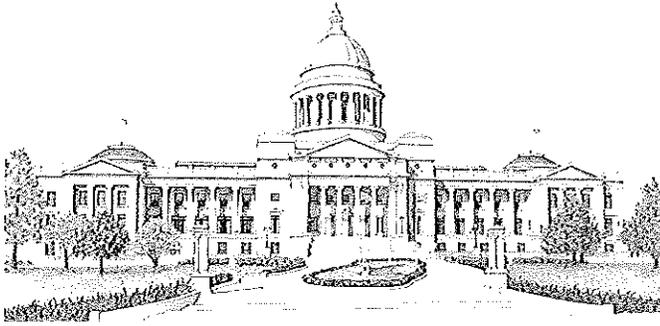


ARKANSAS REGISTER

Transmittal Sheet

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For Office
Use Only:

Effective Date _____ Code Number _____

Name of Agency Commission on Law Enforcement Standards and Training

Department _____

Contact Sue Albritton E-mail sue.albritton@arkansas.gov Phone 870-574-1810

Statutory Authority for Promulgating Rules 25-15-218

Rule Title: Minimum Standards for Employment or Appointment or Continued Employment

Intended Effective Date (Check One)		Date
<input type="checkbox"/> Emergency (ACA 25-15-204)	Legal Notice Published	<u>7/25/13-7/27/13</u>
<input type="checkbox"/> 30 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	<u>Aug 29, 2013</u>
<input type="checkbox"/> Other <u>November 8, 2013</u> (Must be more than 30 days after filing date.)	Reviewed by Legislatice Council	<u>Oct 9, 2013</u>
	Adopted by State Agency	<u>Jul 11, 2013</u>

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)
 Sue Albritton sue.albritton@arkansas.gov Dec 4, 2013

Contact Person E-mail Address Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Sue Albritton
Signature

870-574-1810 sue.albritton@arkansas.gov

Phone Number E-mail Address

Administrative Assistant

Title

Dec 4, 2013

Date

1002. MINIMUM STANDARDS FOR EMPLOYMENT OR APPOINTMENT OR CONTINUED EMPLOYMENT

(1) Subject to the provisions of A.C.A. 12-9-106(e), no individual shall serve, be employed or otherwise function as a law enforcement officer in this State who is not certified by the Commission at the appropriate classification for the position held by the individual. The Commission has determined that it is in the best interest of the State of Arkansas for the temporary employment period to be restricted further than that stated in A.C.A. 12-9-106(e). Accordingly, an individual may serve, be employed or otherwise function as a law enforcement officer for a term of nine (9) months from initial employment or appointment as a law enforcement officer provided the provisions in Regulation 1002, Subsection 3(a-k) are met and verified on the Initial Employment Report (F-1) submitted by the employing agency. Furthermore, the Commission has determined that it is in the best interest of the State of Arkansas to extend this period by a maximum of three months for an absolute maximum of twelve (12) months, Therefore, upon the finding of extraordinary circumstances, the Commission, by majority vote, may extend this period by a maximum of three (3) months, for an absolute maximum period of twelve (12) months. (See Regulation 1008 for exceptions.) All requests for extensions must be submitted and received by the Commission prior to the end of the nine (9) month period, or any extension thereof. No individual who has been decertified by the Commission shall be eligible to serve, be employed or otherwise function as a law enforcement officer in this State unless the Commission shall have by majority vote agreed that the individual shall again be eligible to so serve.

(3) Every officer employed by a law enforcement unit shall:

- (a) Be a citizen of the United States. (See Specification S-1)
- (b) Be at least 21 years of age. (See Specification S-1)
- (c) Be fingerprinted and a search initiated of state and national fingerprint files to disclose any criminal record. Procedure is prescribed in Specification S-2, Fingerprint Record Check.
- (d) Be free of a felony record. A felony record shall mean having entered a plea of guilty, been found guilty, or otherwise having been convicted of an offense, the punishment for which could have been imprisonment in a federal penitentiary or a state penitentiary. The fact that an individual has received a pardon, or their record has been expunged shall not release the individual from having a felony record for the purposes of this regulation. (See Specification S-2)
- (e) Be of good character as determined by a thorough background investigation as prescribed in Specification S-3, The Background Investigation.
- (f) Be a high school graduate or have passed the General Education Development (GED) Test indicating high school graduation level. (See Specification S-4)
- (g) Be examined by a licensed physician and meet the physical requirements prescribed in Specification S-5, Physical Examination.
- (h) Be interviewed personally prior to employment by the department head or his representative, or representatives to determine such things as the applicant's motivation, appearance, demeanor, attitude and ability to communicate.

Commission Form F-11, Qualifications Appraisal Guide, or other appropriate form may be used to record the interview. (See Specification S-6)

(i) Be examined by an individual licensed to practice psychiatry or psychology and qualified to perform such evaluations in the State of Arkansas, who after examination finds the officer to be competent and recommends the agency hire the individual. (See Specification S-7)

(j) Possess a valid driver's license.

(k) Successfully complete a CLEST firearms qualification and review departmental policies, specifically policies covering the use of force, criminal law, and emergency vehicle operations. (No officer may carry a firearm in the course of employment or in the performance of official duties until this requirement is met and documented on the Initial Employment Report (F-1) submitted to the Office of Law Enforcement Standards.

(l) For continued employment, must successfully complete a minimum of sixteen (16) hours of CLEST certified training annually, to include firearms qualification and Racial Profiling.

1003. PROBATIONARY PERIOD

(1) Every officer employed or appointed below the level of department head shall satisfactorily complete a probationary period of not less than twelve (12) months with the employing department.

1005. MINIMUM STANDARDS FOR TRAINING (FULL-TIME AND PART-TIME I OFFICERS)

(1) Basic Police Training Course

(f) If an officer fails to satisfactorily complete the required training in a total of twelve (12) months from the original date of employment or appointment, he shall not be eligible to be retained as a law enforcement officer in this State.

1010. CERTIFICATION OF LAW ENFORCEMENT OFFICERS (ALL OFFICERS)

(1) CERTIFICATION REQUIRED

No individual shall serve, be employed or otherwise function as a law enforcement officer in the state who is not certified by the Commission at the appropriate classification for the position held by the individual, except, an individual may serve, be employed or otherwise function as a law enforcement officer for a term of nine (9) months from his initial employment or appointment as a law enforcement officer. Upon the finding of extraordinary circumstances, the Commission, by majority vote, may extend this period by a maximum of three (3) months, for an absolute maximum period of twelve (12) months. (See Regulation 1008 for exceptions.) All requests for extensions must be submitted and received by the Commission prior to the end of the 42 nine (9) month period, or any extension thereof.

(3) Certificates remain the property of the Commission and the Commission shall have the power to revoke or recall any certificate as provided in the Act.

(a) The Commission may revoke the certification of any law enforcement officer after written notice and hearing for any of the following reasons:

(i) The law enforcement officer was separated from his or her employment due to a failure to meet the minimum qualifications for employment or appointment as a law enforcement officer.

(ii) The law enforcement officer left employment due to conduct or involvement in any act which is punishable by law.

(iii) The law enforcement officer was separated from employment for a violation of the Rules or Regulations of the law enforcement agency for which he was employed.

Specification S-9

TITLE: THE BASIC POLICE TRAINING COURSE

The minimum amount of training for which certification will be granted in the Basic Police Training Course shall be 480 hours.

REQUIREMENTS

1. Successful completion of a minimum of 480 hours of instruction at a certified training school.

4. To be eligible for retention on a permanent basis an officer must register for a CLEST approved Basic Training Course upon employment and satisfactorily complete a CLEST approved Basic Police Training Course or its equivalent within nine (9) months or with an approved extension, a total of twelve (12) months from the date of employment. Any requests for a three (3) month extension not received by the Commission prior to completion of the nine month (9) period will not be considered. (For exception, see Regulation 1008)