

IDAPA 11 – IDAHO STATE POLICE

RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

DOCKET NO.'s **11-1101-1401, 11-1101-1402, 11-1101-1403, 11-1104-1401**



RULE REVIEW

January 2015

Idaho Peace Officer Standards and Training
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IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

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County Prosecutor's Office

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Idaho Assn. of Counties

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Idaho Department of Fish & Game

Mr. Chairman, Committee Members
Good afternoon and thank you for this opportunity to
address the proposed rules relating to the
Idaho Peace Officer Standards & Training Council,
referred to as Idaho POST.

My name is Victor McCraw and I am the POST Division
Administrator

The mission of the POST Council is:
To develop skilled law enforcement professionals who are
committed to serving and protecting the people of Idaho.

In order to accomplish this mission,
it is imperative to maintain standards of competence and
character for the men and women we certify to carry out the
various public safety duties necessary to protect our citizens,
and to uphold the public trust in the professions of Law
Enforcement and Corrections.

I would like to thank this Committee for its part in realizing
this mission through its diligence in this rule review process.

With your permission Mr. Chairman, I would like to briefly
summarize the proposed rules in this first Docket and then
address any questions from the committee.

DOCKET NO. 11-1104-1401

- Temporary and Proposed Pending Rule
 - Effective date of the temporary rule was June 5, 2014
 - These rules address minimum standards for employment in all disciplines certified by POST
 - Defines waiver authority
 - Clarifies character requirements regarding moral turpitude and drug use.
-

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11.11.01.050

MINIMUM STANDARDS FOR EMPLOYMENT

- Updates a list of disciplines trained & certified by POST
 - Peace Officers
 - County Detention Officers
 - Juvenile Detention Officers
 - Misdemeanor Probation Officers
 - Juvenile Probation Officers
 - Idaho Dept. of Juvenile Corrections direct care staff

 - Defines POST Div. Admin.'s options for waivers
 - Choose to grant a waiver where authorized
 - OR*
 - Must refer to the POST Council
-

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11.11.01.054

CHARACTER

- 01. Moral Turpitude
 - Removes reference to Black's Law Dictionary
 - 02. Applicant May Be Rejected
 - Adds "unlawful"
 - Removes the list of acts
 - 03. Applicant May Be Accepted
 - Adds "unlawful"
 - Removes POST Div. Admin.'s discretion to refer to Council
-

pp. 108
- 109

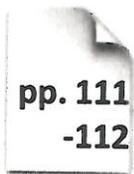
11.11.01.055

DRUG USE

- Changes "shall" to "must" or "may" throughout
 - 01.d. Adds "use of" in reference to marijuana-related drugs
 - 03. Prescription Drugs
 - Adds "unlawfully"
 - Removes POST Div. Admin.'s discretion to refer to Council
 - 04.c. Drug Trafficking, Manufacturing, and Related Offenses
 - Removes POST Div. Admin.'s discretion to refer to Council
 - 05. Juvenile Drug Offense Convictions
 - Removes POST Div. Admin.'s discretion to refer to Council
-

DOCKET NO. 11-1101-1402

- These rules address requirements for POST-certified instructors of high liability subject areas involving crucial public safety skills:
 - Lists 3 areas: Defensive Tactics, Firearms & Emergency Vehicle Operations
 - Requires evaluation by a current POST-certified instructor
 - Requires continuing education for instructors
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11.11.01.256 RENEWAL (Instructor)

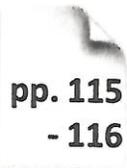
- Changes “shall” to “must” or “will” throughout
 - 02.c. Specifies “current” POST-certified firearms instructor
 - 02.e. Adds a minimum continuing training requirement for critical topic areas (8hrs every 2 years)
 - Defensive Tactics
 - Firearms
 - Emergency Vehicle Operations

 - * Use of Force
 - * Liability
-

END OF DOCKET NO. 11-1101-1402

DOCKET NO. 11-1101-1403

- Allows Home Schooling and Foreign Education as qualifying education for certification
- Clarifies the documentation requirements for education
- Leaves medical standards up to the hiring agencies
- Requires the physical ability to complete the academy

 pp. 115 11.11.01.010
- 116 DEFINITIONS

- 12. Changes “equivalent” to “POST-accepted U.S. regional” for educational accrediting agencies
 - 21. Eliminates the definition of “High School”
 - Renumbering as needed throughout
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11.11.01.052
EDUCATION

- Eliminates the limitation of only High School or GED
 - 01.a-e. Acceptable Education - Establishes a more inclusive education requirement allowing:
 - a. High School accredited by state DOE
 - b. High School accredited by a recognized regional body
 - c. Passing GED testing
 - d. High School equivalency with state-issued certificate
 - e. 15 credits from a college accredited by any of 6 agencies recognized by the U.S. DOE
 - 02. Adds Home Schooling as acceptable with:
 - Documentation of passing GED testing
 - 03. Adds Foreign Education as acceptable with:
 - Documentation of passing GED testing
 - OR*
 - An evaluation of "meet or exceed" high school equivalency from 1 of 2 U.S. DOE approved evaluation services
 - 04.a-f Adds a list of acceptable documentation for proof of education
-

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11.11.01.060
PHYSICAL - MEDICAL

- 01. Requirements
 - Eliminates POST-imposed hearing and vision requirements
 - Eliminates restrictions for diseases/conditions
 - 01.a Changes “shall” to “must” and requires an Agency Physical Readiness Test
 - 01.b Adds the Physical Capability Requirement for all academy tasks and tests
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11.11.01.061
MENTAL EXAMINATION

- Changes “shall” to “must” throughout

 - 01. Includes all disciplines
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DOCKET NO. 11-1104-1401

- Changes the minimum standards for Correction Officers and Detention Officers to match those of the other disciplines
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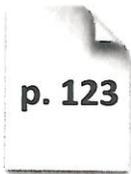


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11.11.01.052

EDUCATION (Correctional & Adult Probation/Parole Officers)

- Eliminates the limitation of only High School or GED
 - Eliminates related documentation requirements
 - Establishes a more inclusive education requirement by referencing 11.11.01.052
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11.11.01.039

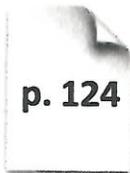
PHYSICAL - MEDICAL

- 01. Requirements: Establishes a more inclusive education requirement by referencing 11.11.01.060
 - Eliminates POST-imposed hearing and vision requirements
 - Eliminates restrictions for diseases/conditions
-



11.11.01.040
MENTAL EXAMINATION

- Establishes a more standard requirement by referencing 11.11.01.061
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11.11.01.061
**MINIMUM STANDARDS FOR EMPLOYMENT
FOR ADULT PROBATION AND PAROLE
OFFICERS**

- Maintains the reference to 11.11.01.050-065
 - Eliminates POST-imposed restrictions for hearing, vision and diseases/conditions
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Reference for DOCKET NO. 11-1101-1403

- Existing rule requiring hiring agencies to evaluate applicants
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11.11.01.062

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.

IDAPA 11.11.01.062