



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Senators LAKEY, Lee, Burgoyne and,  
Representatives DAYLEY, Chaney, Gannon

**FROM:** Ryan Bush - Principal Legislative Drafting Attorney

**DATE:** April 03, 2019

**SUBJECT:** Temporary Rule

IDAPA 11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council - Adoption of  
Temporary Rule - Docket No. 11-1101-1901

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Ryan Bush at the Legislative Services Office at (208) 334-4845. Thank you.

Attachment: Temporary Rule

Kristin Ford, Manager  
Research & Legislation

Paul Headlee, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

## IDAPA 11 – IDAHO STATE POLICE

### 11.11.01 – RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

DOCKET NO. 11-1101-1901

#### NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

**EFFECTIVE DATE:** The effective date of the temporary rule is March 14, 2019.

**AUTHORITY:** In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2901, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule lowers the minimum age for detention officer applicants from 21 to 18 years of age.

Detention facilities are required to maintain minimum staffing levels and are currently facing challenges meeting the staffing levels. As a result, patrol officers must be reassigned from patrol duties to detention duties. This shift of duties creates a greater risk to the community due to the decrease in law enforcement presence. This temporary rule is immediately necessary to increase the pool of potential recruits.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

This temporary rule is necessary to protect the public health, safety, or welfare of the citizens of Idaho.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Not applicable

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Amy Jordan, (208) 884-7100.

Dated this 18th day of March, 2019.

Colonel Kedrick R. Wills, Director  
Idaho State Police  
700 S. Stratford Drive  
Meridian, ID 83642  
Phone: (208) 884-7003  
Fax: (208) 884-7290

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 11-1101-1901**  
**(Only Those Sections With Amendments Are Shown.)**

**053. AGE.**

Applicants for POST certification must meet the following minimum age requirements at the time of application for each respective discipline: (3-15-18)

- a. Patrol Officer applicants must be twenty-one (21) years of age. (3-15-18)
- b. Detention Officer applicants must be ~~twenty-one (21)~~ eighteen (18) years of age. ~~(3-15-18)~~ (3-14-19)T
- c. Correction Officer applicants must be eighteen (18) years of age. (3-15-18)
- d. Felony Probation and Parole Officer applicants must be twenty-one (21) years of age. (3-15-18)
- e. Misdemeanor Probation Officer applicants must be twenty-one (21) years of age. (3-15-18)
- f. Juvenile Detention Officer applicants must be twenty-one (21) years of age. (3-15-18)
- g. Juvenile Probation Officer applicants must be twenty-one (21) years of age. (3-15-18)
- h. Juvenile Corrections Direct Care Staff applicants must be twenty-one (21) years of age. (3-15-18)
- i. Communications Officer applicants must be eighteen (18) years of age. (3-15-18)