

Dear Senators LODGE, Lee, Burgoyne, and  
Representatives LUKER, Malek, Gannon:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Idaho State Police - Idaho State Police - POST:

IDAPA 11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council - Proposed  
Rule (Docket No. 11-1101-1701);

IDAPA 11.11.05 - Rules of the Idaho Peace Officer Standards and Training Council for Idaho  
Department of Juvenile Corrections Direct Care Staff - Proposed Rule (Docket No.  
11-1105-1701).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 11/28/2017. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/27/2017.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Judiciary & Rules Committee and the House Judiciary, Rules & Administration Committee

**FROM:** Principal Legislative Research Analyst - Ryan Bush

**DATE:** November 7, 2017

**SUBJECT:** Idaho State Police - Idaho State Police - POST

IDAPA 11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council - Proposed Rule (Docket No. 11-1101-1701)

IDAPA 11.11.05 - Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff - Proposed Rule (Docket No. 11-1105-1701)

**(1) 11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council - Proposed Rule (Docket No. 11-1101-1701)**

The Idaho Peace Officer Standards and Training Council submits notice of proposed rulemaking at IDAPA 11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council. The Council states that this rule change is to align the rules with House Bill 1083 (2017) that mandated certification of emergency communications officers. In addition to providing for emergency communications officers, this rulemaking defines minimum age requirements for applicants, clarifies the forms of proof of military record documentation, adds language referencing the POST Code of Ethics / Standards of Conduct and removes the POST firearms qualification course from the detention officer certification exam requirement. Additionally, this rulemaking revises and adds definitions relating to various types of basic detention, corrections and probation.

The Council states that negotiated rulemaking was not conducted because the rule is simple in nature and affected parties were involved in drafting and approval. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Council in Section 19-5107, Idaho Code.

**(2) 11.11.05 - Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff - Proposed Rule (Docket No. 11-1105-1701)**

The Idaho Peace Officer Standards and Training Council submits notice of proposed rulemaking at IDAPA 11.11.05 - Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff. This proposed rule adds the job titles of rehabilitation technician trainee and safety and security supervisor to the list of Juvenile Corrections Direct Care Staff.

Mike Nugent, Manager  
Research & Legislation

Paul Headlee, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

The Council states that negotiated rulemaking was not conducted because the rule is simple in nature and affected parties were involved in drafting and approval. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Council in Section 20-504, Idaho Code.

cc: Idaho State Police - Idaho State Police - POST  
Amy Jordan

## IDAPA 11 – IDAHO STATE POLICE – POST

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

#### DOCKET NO. 11-1101-1701

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 19-5107, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than November 15, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

To align applicable IDAPA 11.11.01 rules to support House Bill 1083, which became effective July 1, 2017, mandating certification of Emergency Communications Officers by the Peace Officer's Standards and Training Council (POST). The rule, in its current form, fails to support the new statutory mandates governing Emergency Communications Officers (ECO) certification. Defines minimum age requirements at the time of application for applicants of POST certification for each respective discipline. Defines the forms of proof of military record documentation, adds language in reference to the POST Code of Ethics/Standards of Conduct. Adds disqualifier of active military service for requirement of reimbursement of Agreement to Serve requirement. Removes the POST Firearms Qualification Course from the Detention Officer certification exam requirement.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule is simple in nature and representatives of the affected interests were involved in the drafting and approval of the rule.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Victor McCraw at (208) 884-7251.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 22, 2017.

DATED this 17th day of October, 2017.

Victor McCraw  
POST Division Administrator  
Idaho Peace Officer Standards & Training  
700 S. Stratford Drive  
Meridian, ID 83642  
Phone: (208) 884-7251  
Fax (208) 884-7295

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 11-1101-1701  
(Only Those Sections With Amendments Are Shown.)

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~~ for any discipline certified by the POST Council. (4-2-08)(    )

(BREAK IN CONTINUITY OF SECTIONS)

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; a Public-Safety Answering Point (PSAP), as defined in IDAPA rule; 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; the chief administrator of a PSAP, as defined in IDAPA rule; 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~~ recommended by the Correction Standards and Training Council and recognized and approved by POST Council. (4-2-08)(    )

07. **Basic Correction Academy.** A basic course of instruction for Correction Officers ~~as~~ recommended by the Correction Standards and Training Council and recognized and approved 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 Corrections Academy.** A basic course of instruction for Juvenile Corrections

Officers recommended by the Juvenile Training Council and recognized and approved by POST Council. ( )

~~09~~**10.** **Basic Juvenile Detention Academy.** A basic course of instruction for Juvenile Detention Officers ~~as recommended by the Juvenile Training Council and~~ recognized **and approved** by POST Council. (4-2-08)( )

~~10~~**1.** **Basic Juvenile Probation Academy.** A basic course of instruction for Juvenile Probation Officers ~~as recommended by the Juvenile Training Council and~~ recognized **and approved** by POST Council. (4-2-08)( )

**12.** **Basic Misdemeanor Probation Academy.** A basic course of instruction for Misdemeanor Probation Officers recommended by the Misdemeanor Probation Training Council and recognized and approved by POST Council. ( )

~~13~~**3.** **Basic Patrol Academy.** A basic course of instruction for Patrol Officers as recognized by POST Council. (4-2-08)

**14.** **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)

~~15~~**5.** **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)

**146.** **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~~**7.** **Council.** The Idaho Peace Officer Standards and Training Council. (4-2-08)

~~16~~**8.** **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~~**9.** **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)

**1820. 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 must be under direct observation and control of the agency's full-time peace officer. (3-25-16)

**21. Emergency Communications Officer.** Any emergency call taker or dispatcher who is employed by a Public Safety Answering Point (PSAP) and whose responsibilities include receiving or dispatching 9-1-1 calls. ( )

**1922. Field Training.** Training in which an individual receives formal instruction on the job for special and defined purposes. (7-1-93)

**203. Full Time.** Employment of one hundred sixty (160) hours or more per month for ninety (90) consecutive calendar days. (4-2-08)

**214. 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)

**25. Juvenile Corrections Direct Care Staff.** Any full or part-time employee of the department whose primary job duties include providing for the safety, care, education, protection, or supervision of juveniles committed to the custody of the department. Job titles are defined in IDAPA 11.11.05, "Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff," Subsection 010.06. ( )

**226. 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)

**237. 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)

**248. 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)

**259. 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)

**2630. 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~~**31. Manual.** This book of Rules as adopted by the Idaho Peace Officer Standards and Training Council. (4-5-00)

~~32. Misdemeanor Probation Officer.~~ Any employee of a misdemeanor probation department who is responsible for preparing reports to the court, making recommendations regarding conditions of probation, and the supervision of misdemeanor offenders' compliance with court orders. ( )

~~28~~**33. Part Time.** Employment of less than one hundred sixty (160) hours per month for ninety (90) consecutive calendar days. (4-2-08)

~~29~~**34. 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~~**5. 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~~**6. POST.** The Idaho Peace Officer Standards and Training Program. (7-1-93)

~~32~~**7. 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~~ A POST-approved training program that meets the requirements for basic certification for any discipline certified by the POST Council. (4-2-08)( )

~~33~~**8. POST Certified Instructor.** Any person certified by the Idaho POST Council as being qualified to instruct or assess students in a course of instruction which meets POST standards for certification or training credit. (3-25-16)

~~34~~**9. 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)

~~40. Public Safety Answering Point (PSAP).~~ Any city, county, or state emergency call center that receives direct or transferred 9-1-1 calls for police, firefighting, and ambulance services. ( )

~~35~~**41. 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 must be under supervision as set forth in these rules unless they hold a current Part-Time Basic certificate. (3-25-16)

~~36~~**42. 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~~**43.** **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~~**44.** **Specification.** A description of a requirement supplementing a section of the Rules. (7-1-93)

~~39~~**45.** **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~~**6.** **Temporary.** Employment of less than ninety (90) consecutive calendar days. (7-1-93)

~~41~~**7.** **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 and emergency communications 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 and emergency communications 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 and emergency communications officers in Idaho. (~~4-2-08~~)(    )

**08. Study Training Methods.** To study law enforcement and emergency communications 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 and emergency communications 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)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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 and emergency communications officers. Officer certifications granted and POST-approved training schools attended by officers will be recorded in these files. (3-25-16)( )

**02. Notification of Employment/Termination.** The agency head of any agency whose officers are required to attend a POST Basic Training Academy must 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. (3-25-16)

**03. Training Record.** A training record listing all POST-approved courses an officer has completed, the hours credit, and other pertinent data will be kept along with the officer's file. (3-25-16)

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

**05. 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 "Required Documentation for School or Course Approval.") (3-25-16)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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~~ applicant requesting certification 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)( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**053. AGE.**

~~The applicant shall be a minimum of twenty-one (21) years of age.~~ Applicants for POST certification must meet the

following minimum age requirements at the time of application for each respective discipline: (4-7-11)( )

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

**(BREAK IN CONTINUITY OF SECTIONS)**

**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~~ Official Military Discharge Documentation. (4-7-11)( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**059. BACKGROUND INVESTIGATION.**

**01. Requirements.** (3-29-17)

a. The applicant must 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 or emergency communications

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. (3-29-17)( )

**b.** The appointing agency must collect and verify the necessary documents and compile and retain a comprehensive background investigation file establishing that the applicant meets all of the required minimum standards or provisions for employment as provided in Sections 050 through 065. (3-29-17)

**02. Procedures.** (3-15-02)

**a.** The applicant must 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 must 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 must include information provided by personal references, schools, and the last three (3) previous employers, as well as law enforcement agency or PSAP records in jurisdictions where the applicant has lived or worked. This information must be recorded and retained by the appointing agency. (3-29-17)( )

**b.** The appointing agency must 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 must be asked about: (3-29-17)

- 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 must 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 must be explored. (3-29-17)

**d.** All results of the background investigation must be considered confidential and processed accordingly. (3-29-17)

**e.** The results of the background investigation must be evaluated by the agency head and/or the appointing authority to determine whether the applicant is suitable prior to submission of the application to the POST Council for processing. (3-29-17)

**f.** The POST Council will perform a compliance review of the applicant, and may inspect the comprehensive background investigation file as it deems necessary to carry out the provisions of Section 19-5109(1)(g), Idaho Code, to certify peace officers as having completed all requirements established by the Council. (3-29-17)

**g.** In the case the compliance review of the applicant reveals that information submitted to the POST Council may be falsified, inaccurate, or incomplete, the POST Division Administrator must inspect the comprehensive background investigation file. The applicant may be accepted upon approval of the POST Division Administrator, and the Division Administrator will have the discretion to refer the application to the POST Council. However, in the case of evident falsification, or of unresolved inaccuracies or omissions, the POST Council must review the application and determine whether the applicant will be certifiable in the State of Idaho. (3-29-17)

**060. PHYSICAL - MEDICAL.**

**01. Requirements.** (7-1-93)

a. Agency Physical Readiness Test Assessment. To determine the applicant's physical capability, a physical readiness test assessment 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)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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 or emergency communications 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 or position 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/public service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement or emergency communications 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 with sincere and unfaltering commitment to my chosen profession – law enforcement/public safety. (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 for certification shall have his temporary or probationary employment extended beyond ~~one (1) year~~ the time specified in Title 19, Chapter 51, Idaho Code, by renewal of appointment or otherwise. (4-2-08)( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**081. AGREEMENT TO SERVE.**

**01. Agreement.** Pursuant to Section 19-5112, Idaho Code, any officer attending a POST-funded Basic Training Academy must execute an agreement promising to remain within the law enforcement profession, as defined in Subsection 010.26, in the state of Idaho for two (2) years following graduation from the POST Basic Training Academy. Violation of the terms of the agreement will give rise to a civil action which may be commenced by the council for and on behalf of the state of Idaho for restitution of any and all sums paid by the council plus costs and reasonable attorney's fees. (3-29-17)

**02. Fulfillment of Agreement.** The agreement will be considered fulfilled if the officer remains within the law enforcement profession, as defined in Subsection 010.26, in the state of Idaho as follows: (3-29-17)

**a.** The officer serves on a full-time basis for two (2) years following graduation from the POST Basic Training Academy; or (3-29-17)

**b.** The officer serves on a part-time basis and provides the Council with documentation substantiating service of 4,160 (four thousand one hundred sixty) hours following graduation from the POST Basic Training Academy. (3-29-17)

**03. Disqualifications.** (3-29-17)

**a.** An officer terminated by the appointing agency due to agency budget cutbacks or loss of funding for the position will not owe the Council the amount set forth in the agreement. The appointing agency must provide the Council with a letter stating the officer was terminated due to the agency's inability to fund the position. (3-29-17)

**b.** An officer forced to resign due to his own or an immediate family member's terminal illness or prolonged debilitating condition will not owe the Council the amount set forth in the agreement. The officer must provide the Council with documentation from the attending physician substantiating the medical condition. (3-29-17)

**c.** An officer was ordered into full-time active military service will not owe the Council the amount set forth in the agreement. The officer must provide the Council with documentation of official military order documents. ( )

**04. Pay Back Reimbursement.** Any officer who graduates from the POST Basic Training Academy whose employment is terminated prior to their fulfillment of the agreement pursuant to Subsection 081.02 or does not qualify for disqualification pursuant to Subsection 081.03 must reimburse the Council for their training expenses. This includes, but is not limited to, any officer who resigns, does not pass his probationary period, resigns in lieu of termination, or is terminated for cause by the appointing agency. (3-29-17)

**05. Proration.** (3-29-17)

**a.** If the officer remains within the law enforcement profession, as defined in Subsection 010.26, in the state of Idaho on a full-time basis for less than twelve (12) complete months following graduation from the POST Basic Training Academy, he must reimburse the Council the full amount of money set forth in the agreement.

(3-29-17)

**b.** If the officer remains within the law enforcement profession, as defined in Subsection 010.26, in the state of Idaho on a full-time basis for a minimum of twelve (12) complete months following graduation from the POST Basic Training Academy but less than twenty-four (24) complete months the amount owed to the Council will be reduced proportionately for each complete month worked from the date of graduation to the date of termination.

(3-29-17)

**c.** If the officer remains within the law enforcement profession, as defined in Subsection 010.26, in the state of Idaho on a part-time basis, and provides the Council with documentation substantiating a minimum of 2,080 (two thousand eighty) hours service following graduation from the POST Basic Training Academy, but less than 4,160 (four thousand one hundred sixty) hours, the amount owed to the Council will be reduced proportionately for each one hundred seventy-three (173) hours worked from the date of graduation to the date of termination.

(3-29-17)

**06. Multiple POST Basic Training Academies.** An officer who graduates from more than one (1) POST Basic Training Academy must fulfill a two-year agreement for each academy attended.

(3-29-17)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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 officers~~ 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~~ **the certifications have not expired, lapsed, or been suspended.**

~~(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 **or emergency communications** 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)

**(BREAK IN CONTINUITY OF SECTIONS)**

**096. LAPSE OF PEACE OFFICER CERTIFICATION.**

The certification of any peace officer will 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, emergency 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 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 will 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. ~~(3-25-16)~~( )

**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 be recertified must meet the following POST requirements: (3-25-16)

- 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; and (3-25-16)
  - 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 must attend the POST Basic Patrol 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 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 Patrol 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 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; and (3-25-16)
  - 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 must attend the POST Basic Patrol Academy to be recertified. No waiver of this requirement will be granted by the Council. (3-25-16)
- 04. Exception.** The provisions of Subsections 096.01 through 096.03 do 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. (3-25-16)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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 or PSAP agency as a peace officer, county detention officer, or emergency communications specialist officer. The acceptability of time served as a peace officer, county detention officer, or emergency communications specialist officer 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)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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 emergency communications specialist officer appointed by a duly constituted Idaho law enforcement agency, PSAP, 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, PSAP, 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~~ Intermediate or Advanced 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 or PSAP, 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 or equivalent title, who have consciously decided to focus career efforts on line functions such as patrol, investigations, detention, or ~~dispatch~~ emergency communications. A candidate for the Master Certificate shall: (~~4-2-03~~)(    )

- a. Possess the Advanced Certificate, Level III Detention Officer Certificate, or ~~Level III~~ Advanced Communications ~~Specialist~~ Officer 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 or emergency communications 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 emergency communications ~~specialist~~ officer 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)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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, emergency 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 will 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. (3-25-16)(    )

**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 be recertified must meet the following POST requirements: (3-25-16)

- 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~~ POST-approved proctor: (4-2-03)

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

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

- 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 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 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: (3-25-16)

- 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 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~~ POST-approved proctor: (4-2-03)

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

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

**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)

**(BREAK IN CONTINUITY OF SECTIONS)**

**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~~ POST-approved proctor: (4-2-03)

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

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

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

**(BREAK IN CONTINUITY OF SECTIONS)**

196. **EMERGENCY COMMUNICATIONS ~~SPECIALIST OFFICER~~ 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~~ **emergency communications officers** and to foster cooperation among the Council, agencies, groups, organizations, jurisdictions, and individuals. **Emergency Communications ~~Specialist Officer~~ Certification is ~~not~~ statutorily mandated ~~for officers hired after July 1, 2012~~, but is voluntary ~~for officers hired prior to July 1, 2012~~. (4-2-03)( )**

**02. Purpose.** ~~Basic, Intermediate, and Advanced Certificates are established for the purpose of fostering professionalism, education, and experience necessary to perform adequately the duties of an emergency communications officer.~~ ( )

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

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

**045. 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)( )

**056. 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)

**067. 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)

**078. Minimum Standards.** Each applicant shall meet the minimum standards for employment as provided in Sections 050, ~~051, 052, 054, 055, 056, 057, and 059~~ through 065. (3-29-12)( )

198. **EMERGENCY COMMUNICATIONS ~~SPECIALIST OFFICER~~ EXPERIENCE.**

~~Emergency~~ **Emergency** ~~communications specialist officer~~ experience, as used herein, means actual time served as a full-time **emergency** communications ~~specialist officer~~ with a duly constituted law enforcement ~~or PSAP~~ agency. ~~To be eligible for the award of a Basic certificate, each applicant shall be a emergency communications officer appointed by a duly constituted Idaho law enforcement agency or PSAP.~~ The acceptability of time served as an **emergency** communications ~~specialist officer~~ 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~~ through 065, shall be subject to the determination of the Council. (3-29-12)( )

199. **EMERGENCY COMMUNICATIONS OFFICER CERTIFICATION.**

**01. Decertification.** ~~The council may decertify any emergency communications officer in the same manner as provided in Section 091 of these rules.~~ ( )

**02. Certification.** ( )

**a.** ~~Any full-time or part-time emergency communications officer employed on or after July 1, 2017 shall be certified by the Peace Officer Standards and Training Council within eighteen (18) months of their initial hire~~

date as a full-time or part-time emergency communications officer. ( )

b. Any full-time or part-time emergency communications officer employed between July 1, 2012 and July 1, 2017 shall be certified by the Peace Officer Standards and Training Council by January 1, 2019. ( )

c. Any full-time or part-time emergency communications officer employed before July 1, 2012, although specifically excluded by law from meeting the requirements set by the Council, may be certified provided they meet the minimum requirements. ( )

~~199~~**200. LEVEL I BASIC CERTIFICATE.**

**01. Requirements.** In addition to the requirements set forth in Section 197 of these rules, the requirements in Section ~~199~~ **200** are necessary for award of the Level I Basic 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. Submits a POST Emergency Communication Officer Challenge Packet to POST Council, which shall include copies of training records, transcripts, certificates, diplomas, or other documents that substantiate the officer's training, education, and experience; (4-2-03)( )

b. The applicant shall have at least one (1) year of communications specialist experience. Completes the POST-approved basic training; and (4-2-03)( )

c. Passes the POST emergency communications officer certification examination approved by the POST Council, administered by a POST approved proctor. The applicant shall be allowed two (2) attempts to pass the examination with a minimum score of seventy-five percent (75%). If the applicant fails the certification exam on the first attempt, the second attempt must be made within six (6) months of the date of the first attempt. If an applicant fails both attempts or fails to retake the examination within six (6) months, he shall reapply and successfully complete the Idaho Public Safety Communications Commission recommended and POST-approved training prior to taking the certification examination again. ( )

d. Satisfactorily completes a probationary period as set forth in Section 065 of these rules. ( )

~~200~~**1. LEVEL II INTERMEDIATE CERTIFICATE.**

**01. Requirements.** In addition to the requirements set forth in Section 197 of these rules, the requirements in Section ~~200~~ **201** are necessary for award of the Level II Intermediate certificate. (4-2-03)( )

a. The applicant shall be a full-time emergency communication officer. ( )

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

~~b~~c. The applicant shall have satisfactorily completed a minimum of one hundred twenty (120) hours of POST-certified training, which must include the POST-approved basic training. (4-2-03)( )

~~e~~d. The applicant shall have at least ~~three (3)~~ ten (10) years of communications specialist experience. (4-2-03)( )

~~201~~**2. LEVEL III ADVANCED 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 Advanced certificate. (4-2-03)( )

a. The applicant shall be a full-time emergency communication officer. ( )

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

~~bc.~~ The applicant shall have satisfactorily completed a minimum of ~~two~~ five hundred ~~(200)~~ (500) hours of POST-certified training, which must include POST-approved basic training. ~~(4-2-03)~~ ( )

~~ed.~~ The applicant shall have at least ~~six (6)~~ ten (10) 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. LAPSE OF EMERGENCY COMMUNICATIONS OFFICER CERTIFICATION.**

The certification of any emergency communications officer will be considered lapsed if the officer does not serve as an emergency communications officer in Idaho for three (3) consecutive years. Provided, however, that an Idaho POST-certified emergency communications officer who remains in a patrol, administrative, jail, 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, 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 (3) period provided herein will be tolled during any time period that an emergency communications officer is the subject of a POST decertification investigation and is no longer employed in law enforcement or with a primary or secondary PSAP. ( )

01. **Three to Five Years.** An emergency communications officer who has been out of emergency communications from three (3) to five (5) years and who wants to be recertified must meet the following POST requirements: ( )

a. Submit a POST Challenge Packet. ( )

b. Disclose information regarding any decertification investigation or proceeding or the substantial equivalent from any other jurisdiction and the results thereof. ( )

c. Pass the POST emergency communications officer certification examination approved by the Council, conducted in the manner set forth in Subsection 200.01.c., and administered by a POST-approved proctor. ( )

d. Satisfy the probationary period requirement as set forth in Section 065 of these rules. ( )

02. **Over Five Years.** An emergency communications officer who has been out of emergency



communications for over five (5) years must complete the Idaho Public Safety Communications Commission's recommended and POST-approved training 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 emergency communications, the officer was engaged in an occupation requiring emergency communications training, skill, and experience. This evidence must be submitted with a POST Challenge Packet. Upon receiving a waiver, the officer must meet the following POST requirements: ( )

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

b. Pass the POST emergency communications officer certification examination approved by the Council, conducted in the manner set forth in Subsection 200.01.c., and administered by a POST-approved proctor. ( )

c. Satisfy the probationary period requirement as set forth in Section 065 of these rules. ( )

03. Over Eight Years. An emergency communications officer who has been out of full-time emergency communications for over eight (8) years must complete the POST-approved training. No waiver of this requirement will be granted by the Council. ( )

2034. -- 209. (RESERVED)

**(BREAK IN CONTINUITY OF SECTIONS)**

**361. REQUIREMENTS.**

01. Requirements to Retain Certification. 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)( )

02. Retaining Certification From and After July 1, 2017. To retain certification from and after July 1, 2017, every emergency communications officer appointed by a Public Safety Answering Point (PSAP) must satisfactorily complete forty (40) hours of continuing training related to public safety emergency communications every two (2) calendar years beginning January 1 following the date the emergency communications officer was certified. The continuing training completed does not have to be POST-certified training. ( )

**362. DOCUMENTATION.**

01. Submission of Written Certification. In January of each year, the law enforcement agency head or Public Safety Answering Point (PSAP) 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, or emergency communications 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, or emergency communications officer's active duty military service, and shall recommence upon the officer's return to peace, ~~or~~ county detention, or emergency communications 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)~~( )

## IDAPA 11 – IDAHO STATE POLICE – POST

### 11.11.05 – RULES OF THE IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL FOR IDAHO DEPARTMENT OF JUVENILE CORRECTIONS DIRECT CARE STAFF

DOCKET NO. 11-1105-1701

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 19-5109(6), Section 20-504(3), Section 20-504(11), Section 20-531(4), Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than November 15, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Section 010: Adds two specific job titles to definition of Juvenile Corrections Direct Care Staff: Rehabilitation Technician Trainee and Safety and Security Supervisor

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule is simple in nature and representatives of the affected interests were involved in the drafting and approval of the rule.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Victor McCraw at (208) 884-7251.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 22, 2017.

DATED this 17th day of October, 2017.

Victor McCraw, POST Division Administrator  
Idaho Peace Officer Standards & Training  
700 S. Stratford Drive  
Meridian, ID 83642  
Phone: (208) 884-7251  
Fax: (208) 884-7295

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 11-1105-1701  
(Only Those Sections With Amendments Are Shown.)

010. DEFINITIONS.

01. **Basic Juvenile Corrections Academy.** A basic course of instruction for direct care staff of the Idaho Department of Juvenile Corrections as recognized by POST Council. (5-8-09)

02. **Challenge Exam.** A test to determine an IDJC staff's competence for waiver of successful completion of the basic Juvenile Corrections Academy. (5-8-09)

03. **Council.** As used in this chapter, refers to the POST Council. (5-8-09)

04. **Department.** As used in this chapter, refers to the Idaho Department of Juvenile Corrections, IDJC. (5-8-09)

05. **Director.** As used in this chapter, refers to the Director of the Idaho Department of Juvenile Corrections. (5-8-09)

06. **Juvenile Corrections Direct Care Staff.** Any full or part-time employee of the department whose primary job duties include providing for the safety, care, education, protection, or supervision of juveniles committed to the custody of the department. ~~Current j~~ Job titles specifically included in this definition are, but are not limited to: (5-8-09) ( )

~~a.~~ **Rehabilitation Technician Trainee;** ( )

~~b.~~ Rehabilitation Technician; (5-8-09)

~~b.c.~~ Rehabilitation Technician Supervisor; (5-8-09)

~~e.d.~~ Rehabilitation Specialist; (5-8-09)

~~e.~~ Rehabilitation Specialist Associate; (5-8-09)

~~f.~~ Instructor - DJC; (5-8-09)

~~f.g.~~ Instructor Specialist; (5-8-09)

~~g.h.~~ Instructor Assistant; ~~and~~ (5-8-09) ( )

~~h.i.~~ Safety and Security Officer; ~~and~~ (5-8-09) ( )

~~i.~~ **Safety and Security Supervisor.** ( )

07. **Juvenile Training Council.** An advisory group to the POST Council that is represented by 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. (5-8-09)

08. **Mandatory Certification.** To issue a certificate to an IDJC direct care staff based upon successful completion of the mandatory training requirements established by POST Council. (5-8-09)

09. **Voluntary Certification.** To issue a certificate to an IDJC direct care staff based upon successful completion of the voluntary training requirements established by POST Council. (5-8-09)