

Recommended Council Rule Changes

Rules 7 and 8 Basic Training Standards for Part and Full Time Law Enforcement Officers

- Need to be completely rewritten to reflect statutory language changes.
- Will need to include language re alternate path to Level 3 certification
- *Language already drafted re the above*

Rule 9: Number of Hours PT Certified Officers May Work

- Once H.765 goes into effect, a Level 1 or 2 certified officer could work as many hours as his/her agency wishes, so this rule becomes unnecessary.

Rule 12: Standards for Instructors of Approved Law Enforcement Certification Skills

- Give FTO's their own category, as we do with UoF instructors (*draft language*)
- The ED may suspend/revoke certification of any instructor for cause

Rule 13 Mandatory Annual In-Service Training for Law Enforcement Officers

- Establish minimum annual training hours to 30 for all officers.
- Allow officers who voluntarily leave the profession to maintain their certification by making an annual training report to the Council, for no more than three calendar years after leaving the profession.
- Currently certified VPA staff may maintain certification as a result of being employed by the Council (provided that employee maintains his/her training hours), but they would lose their enforcement authority. *Designate the VPA a law enforcement agency.*

Rule 14 Recertification of Law Enforcement Officers

- Do away with all distinctions between levels of certification and establish a three-year limit for all officers, after which that officer will be required to repeat the entire training for the appropriate level of certification.

Rule 17 Entry Standards for Basic Training

- Currently, only the conviction of a felony prohibits anyone from attending a certification program here. We propose adding the below offenses to this list, and having a discussion about certain results showing up on a polygraph/background investigation.
 1. Misdemeanor convictions or history of:
 - a. Domestic Assault or related (stalking, TRO violation, etc)
 - b. Possessing Controlled Substance
 - c. Distributing Controlled Substance
 - d. Fraud or related offense involving attempt to deceive
- Change “Psychological Testing” to “Psychological Inventory”.

Rule 20 Decertification

Currently, the Council can decertify upon conviction of a felony subsequent to certification, failure to complete in-service training requirements, a certification obtained through falsehood, and certification obtained by error. The Rules Subcommittee proposes adding the following to the existing reasons:

1. Misdemeanors convictions for offenses involving an assault, a violation of a court order, drug offenses, etc.
2. The conviction of any misdemeanor committed while on duty.
3. The conviction of any misdemeanor committed under the color of authority.
4. Offenses involving falsification or untruthfulness.
5. Conduct unbecoming a law enforcement officer
6. Falsifying reports to the Council
7. Failure to report decertifiable conduct to the Council
8. Attempt to conceal or cover up decertifiable conduct

Processes:

- That the Executive Director have the ability to suspend certification under certain circumstances, such as a finding of probable cause for certain offenses, a failure to report training (after having been notified of the failure), etc, pending either the next Council meeting or the meeting of a subcommittee designated by the Council to act on its behalf in these matters.
- The Council starts the decertification process at its discretion, regardless of what the agency is doing internally.*
- The decertification process goes on, even if the officer leaves an agency and never returns to law enforcement, or goes to another agency.
- The Council may receive complaints directly, but will refer them to the involved agency for investigation and report back to the Council.

*The Council would always have the ability to write policy that could recognize that those agencies with robust, mature processes be given the latitude to use it. This will require some discussion regarding what qualities and/or practices give a process those features.