

## 2030 ADMITTANCE TO POST SPONSORED BASIC TRAINING PROGRAMS

...

### MISUSE OF PRESCRIPTION DRUGS

Applicants who have been involved in the misuse of prescription drugs shall not be allowed to make application to attend a basic peace officer or dispatcher training program or receive POST certification for a period of time consistent with the current POST disciplinary guidelines for the specific crime involved.

- Misuse of a prescription drug includes, but is not limited to, taking a prescription drug that has been prescribed to another individual; taking a prescription drug in a manner inconsistent with the prescription or labeling information; or providing a prescription drug to another person knowing that the drug has not been legally prescribed to that individual.

### ALCOHOL OR DRUG ABUSE

Any activity(s) involving the abuse of alcohol or drugs may be considered in determining if an applicant will be allowed to attend a basic peace officer or dispatcher training program or receive POST certification.

### CONTROLLED SUBSTANCE USE

The following waiting periods for use of controlled substances shall apply to applicants seeking to attend a peace officer training academy:

	Waiting Period		
	Substance Schedule 1	Substance Schedule 2	Substance Schedule 3, 4
Illegitimate Use	See criminal violation subsection waiting period	4 Years	2 Years
Legal in state of use	1 year	N/A	N/A
Emergency Medical Use	N/A - See criminal violation subsection waiting period	Warning	Warning

The following waiting periods for use of controlled substances shall apply to applicants seeking to attend a dispatcher training academy:

	Waiting Period		
	Substance Schedule 1	Substance Schedule 2	Substance Schedule 3, 4
Illegitimate Use	See criminal violation subsection waiting period	4 Years	2 Years
Legal in state of use	N/A	N/A	N/A
Emergency Medical Use	N/A- See criminal violation subsection waiting period	Warning	Warning

**Chart Details:**

- Illegitimate use means the prescription drug was not prescribed to the user for the purpose used, subject to the Emergency Medical Use exception. Recreational, experimental, or performance enhancing use is illegitimate use.
- Emergency Medical Use means use of a prescription drug, not prescribed to the applicant, for what the applicant reasonably believed was a legitimate medical purpose. Reasonable and appropriate use of a prescription drug for a legitimate injury or acute medical illness prior to receiving a physician’s diagnosis when:
  - Extenuating circumstances made it impractical or impossible to see a physician within a reasonable period of time.
  - The use of the prescription drug was limited to a few doses over the short period of time during which it was impossible or impractical to seek a physician’s care.
- Medical Use means lawfully prescribed or recommended controlled substances as provided in the state of use (See Utah Code Title 26 Chapter 61A Utah Medical Cannabis Act.)
- Legal in state of use means a state has legalized a substance/drug for recreational or medicinal purposes but the substance remains scheduled as a controlled substance under the Federal Controlled Substance Act. (Unlawful to possess a firearm if unlawful user of controlled substance 18 U.S.C. 922(g)(3).
- Substance Schedule means a prescription drug or substance included of Section 58-37-4 or the Federal Controlled Substance Act
- Waiting Period means the time that must expire from the date of last use of the prescription drug until the applicant is eligible to attend peace officer or dispatcher training program

Any medicinal or recreational use of a substance/drug subject to the Federal Controlled Substance Act must be done in accordance with the state laws in

which the substance/drug was used. The applicant shall bear the burden to provide any necessary documentation that such substance/drug was used in accordance with the corresponding state law.

### WILLFUL DISREGARD FOR LAWFUL BEHAVIOR

Applicants convicted of, or involved in, minor crimes not identified in this policy, including traffic when willful disregard for lawful behavior is evidenced by repetitiveness of conduct or other aggravating factors, shall not be allowed to make application to attend a basic peace officer or dispatcher training session or receive POST certification prior to one year from the latest conviction or involvement. In cases where arrest warrants are issued, the one-year waiting period will begin at the time of the warrant service.

### FALSIFICATION OF APPLICATION

If an applicant is found to have falsified any information to gain admittance into a basic training program, a two-year waiting period will be applied from the date POST becomes aware of the falsification.

If the information falsified is covered by other sections of this policy, (i.e., drug use, crime of violence, crime of dishonesty, unlawful sexual conduct) and a specific waiting period is required, POST will require the applicant to wait the longer of the two periods. The waiting period for falsification of application will run concurrently with a longer waiting period.

*Example: If a person puts on the application that they have not used cocaine within the past four years, and POST discovers they used cocaine two years ago, they will have to wait another two years because the policy requires a wait of four years for cocaine. The policy requiring a two-year wait for falsifying the application will not be applied.*

If an individual completes the training program and prior to taking the final certification exam, POST becomes aware of a falsification, the individual will not be allowed to take the certification exam. In this instance the individual will not be eligible for further peace officer or dispatcher training or certification until the two-year waiting period has been met. If an individual becomes certifiable and then is subsequently discovered to have falsified information to obtain certified status, that peace officer or dispatcher will be subject to suspension of their POST certification.

*See also POST Policy 8050 "Applicants to POST with Criminal Backgrounds"*