

2030 ADMITTANCE TO POST SPONSORED BASIC TRAINING PROGRAMS

POLICY

Applicants for any peace officer or public safety dispatcher training program conducted by or through the Utah Division of Peace Officer Standards and Training shall comply with all requirements outlined in Utah Code Ann. § 53-6-203 or § 53-6-302 and with the requirements of this policy.

In addition, applicants for correctional officer or law enforcement officer training must be currently certified as a special functions officer, or have successfully passed all requirements and testing for special functions officer certification within one week of beginning correctional officer or law enforcement officer training.

PROCEDURE

APPLICATION

An application to attend a basic peace officer or public safety dispatcher training program must be filled out in its entirety. Applications must be completed and submitted electronically via the POST website.

Incomplete applications shall be denied. An applicant must submit a new application if the application has been returned to the applicant and the applicant has not resolved missing information or an error contained in the application.

Applications shall be considered valid for one year from the time the application is completed by the applicant, unless the applicant has been dismissed from a peace officer or public safety dispatcher training program for non-academic or non-testing purposes. Applicants who have submitted an application older than one year or applicants who have been dismissed from a training program for non-academic or non-testing purposes must resubmit an application before the applicant will be considered for acceptance to a training program.

Each applicant approved for attendance at a peace officer or dispatcher training program must sign an application verification form certifying all information contained in their electronic application is current, true, correct and that no requested information has been omitted from the application. This form must be reviewed by the academy director and returned to POST within the first two weeks of the training program. Satellite academies may not store hard copies of an applicant's application or compel an applicant to show or provide a copy of the applicant's entire application.

Cadets, who have previously completed a peace officer training program and commence another peace officer training program within six months of

completion of the first program, will not be required to submit a new application verification form.

Cadets, who have previously completed a peace officer training program and commence another peace officer training program later than six months from completion of the first program, will be required to submit a new application verification form.

Cadets who have previously completed a peace officer training program and commence another peace officer training program later than one year from the date they submitted their original application, will be required to submit a new application and then complete a new application verification form.

LEGAL REQUIREMENTS

Before accepting any applicant into any peace officer or dispatcher training program conducted by or through POST, the director of a certified academy shall ensure the applicant meets the following legal requirements as outlined in Utah Code Ann. §§ 53-6-203 and 53-6-302:

1. The applicant shall be a United States citizen or a lawful permanent resident of the United States who has been in the United States legally for the five years immediately before the day on which the application is made; and has legal authorization to work in the United States.
 - a. The applicant shall provide proof of citizenship by providing a copy of a birth certificate, or other formal government document indicating United States citizenship.
 - b. Naturalized citizens shall indicate their naturalization number on the application or provide a copy of a current and valid U.S. Passport.

Note: Naturalized citizens shall not attach a copy of their naturalization certificate, whereas copying naturalization certificates without permission is a violation of federal law.
 - c. Lawful permanent resident applicants shall provide a photocopy of their lawful permanent resident card that clearly identifies residence for five years immediately preceding the day on which the application is made.
2. An applicant for peace officer certification shall be at least 21 years old at the time of certification as a special function officer or correctional officer. An applicant for dispatcher certification shall be at least 18 years old at the time of certification as a public safety dispatcher. Evidence of date of birth shall be established by a birth certificate or other official government document.

3. The applicant shall be a high school graduate or shall furnish evidence of successful completion of an examination indicating an equivalent achievement.
4. The applicant shall have not been convicted of a crime for which the applicant could have been punished by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of this or another state.
5. The applicant shall have demonstrated good moral character, as determined by a background investigation, which may include consideration of offenses that have been expunged under Title 77 Chapter 40 Utah Expungement Act, or that have been dismissed or that have been treated in a similar manner to either of these procedures. [see UCA 77-40-108, 53-6-203(3)(a) and 53-6-302(3)(a)]
6. The applicant shall be free of any physical, emotional, or mental condition that might adversely affect the performance of the applicant's duties as a peace officer or dispatcher.

CRIMINAL HISTORY

A criminal history background check of local, state, and national criminal history files shall be conducted to determine if the applicant has a criminal record. An applicant who has engaged in any conduct as outlined below may be denied entrance into a peace officer or dispatcher training program indefinitely or until the expiration of the corresponding waiting period.

A ten-print fingerprint card must be filled out completely and submitted to POST or the Utah Bureau of Criminal Identification within the first two weeks of the training program.

Any applicable waiting period shall run from the date of the involvement in conduct. Any applicant under court supervision (i.e. probation) for the violation shall be denied entrance into a peace officer or dispatcher training program until the probation has been successfully completed or the applicant is no longer under court supervision.

Waiting periods shall run consecutively for applicants who have been convicted of, or involved in, multiple violations.

FELONY CONVICTION

Applicants who are convicted of a felony in this or any other state are not eligible for peace officer or dispatcher training. Felony convictions which have been expunged shall be considered as part of the background check and may be cause for denial of training or certification.

DISMISSED FROM ARMED SERVICES UNDER DISHONORABLE CONDITIONS

Applicants who have been dismissed from the armed services under dishonorable conditions are not eligible for peace officer or dispatcher training.

RESTRICTED PERSON AS DEFINED BY STATE AND/OR FEDERAL LAW

Applicants who are restricted from possession of a firearm under state or federal law are not eligible for law enforcement officer (LEO) training or certification.

STATE OR FEDERAL CRIMINAL OFFENSES

Applicants who have been convicted of, or involved in, conduct which is a state or federal criminal offense shall be denied entrance 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.

The following waiting periods for a state or federal criminal violation shall apply:

1. Four Year Waiting Period
Applicant engages in conduct which is a state or federal criminal offense that is a felony but was not convicted of a felony, or applicant engages in conduct which is a class A misdemeanor which involves an act of violence.
2. Three Year Waiting Period
Applicant engages in conduct which is a state or federal criminal offense that is a class A misdemeanor.
3. Two Year Waiting Period
Applicant falsifies any information to obtain certification or applicant engages in conduct which is a Class B misdemeanor which involves an act of violence.
4. One Year Waiting Period
Applicant engages in any conduct which is a state or federal criminal offense that is a class B misdemeanor and involves sexual acts, harassment, theft, crimes of dishonesty, the use of alcohol use of illicit drugs, or the misuse of prescription drugs.
5. Six Month Waiting Period
Applicant engages in conduct which is a state or federal criminal offense that is a class B misdemeanor, but does not involve violence, sexual acts, harassment, theft, crimes of dishonesty, the use of alcohol, use of illicit drugs, or the misuse of prescription drugs..
6. Three Month Waiting Period
Applicant engages in conduct which is a state or federal criminal offense that is a class C misdemeanor or infraction, but not including a traffic offense that

is a class C misdemeanor or infraction.

CRIMES INVOLVING DOMESTIC VIOLENCE

Applicants who have been convicted of Domestic Violence are not eligible to attend the peace officer or dispatcher training program unless the conviction has been expunged or set aside.

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, 3, 4 |
| Illegitimate Use | See criminal violation subsection waiting period | See criminal violation subsection waiting period |
| Legal in state of use | 1 year | N/A |
| Emergency Medical Use | N/A - See criminal violation subsection waiting period | 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, 3, 4 |
| Illegitimate Use | See criminal violation subsection waiting period | See criminal violation subsection waiting period |
| Legal in state of use | N/A | N/A |
| Emergency Medical Use | N/A- See criminal violation subsection waiting period | 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"

ADMISSION TO LAW ENFORCEMENT OFFICER TRAINING BLOCK

A cadet applying to attend the Law Enforcement Officer (LEO) block of training must complete the following:

1. Shall possess active, Special Function Officer (SFO) certification.
 - a. Active Certification means:
 - i. Officer must have completed basic SFO training and certification within the past 18-months, or
 - ii. Shall have been actively engaged in performing the duties of an SFO within the past 18-months, and shall be in compliance with the annual in-service training requirement as per UCA 53-6- 202 for the period of time the officer was working as an SFO.
2. Shall pass the LEO entrance exam at 80% within six months prior to the beginning of the LEO block of training.
 - a. Exceptions:
 - i. A cadet who has completed basic SFO training and passed the SFO certification exam within 18-months, prior to the beginning of the LEO block, is not required to take the LEO entrance exam.
 - ii. A cadet who has successfully passed the SFO reactivation exam within six months, prior to the beginning of the LEO block, is not required to take the LEO entrance exam.
3. Shall pass the physical fitness assessment at the SFO exit / LEO entrance standards (refer to POST policy 2390).
 - a. Exceptions:
 - i. A cadet who has completed SFO training and passed the SFO physical fitness standard within six months, prior to the beginning of the LEO block, is not required to take the physical fitness entrance assessment.
 - ii. A cadet who has successfully passed the SFO physical fitness standard as part of a SFO reactivation within six months, prior to the beginning of the LEO block, is not required to take the physical fitness entrance assessment.
4. Shall attend a Defensive Tactics (DT) familiarization class for entrance into the LEO training block.
 - a. Exception:

A cadet who has completed SFO training and successfully passed the SFO DT practical exam within six months, prior to the beginning of the LEO block, is not required to attend the DT familiarization class.

The LEO entrance exam and Physical fitness entrance assessment will be administered by the training staff at the academy to which the cadet has applied for LEO training.

ADMISSION TO CORRECTIONAL OFFICER TRAINING BLOCK

A cadet applying to attend the Basic Correctional Officer (BCO) block of training must complete the following:

1. Shall possess active, Special Function Officer (SFO) certification.
 - a. Active Certification means:
 - i. Officer must have completed basic SFO training and certification within the past 18-months, or
 - ii. Shall have been actively engaged in performing the duties of an SFO within the past 18-months, and shall be in compliance with the annual in-service training requirement as per UCA 53-6- 202 for the period of time the officer was working as an SFO.
2. Shall pass the physical fitness assessment at the SFO exit / BCO entrance standards (refer to POST policy 2390).
 - a. Exceptions:
 - i. A cadet who has completed SFO training and passed the SFO physical fitness standard within six months, prior to the beginning of the BCO block, is not required to take the physical fitness entrance assessment.
 - ii. A cadet who has successfully passed the SFO physical fitness standard as part of a SFO reactivation within six months, prior to the beginning of the BCO block, is not required to take the physical fitness entrance assessment.

The BCO entrance exam and Physical fitness entrance assessment will be administered by the training staff at the academy to which the cadet has applied for BCO training.

Note: A cadet becomes SFO certified by successfully completing the SFO training program, successfully passing the SFO certification exam and successfully passing the SFO physical fitness assessment. By state statute a SFO is a "Peace Officer" and in accordance with 53-6-208, the certification of a peace officer who has not been actively engaged in performing the duties of a peace officer for 18 consecutive months or more is designated "inactive". In order for the certification to be reinstated, the officer must pass the certification exam and a physical fitness test.

In order to maintain active certification, the cadet must be sworn and actively engaged in the duties of an SFO within 18-months of obtaining certification, and, thereafter complete the required 40

hours of annual (in-service) training.

The certificate of an officer who has not been actively engaged in performing the duties of a peace officer for four continuous years is designated as "lapsed." In order for a lapsed certificate to be reissued the officer must attend and pass the basic training course.

If a person has completed an SFO training program, become certified and maintained that certification, then wants to be accepted into a LEO or BCO training program, and it has been more than 18-months since he graduated SFO, that person will be required to pass the physical fitness assessment before attending BCO and pass the LEO entrance exam, physical fitness assessment and attend a defensive tactics familiarization class before attending LEO.