

12-9-602. Notice of employment, appointment, or separation -- Response by the law enforcement officer -- Duty of commission.

(a) (1) (A) An employing agency shall immediately notify the Arkansas Commission on Law Enforcement Standards and Training in writing, on a form adopted by the commission, of the employment or appointment, or separation from employment or appointment, of any law enforcement officer.

(B) The employing agency must maintain the original form and submit, or electronically transmit, a copy of the form to the commission.

(2) Separation from employment or appointment includes any firing, termination, resignation, retirement, or voluntary or involuntary extended leave of absence of any law enforcement officer.

(b) (1) (A) In a case of separation from employment or appointment, the employing agency shall execute and maintain an affidavit-of-separation form adopted by the commission, setting forth in detail the facts and reasons for such separation.

(B) A copy of the affidavit-of-separation form must be submitted, or electronically transmitted, to the commission.

(C) The affidavit must be executed under oath and subject to the provisions of § 5-53-103 concerning false swearing.

(2) In a case of a separation from employment or appointment for one (1) of the following reasons, the notice shall state that:

(A) The law enforcement officer was separated for his or her failure to meet the minimum qualifications for employment or appointment as a law enforcement officer;

(B) The law enforcement officer was dismissed for a violation of state or federal law;

(C) The law enforcement officer was dismissed for a violation of the regulations of the law enforcement agency; or

(D) The law enforcement officer resigned while he or she was the subject of a pending internal investigation.

(3) Any law enforcement officer who has separated from employment or appointment must be permitted to respond to the separation, in writing, to the commission, setting forth the facts and reasons for the separation as he or she understands them.

(c) (1) Before employing or appointing a law enforcement officer, a subsequent employing agency must contact the commission to inquire as to the facts and reasons a law enforcement officer became separated from any previous employing agency.

(2) The commission shall, upon request and without prejudice, provide to the subsequent employing agency all information that is required under subsections (a) and (b) of this section and that is in its possession.

(d) (1) An administrator of an employing agency who discloses information pursuant to this section is immune from civil liability for such disclosure or its consequences.

(2) No employing agency shall be civilly liable for disclosure of information under this subchapter or performing any other duties under this subchapter.

(e) (1) The commission, its members, and its employees who disclose information pursuant to this section are immune from civil liability for such disclosure or its consequences.

(2) The commission, its members, and its employees shall not be civilly liable for:

(A) Disclosure of information under this subchapter; or

(B) Performing any other duties under this subchapter.