts to pass the examination. The attempts must 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 must successfully complete the POST Basic Adult Probation and Parole Academy to be certified. This option closes on June 30, 2009. (3-30-07)

064. THE BASIC CERTIFICATE.

In addition to the requirements set forth in Sections 022 and 061 of these rules, the requirements in Section 064 of these rules are necessary for award of the Basic Adult Probation and Parole Officer certificate. (4-11-06)

01. Probation. The applicant must have satisfactorily completed at least a six (6) month probationary period, which may include basic adult probation and parole 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 must be continuous with the agency the officer is appointed to when applying for certification. The probationary period must not extend over one (1) year for certification purposes. (4-11-06)

02. Basic Training. The applicant must have satisfactorily completed the POST Basic Adult Probation and Parole Academy. (4-11-06)

03. Firearms Qualification. The applicant must have passed the POST Firearms Qualification Course. (4-2-08)

04. Adult Probation and Parole Field Training Manual. The applicant must have satisfactorily completed forty (40) hours of POST-approved adult probation and parole field training. (4-11-06)

065. CHALLENGING THE BASIC ADULT PROBATION AND PAROLE ACADEMY.

Any adult probation and parole officer presently appointed by the Idaho Department of Correction who, within the last five (5) years, has been employed and certified or commissioned by another state or the federal government as an adult probation and parole officer or a student who has satisfactorily completed a Basic Adult Probation and Parole Academy equivalent to the Idaho POST Basic Adult Probation and Parole Academy within the last three (3) years will be eligible for certification in the state of Idaho without attending the Basic Adult Probation and Parole Academy, provided the officer: (4-11-06)

01. Submission of Challenge Packet. Submits a POST Certification Adult Probation and Parole 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; (4-11-06)

02. Discloses Decertification Information. Discloses information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof; (3-25-16)

03. Attends and Passes POST-Certified Courses. Attends and passes Idaho POST-certified courses in Arrest Techniques and Practical Problems; (4-11-06)

04. Passes Required Tests. Passes the following tests administered by a POST Training Specialist: (4-11-06)

a. The POST adult probation and parole certification examination approved by the Council, conducted in the manner set forth in Subsection 053.02.b. of these rules; (4-2-08)

b. The POST Firearms Qualification Course; (3-25-16)

05. Completes Probationary Period. Completes his probationary period as required by Subsection 064.01 of these rules. (4-11-06)

066. -- 999. (RESERVED)

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