

1001. DEFINITIONS

- (1) "Commission" is the Commission on Law Enforcement Standards and Training.
- (2) "Chairman" is the Chairman of the Commission.
- (3) "Director" is the Director of the Commission.
- (4) "Political Subdivision" means any county, municipality, township or other specific local unit of government.
- (5) "Department Head" is a chief of police, sheriff, or chief administrator of any law enforcement unit of the state or any political subdivision who is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic or highway laws of this state.
- (6) "Assistant Department Head" is an officer occupying the first position(s) subordinate to a Department Head, and for which commensurate pay is authorized.
- (7) "Middle Management Position" are those positions which are between first level supervisory positions and Assistant Department Head positions as defined in this section and for which commensurate pay is authorized.
- (8) "First Level Supervisory Positions" are positions occupied by a law enforcement officer, deputy sheriff or other employee who, in the upward chain of command, directly supervises law enforcement officers as defined in this section and for which commensurate pay is authorized.
- (9) "Law Enforcement Officer" as recognized by this Commission for certification will be any appointed law enforcement officer who is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic or highway laws of this state, excluding only those officers who are elected by a vote of the people. The definition does not apply to employees of organizations or state departments and other like agencies not primarily involved in law enforcement. The criteria to determine if a person is a law enforcement officer are that he or she:
 - (a) Is employed by a law enforcement unit; and
 - (b) Serves a law enforcement function for that unit; or
 - (c) Receives a salary authorized by that unit; or

- (d) Is a legally appointed Auxiliary Officer.
- (10) “Law Enforcement Unit” is a police force or organization of a city, county, State Agency, or of the State whose primary duty as prescribed by law or ordinance is enforcing the criminal, traffic or highway laws of this State.
- (11) “School” is any school, college, university, academy, or local training program which offers law enforcement training or education and includes within its meaning the combination of course curriculum instructor, and facilities.
- (12) “Course” is a grouping of classes or series of lessons or lectures combined to attain a particular educational or law enforcement training objective.
- (13) “Class” is a single meeting or session devoted to a specific law enforcement related subject or topic.
- (14) “School Director” or “School Coordinator” is an individual charged with the responsibility of conducting a training class, course or school under the provisions of the act. A School Director or Coordinator must be a qualified law enforcement officer or an official of a college or university, or Director of the State Law Enforcement Training Academy.
- (15) “High School” is a school accredited as a high school by the Arkansas Department of Education or a school accredited as a high school by the state university of the state in which the high school is located.
- (16) “The Act” refers to the Executive Commission on Law Enforcement Standards Act. (~~Act 452 of 1975, the same being~~ Ark. Code Ann.12-9-101 – 12-9-443 116 as amended).
- (17) “Specification” is a description supplementing a section of Regulations.
- (18) “Educational Credits” are credits earned for studies or courses satisfactorily completed at a college or university approved as a degree granting institution.
- (19) “Accredited Institution” means any community college, college, university, where the curriculum is approved as such by the department of education of the state in which the community

college, college or university is located or the recognized national or regional accrediting body.

- (20) “Full-time Law Enforcement Officer” is one who:
- (a) Is employed by and receives a salary authorized by a law enforcement unit;
 - (b) Has the statutory authority to enforce the criminal, traffic or highway laws of the state;
 - (c) Works 40 or more hours per week.
- (21) “Part-time Law Enforcement Officer I” is one who:
- (a) Is employed by and receives a salary authorized by a law enforcement unit;
 - (b) Has the statutory authority to enforce the criminal, traffic or highway laws of this state;
 - (c) Works 20 or more hours but less than 40 hours per week.
- (22) “Part-time Law Enforcement Officer II” is one who:
- (a) Is employed by and receives a salary authorized by a law enforcement unit;
 - (b) Has the statutory authority to enforce the criminal, traffic or highway laws of this state;
 - (c) Works less than 20 hours per week.
- (23) ~~“Auxiliary Law Enforcement Officer” is any reserve or volunteer, posse, mounted patrol member or other groups or terms in common usage and refers to persons appointed and who receive no salary or wages for the performance of any assigned duty~~ means a person who meets the minimum standards and training requirements prescribed for such officers by law and regulations, and who is appointed by a political subdivision or a law enforcement agency as a reserve officer, volunteer officer, or mounted patrol, but does not include any officer or deputy county sheriff employed by a planned community property owners’ association.

- (24) "Police Traffic Radar Operator" is any Full-time, Part-time I, Part-time II or Auxiliary Law Enforcement Officer who has satisfactorily completed the Commission approved training for their level of certification and the Police Traffic Radar Operators Course.

- (25) "Specialized Police Personnel" are those Full-time or Part-time officers authorized by statute or employed by a law enforcement unit whose duty as prescribed by law or ordinance is enforcing some part of the criminal, traffic or highway laws of this state and their authority is limited to the facility or area in which they work.

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, 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 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.
- (2) Verification of minimum employment standards must be maintained by the employing department.
- (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) Home school diplomas will not substitute for the above unless approved by the Commission.
- (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.
 - (m) Be free of a misdemeanor domestic violence conviction, in accordance with 18 USC section 922,
- (4) It is emphasized that these are minimum standards for employment or appointment. Higher standards are recommended whenever the availability of qualified applicants meets the demand.
 - (5) The minimum standards for employment or appointment must be complied with as contained herein before employment. The decision to employ an applicant should depend upon the results and recommendations received by the investigators and examiners, except, for items (3)(g) and (3)(i). In accordance with the Americans with Disabilities Act, a determination to hire or not hire individuals should be made prior to the examinations required by (3)(g) and (3)(i). An offer of employment, if any, is to then be made contingent upon the successful completion of (3)(g) and (3)(i).
 - (6) Law enforcement officers who have complied with the minimum standards for employment or appointment who ~~terminate~~ separate from their employment and are reemployed by a law enforcement agency within six(6) months following their ~~termination~~ separation date, may transfer the required documentation evidencing compliance with the standards to the files of the new agency. The only pre-employment requirement that the new employer will be required to complete is a new background investigation and oral interview. The employing agency may require the officer to meet any or all pre-employment requirements, again, if they so desire.
 - (7) If an officer is determined by the Commission to be in noncompliance, the Commission will notify the director of the employing agency by certified letter. The Commission shall give the individual and the employing agency a reasonable amount of time to remedy the deficiency. If at the end of that period, including any extension thereof, the individual remains in noncompliance, the individual will not be eligible to function as a law enforcement officer until proof of compliance is presented to

the Commission by the agency director or his representative. In addition, at the end of the period allowed by the Commission for the individual to remedy the deficiency, including any extensions thereof, if the officer remains in noncompliance, the officer will be removed from the agency payroll and will not be eligible to be employed in any capacity as a law enforcement officer until compliance is met and proof is furnished to the Commission by the agency director or his representative. In the event the agency refuses to remove the officer from the payroll and/or continues to allow the officer to serve as a law enforcement officer, the Commission shall seek an injunction prohibiting the agency from employing and/or using the officer and prohibiting the officer from acting as a law enforcement officer.

- (8) Any individual who fails the required training course, as set out herein, or is expelled from the required training course, will not be eligible to serve as a law enforcement officer for twenty-four (24) months following the date of failure or expulsion from the training course.
- (9) Any individual who fails to meet the physical or mental minimum standards of this Regulation shall be individually reviewed to determine if said person can perform the essential functions of the duties of a law enforcement officer, with or without reasonable accommodations. The employing or appointing agency shall first determine if the individual can perform the essential functions of the duties of a law enforcement officer. If the agency believes that individual can perform the essential functions of the duties of a law enforcement officer, with or without reasonable accommodations, the employing or appointing agency shall request the Commission to determine if said person can perform the essential functions of the duties of a law enforcement officer. If the Commission determines, by a majority vote, that the individual can perform the essential functions of a law enforcement officer, with or without reasonable accommodations, and the employing or appointing unit and/or the individual agrees to the reasonable accommodations, then the Commission shall waive the minimum standard in question.

- (10) The Commission on Law Enforcement Standards and Training (CLEST) administers the program “Veterans to Law Enforcement,” which allows qualified military veterans interested in pursuing a career in law enforcement, to attend the police academy.
- (a) To be eligible to apply for the program, applicants must meet the following requirements:
- i. Shall have served at least six (6) months active duty in the armed services within ten (10) years prior to application.
 - ii. Meet minimum standards as required of an Arkansas law enforcement officer as specified in CLEST Regulation 1002.
 - iii. Pay the non-refundable cost of the training prior to attending the basic training course.
 - iv. The Director of CLEST will be the final approving authority for an applicant’s acceptance into the program.
- (b) Veterans in the Veterans to Law Enforcement program that fail any portion of the basic police training course are ineligible to attend another course for a 24 month period as specified in CLEST Regulation 1005 and are no longer eligible to apply for the Veterans to Law Enforcement program.
- (c) Veterans in the Veterans to law Enforcement program that successfully complete the basic police training course must begin employment with a law enforcement agency as a full-time or part-time I officer within three (3) years of the date of the completion of the basic training course for the training to remain valid.

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.
- (2) A department head is not required to serve a probationary period.
- (3) Every officer who is promoted or appointed as an assistant Department head, middle management or supervisory position shall satisfactorily complete a probationary period of not less than six (6) months.
- (4) ~~No law enforcement officer who is not certified by the Commission may have his temporary or probationary employment extended beyond one year by renewal of appointment or otherwise. — However, where extraordinary circumstances exist in the majority opinion of the Commission, the Commission may extend the (12) month limit for any period of time, up to, but not exceeding (8) eight months for an absolute maximum period of twenty (20) months. (See Regulation 1008 for exceptions) All requests for extensions must be submitted to and received by the Commission prior to the end of the original twelve (12) month period.~~
- (4) No certification, with the exception of Radar Operator, shall be issued to any law enforcement officer until such time as the appropriate probationary period, if any, has been completed.

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

(1) Basic Police Training Course

- (a) Each Full-time Law Enforcement Officer, and each Part-time I Law Enforcement Officer must satisfactorily complete the Basic Police Training Course as prescribed in Specification S-9, within the time period established in Regulation 1003(4).
- (b) Any Full-time or Part-time I Law Enforcement Officer who has previously met the minimum training requirements, and has been separated from law enforcement for more than seven (7) years shall be required to satisfactorily complete an approved Basic Police Training Course. If extraordinary circumstances exist in the opinion of the Commission, they may choose to waive the full basic and may require the refresher course only. In such circumstances, certification may be issued to an individual who has successfully completed the refresher course., but less than ten (10) years may, at the request of a sponsoring agency, prior to employment by the sponsoring agency, be allowed to take a comprehensive written examination prepared, administered, scheduled and graded by ALETA/CLEST. If the law enforcement applicant successfully passes the comprehensive written exam, he or she may forego attending the full Basic Police Training Course provided he or she attends the 40-hour Refresher Course currently offered, as well as meets the other selection requirements, prior to being eligible for certification.
 - (i) The examination will be administered at the ALETA Campus located in East Camden, Arkansas, at a time and date scheduled by the Commission and will consist of questions taken from the current edition of *Arkansas Criminal and Traffic Law Manual*, published by Lexis Nexis, and *CLEST Rules and Regulations Manual*, published by CLEST.
 - (ii) Law enforcement applicants who desire to take the comprehensive written exam must have completed a state or federal law enforcement academy consisting of at least the current number of required hours to complete the ALETA basic training, subject to Regulation 1008.
 - (iii) An applicant who fails to pass the two-hundred and fifty (250) question examination with a minimum score of 70% after two attempts is required to complete the basic training course in order to be eligible for certification.

- (iv) Anyone who has been separated from law enforcement for over ten (10) years is required to attend a new Basic Law Enforcement Course without exception.
- (c) Appointment or employment as an Auxiliary, Part-time II, or Specialized Police Officer during the less than ten (10) year period of separation will not exclude the Full-time or Part-time I Law Enforcement Officer from complying with the requirements of (1)(b).
- (d) Part-time II Law Enforcement Officers, Specialized, and Auxiliary Law Enforcement Officers will be required to satisfactorily complete not less than ~~400~~ 110 hours of Commission approved Law Enforcement Training including Firearms Qualification Course equivalent to the Firearms Qualification requirements for a full time Enforcement Officer. Separation from law enforcement for three (3) years will result in the Auxiliary, Specialized and the Part-time II Law Enforcement Officer being required to attend a new ~~400~~ 110 hour training course.
- (e) Any Full-time or Part-time I Law Enforcement Officer who fails to satisfactorily complete the Basic Police Training Course within the time period allowed by regulation 1003(4), or who once enrolled in the Course, fails the course or is expelled from the course, will not be eligible for training nor certification for twenty-four (24) months following the date of failure or expulsion from the training course or the date of expiration of the probationary period. In the event a Full-time or Part-time I Law Enforcement Officer fails the course or is expelled from the course, said officer shall not be eligible to serve, be employed, or otherwise function as a law enforcement officer in this State from that date until the expiration of twenty-four months following the date of failure or expulsion from the training course. If an officer properly appeals his failure or expulsion, said officer may retain his eligibility to serve as a law enforcement officer until such time as the Commission has ruled upon said appeal or expiration of the time period allowed by Regulation ~~4003(4)~~ 1002(i), whichever occurs first.
- (f) If an officer fails to satisfactorily complete the required training in a total of ~~twenty (20)~~ 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. Reappointment or reemployment as a law enforcement officer will be considered only after the person has been separated from law enforcement for at least twenty-four (24) months. Upon reappointment or reemployment, an officer would be eligible to begin a new ~~twelve (12) month~~ probationary period. Should the officer fail to meet the

minimum training requirement for a second time, he or she will not be eligible for certification as a Full-time, Part-time, Auxiliary or in any other law enforcement officer position.

(2) Supervisory Course

- (a) It is recommended, but not required, that all officers promoted, appointed or transferred to a first level supervisory position should satisfactorily complete the Supervisory Course as prescribed in Specification S-10.
- (b) Officers must have satisfactorily completed the Basic Police Training Course prior to enrollment in the Supervisory Course.

(3) Middle Management Course

- (a) The Middle Management Course shall be optional and voluntary. Specification S-11 describes the Middle Management Course.
- (b) The Commission recommends, but does not require, that each officer promoted, appointed or transferred to a middle management position should satisfactorily complete the prescribed Middle Management Course.
- (c) Officers must have satisfactorily completed a Police Supervision Course before enrollment in the Middle Management Course.

(4) Executive Course

- (a) Executive Courses shall be optional and voluntary for Department Heads. Specification S-12 describes the Executive Courses.
- (b) As a condition of course certification by the Commission, enrollment and attendance shall be restricted to Department Heads, Assistant Department Heads and Division Heads unless special approval to attend is granted by the Commission. Officers who are not Department Heads should have successfully completed the recommended Middle Management course prior to enrollment in an Executive Course.

(5) Law Enforcement Refresher Course

- (a) The Refresher Course will be required for all Full-time and Part-time I Law Enforcement Officers who are new employees and completed their training in another state.
- (b) The Refresher Course will be required for all Full-time and Part-time I Law Enforcement Officers who have previously met the training requirements, but have been separated from law enforcement for a period of three (3) to seven (7) years. (See Specification S-13).
- (c) Appointment or employment as an Auxiliary, Part-time II, Specialized Police Officer during a three (3) to seven (7) year period of separation will not exclude the Full-time or Part-time I Law Enforcement Officer from mandatory attendance of the Refresher Course.
- (d) Any Full-time Officer or Part-time I Officer not required to attend the Refresher Course may voluntarily apply, and if accepted, receive the training.

(6) Specialized Courses

- (a) Specialized Courses shall be optional and voluntary courses.
- (b) Specification S-14 describes the Specialized Courses.

1009. PERSONNEL ACTION REPORTS

- (1) All law enforcement units shall furnish to the Commission a completed initial Employment Report, Form F-1, within ten (10) days after employment or appointment.
- (2) When an officer is promoted or demoted, it shall be reported to the Commission on the Personnel Change-in-Status Report, Form F-4, within ten (10) days of the action.
- (3) When an officer ~~from a department~~ retires, resigns, is discharged, separates from, or otherwise terminates employment from a position or changes name, the department shall forward to the Commission within ten (10) days appropriate information on the Commission Personnel Change-in-Status Report, Form F-4, following separation from employment for any reason. ~~, a department head should, within ten (10) days, notify the certified law enforcement officer that the certification automatically expires if the officer is out of law enforcement for more than six months. Commission Form F-4a is provided for this purpose.~~
- (4) When an officer changes his or her employment status, an F-4 shall be submitted terminating that employment.

~~An F-4 F-4 shall be submitted within ten (10) days following employment change from one classification to another. Example: Change from Part-time to Full-time status;~~

- ~~(a) Submit completed F-4 giving effective date of termination as a Part-time officer.~~
- ~~(b) Submit completed F-1 giving effective date of new employment as a Full-time officer.~~

**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 eligible for certification 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 9 month period, or any extension thereof.

- (2) Certificates may be issued by the Commission for the purpose of raising the level of competence of law enforcement, to recognize completion of training and education and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.
- (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 dismissed from employment for a violation of the Rules or Regulations of the law enforcement agency for which he was employed.

- (iv) The law enforcement officer resigned while he was the subject of a pending internal investigation.
 - (v) The law enforcement officer falsified any information required to obtain certification.
 - (vi) The certification was issued in error or mistake by the Commission.
 - (vii) The individual has ceased to meet the minimum standards for employment or appointment as established by Regulation 1002.
 - (viii) Committed a violation of the Law Enforcement Code of Ethics as set out in Specification S-21.
- (b) The Commission shall notify in writing any certified individual when the Commission believes there is a reasonable basis for revoking certification of the individual. The notice shall specify the basis of the revocation under this Act. Upon receipt of the notice the individual shall be given no less than (30) days notice of the time and place set for the hearing unless the individual agrees to accept less than thirty (30) days notice. The hearing shall be confined to the basis stated in the notice. The individual is entitled to be present at the hearing, to examine witnesses and to be assisted by counsel. If the Commission finds grounds for revocation of the certification, it shall enter its order stating what the grounds are for revoking certification. If it finds that inadequate or no grounds exist, it shall dismiss the proceedings.
- (c) Should any portion of this procedure ever be in conflict with any provisions of the State Administrative Procedures Act, the State Administrative Procedures Act will be followed in every case.
- (d) Should an officer lose certification or become ineligible for employment or training as a direct result of the employing agency's failure to take any other action required by the Commission, the officer may within ten (10) days after notification that certification has expired, request a hearing before the Commission. If the Commission finds that the loss of certification is through no fault of the officer, but is the result of the employing agency's failure to comply, the Commission may at its discretion extend the period of time

set out in Regulation 1003 (4) by sixty (60) days from the date of the hearing.

During the sixty (60) day extension period, the officer will be scheduled for the required training course.

- (e) The certification of any law enforcement officer shall expire if the officer does not serve as a law enforcement officer for six (6) consecutive months.
 - (f) An individual who has had his certification revoked by the Commission shall not be eligible to regain certification until such time as the Commission, at its discretion and by majority vote, is satisfied that the individual is eligible for re-certification.
- (4) Basic, General, Intermediate, Advanced and Senior certificates, are established for the purpose of fostering professionalism, education, and experience necessary to adequately perform the duties of the law enforcement service. Requirements for the Basic, General, Intermediate, Advanced and Senior certificates are prescribed in Specification S-15, "Certification of Law Enforcement Officers".
 - (5) Part-time I Law Enforcement Officer, Part-time II Law Enforcement Officer, Specialized Police Personnel and Auxiliary Law Enforcement Officer certificates are established for the purpose of recognizing those officers in these classifications who have met the required minimum selection and training standards as provided for in this manual. (See Specification S-15 and S-20)
 - (6) When determination of "eligibility for certification" of officers, elected by a vote of the people as defined by Act 452 of 1975, becomes necessary for establishing qualifications to apply for, file for, or hold certain positions or elective office as required by law, procedures described in Specification S-15/5 shall apply.

CHIEF OF POLICE CERTIFICATE - (NON- MANDATORY)

- (1) In accordance with Arkansas Code Annotated § 12-9-104, the following are suggested selection and training requirements and non-mandatory basic and advanced levels of certification for Chiefs of Police.

- (2) LEVEL ONE: In addition to the requirements set forth in Section 1 of this specification, a Chief of Police seeking the award of Chief of Police Certificate - Level One should:
- (a) Hold intermediate law enforcement officer certification or higher.
 - (b) Complete a minimum of forty (40) hours of police supervision/management training.
 - (c) Possess a minimum of two (2) years of police supervisory or management experience.
 - (d) _____
- (3) LEVEL TWO: In addition to the requirements set forth in Section 1 of this specification, a Chief of Police seeking the award of Police Certificate - Level Two should:
- (a) Hold advanced law enforcement officer certification or higher.
 - (b) Successfully complete a police supervision and/or management course of instruction of four (4) weeks or more duration, such as the FBI Academy or the School of Police Supervision offered by the Arkansas Criminal Justice Institute or a comparable course such as those offered by the Southwestern Legal Foundation, Southern Police Institute, or Northwestern University.
 - (c) Possess a minimum of five (5) years' experience as a police chief or staff level command officer.
 - (d) _____period.
- (4) SENIOR CHIEF: In addition to the requirements set forth in Section 1 of this specification, a Chief of Police seeking the award of Chief of Police Certificate - Senior Chief should:
- (a) Hold the senior law enforcement officer certification.
 - (b) Successfully complete a police supervision and/or management course of instruction of four (4) weeks or more duration, such as the FBI Academy or the School of Police Supervision offered by the Arkansas Criminal Justice Institute or a comparable course such as those offered by the Southwestern Legal Foundation, Southern Police Institute, or Northwestern University.
 - (c) Possess a minimum of five (5) years' experience as police chief.
 - (d) Apply for recertification every two years, which requires completion of a minimum of thirty-two (32) hours of police management training within the preceding twenty-four (24) months._____

1011.

**CERTIFICATION OF AUXILIARY LAW ENFORCEMENT
OFFICERS (SEE SPECIFICATION S-15/13)**

- (1) Act 757 of 1983, as amended, established statutory guidelines for the appointment, authority and supervisory control of Auxiliary Law Enforcement Officers.
- (2) Any person appointed after March 24, 1983, will be required to meet the minimum standards for employment or appointment as outlined in Regulation 1002(2).
- (3) It shall be the responsibility of the appointing law enforcement agency to provide or have provided not less than ~~400~~110 hours of Commission approved law enforcement training which shall include a Firearms Qualification Course equivalent to the Firearms Qualification requirements for a Full-time Law Enforcement Officer.
- (4) Every Auxiliary law enforcement officer shall satisfactorily complete a probationary period of not less than twelve (12) months.
- (5) Auxiliary officers who have been separated from law enforcement for a period of three (3) years must satisfactorily complete the approved ~~400~~110 hour Auxiliary/Part-time II Training Course before becoming eligible for re-certification.

1012

**PART-TIME LAW ENFORCEMENT OFFICERS
(SEE SPECIFICATION S-15/11-12)**

- (1) Part-time Law Enforcement Officers are divided into two (2) separate classifications for both training purposes: Part-time Law Enforcement Officer I and II.
- (2) Part-time Officer I is any officer who is:
 - (a) Employed by a law enforcement unit;
 - (b) Authorized by law to enforce the criminal, traffic or highway laws of this State;
 - (c) Authorized salary or wages by the law enforcement unit;
 - (d) Authorized to work for twenty (20) or more hours per week but less than 40 hours per week.
- (3) Part-time Officer II is any officer who is:
 - (a) Employed by a law enforcement unit;
 - (a) Authorized by law to enforce the criminal, traffic or highway laws of this State;
 - (b) Authorized salary or wages by the law enforcement unit;
 - (c) Authorized to work less than 20 hours a week.

Selection and Training - A Part-time Officer II is required to satisfactorily complete the minimum standards for employment or appointment as authorized in Regulation 1002(3) and have satisfactorily completed not less than ~~400~~110 hours of Commission approved training which will include a firearms qualification equivalent to the Firearms Qualification Course for Full-time law enforcement officers.

- (4) Certification of Part-time II Law Enforcement Officers:

A Part-time II Officer who has met the minimum standards for employment or appointment, completed the minimum training requirement and completed a twelve (12) month probation period with their present department may be eligible for certification by applying to the Commission on Form F-7.

- (5) Any Part-time II Law Enforcement Officer who fails to satisfactorily complete the ~~400~~110 hours of Commission approved law enforcement training within the time period allowed by Regulation ~~4003(4)~~ 1002 (1), will not be eligible for training nor certification for twenty-four (24) months following the date of expiration of the probationary period.

**CERTIFICATION OF SPECIALIZED POLICE PERSONNEL
(SEE SPECIFICATION S-20)**

- (1) Specialized Police Personnel are identified in Act 452 of 1975, as modified.
- (2) These officers may be either Full-time or Part-time officers whose duties are limited or restricted to the facility or area in which they work, and may include the enforcement of agency rules and regulations for which the penalty could be a fine or imprisonment.
- (3) The Commission shall approve all training courses and certification provided for Specialized Police Personnel.
- (4) Certificates may be issued to all specialized Police Personnel who have:
 - (a) Met the minimum employment or appointment requirements outlined in Regulation 1002(3);
 - (b) Satisfactorily completed the minimum standards for training as approved by the Commission; and
 - (c) Completed a twelve (12) month probationary period as outlined in Regulation 1003.
- (5) Specialized Police persons who have previously met the training requirements but have been separated from law enforcement for a period of three (3) years, will be required to meet the minimum training requirements again.
- (6) Any Specialized Police personnel who fails to satisfactorily complete the appropriate Commission approved law enforcement training within the time period allowed by Regulation ~~1003(4)~~ 1002(1), will not be eligible for training nor certification for twenty-four (24) months following the date of expiration of the probationary period.

**1015. POLICE TRAFFIC RADAR OPERATORS AND INSTRUCTORS
(SEE SPECIFICATION S-17)**

- (1) Act 672 of 1983 as modified established a minimum training and certification standards for Police Traffic Radar Operators and Instructors.
- (2) Operator: Only Full-time law enforcement officers, Part-time I, Part-time II and Auxiliary Officers, who have completed the Commission approved training for their appropriate level of certification, shall be eligible for certification as a Police Traffic Radar Operator.
- (3) Instructor: Any Full-time certified law enforcement officer or any person employed by a law enforcement unit or Commission approved training facility ~~who~~ that has satisfactorily completed a Police Traffic Radar Course and the Instructor Development Course shall be eligible for certification as a Police Traffic Radar Instructor.
- (4) Officers applying to be ~~Both~~ operators and instructors shall successfully complete an Arkansas Commission approved Radar Training Course.
- ~~(5) Certification shall be valid for not more than five (5) years. Renewal of certificate will require the officer to satisfactorily complete a Refresher course. The Commission approved Radar Operator Course may be required for renewal of certification when, in the opinion of the Commission, an officer would benefit from such training.~~
- ~~(6)~~5 A ~~Police Traffic Radar Operator or instructor~~ An officer who does not meet the standards and qualifications set forth in the Act shall not take any official action as a Police Traffic Radar Operator or instructor and any action taken shall be held as invalid.
- ~~(7)~~6 All certificates and ID cards remain the property of the Commission and the Commission shall have the power to recall or revoke any certificate issued. Any recall or revocation action will comply with the State Administrative Procedures Act.

1016. CERTIFICATION OF INSTRUCTORS

- (1) The Commission shall certify instructors deemed qualified to teach in one or more of the prescribed training courses. Certification will be in accordance with Specification S-16, Certification of Instructors.
- (2) Certification – Instructors will be certified on a basis of minimum qualifications in the areas of education, training and experience. ~~Such certification can never be expected to insure good instruction; and it~~ It shall be the responsibility of the school director/coordinators to see that instructors are assigned only topics which they are qualified to teach and are supervised on a regular basis to insure that instructional excellence is maintained.
- (3) Firearms Instruction Certification – Firearms Instructor Certificates will be issued only to those persons who have satisfactorily completed a Commission approved Instructor Development Course, a Commission approved Firearms Instructor Course, and demonstrated instructional and range proficiency. Instructor Development shall be a prerequisite to take the Commission approved Firearms Instructor Course.
- (4) Revocation of Instructor Certificate – Instructor certification may be revoked whenever an instructor is deemed by the Commission to be unqualified to continue teaching.
- (5) ~~Instructor Certification shall be valid for five (5) years or sixty (60) consecutive months.~~

1017. CERTIFICATION OF SCHOOLS OR COURSES

- (1) The Commission may certify those schools deemed adequate to effectively teach one or more approved law enforcement or police science courses.
- (2) The Commission may certify those courses deemed adequate to effectively teach one or more law enforcement or police science subjects.
- (3) School or course certification shall be issued as prescribed in Specification S-18, Certification of Schools or Courses.
- (4) Certification may be revoked by ~~action of the Commission~~ the Director or the Deputy Director of the Office of Law Enforcement Standards, whenever a school or course is deemed inadequate. The school or course may be re-certified by the Commission when the deficiencies have been corrected.

1020. THE LAW ENFORCEMENT CODE OF ETHICS

The Law Enforcement Code of Ethics is located in Specification S-21, and must be subscribed to by each certified law enforcement officer. Violation of any portion of the Code may, upon Commission direction, result in ~~withdrawal~~ revocation of law enforcement certification.

1022.

MISCELLANEOUS ACTIVITIES OF THE COMMISSION

- (1) The Commission may make or encourage studies of any aspect of law enforcement administration, including the stimulation of research by public and private agencies which shall be designed to improve law enforcement administration and law enforcement.
- (2) The Commission may cooperate and consult with counties, municipalities, agencies of this state, other governmental agencies, and with universities, colleges, community colleges, vocational technical schools and other institutions concerning the development of law enforcement training schools and programs or courses of instruction.
- (3) The Commission may cooperate and consult with official bodies or individuals charged by law with the responsibility for law enforcement selection and training standards in other states.
- (4) The Commission may periodically publish or recommend that other governmental agencies publish curricula, manuals, lesson plans, brochures, newsletters and other materials to aid departments in achieving the objectives of the Act.
- (5) The Commission may direct, operate or sponsor training schools and set reasonable rules and regulations for ~~the operation and use by trainees~~ them.

1024. Right to Amend

The Commission reserves the right to amend these rules and regulations by deletion or addition to ~~these rules and regulations~~ at such times as deemed appropriate, pursuant to act 452 of 1975, as amended, the same being Ark. Code Ann. 12-9-101 thru 12-9-109.

1027. CERTIFICATION OF CIVIL TRAFFIC WARDENS

- (1) The Commission shall certify individuals deemed qualified to be Civil Traffic Wardens for the purpose of:
 1. Issuing citations for parking violations occurring within the corporate Limits of a municipality of the first class; and
 2. Preparing traffic accident reports and, in connection with any such reporting, issue any necessary traffic citations.
- (2) Persons employed as Civil Traffic Wardens shall not carry firearms or take any other official law enforcement action except as prescribed by these regulations.
- (3) No person shall serve as, be employed or otherwise function as a Civil Traffic Warden unless or until they have met the minimum standards as set forth in Regulation 1002(3).
- (4) Prior to assuming the duties listed above, individuals must successfully complete a basic course developed by the employing agency.
 - (a) The basic course shall be known as the At-Scene Traffic Accident Investigation Course and contain a minimum of the following Instruction:
 - (i) Two (2) hours regarding the Principles of Accident Scene Management.
 - (ii) Six (6) hours regarding the Accident Report Form.
 - (iii) Eight (8) hours regarding Arkansas Traffic Laws.
 - (iv) Four (4) hours regarding Evidence Collection.
 - (v) Four (4) hours regarding Measurements and Diagramming.
 - (vi) Six (6) hours regarding Practical Exercise involving a Mock Traffic Accident.
 - (vii) A two-hour Final Examination.

(b) Candidates must be tested on each aspect of the At-Scene Traffic Accident Investigation course and obtain a minimum score of 75% prior to assuming the duties of a Civil Traffic Warden.

(5) In addition to meeting these minimum standards for employment, a municipality of the first class or the State Police may mandate local requirements such as written testing or other precursors to employment as desired for their jurisdiction.

1028. CERTIFICATION OF LAW ENFORCEMENT CANINES

(1) A canine used as a law enforcement tool in the State of Arkansas must be certified by a Law Enforcement Certifying Official in accordance with Canine Certification Requirements approved by CLEST.

(2) All Law Enforcement Canines shall meet or exceed the minimum standards approved by CLEST.

(3) Law Enforcement Canine Certifications shall expire one (1) year after the date of issue.

(4) Law Enforcement Canines that are used for the sole purpose of tracking shall not be required to obtain CLEST certification.

(5) All Law Enforcement Canines currently active in Arkansas shall be certified within eighteen (18) months of the effective date of this regulation.

(6) A Certified Law Enforcement Canine must be recertified each year and also each time it is assigned to a new Law Enforcement Officer.

1030. CERTIFICATION OF LAW ENFORCEMENT CANINE CERTIFYING OFFICIAL

- (1) In order to certify Law Enforcement Canines in the State of Arkansas, a person must be certified by CLEST as a Law Enforcement Canine Certifying Official.
- (2) A person may be certified as a Dual Purpose Certifying Official or a Single Purpose Certifying Official.
 - (a) A Dual Purpose Certification will be issued to a person who is trained to certify Law Enforcement Canines in narcotics/explosives and patrol work.
 - (b) A Single Purpose Certification will be issued to a person who is trained to certify Law Enforcement Canines in narcotics/explosives work only.
 - (c) A Dual Purpose Certifying Official may certify a Single Purpose Canine, but a Single Purpose Certifying Official may not certify a Dual Purpose Canine.
- (3) A person desiring to become a Law Enforcement Canine Certifying Official must submit an application to the Commission.
- (4) An applicant for Law Enforcement Canine Certifying Official Certification must be a Certified Law Enforcement or Corrections Officer in the State of Arkansas.
- (5) Applicants who are certified as Law Enforcement or Corrections Officers must have completed a CLEST approved Instructor Development Course.
- (6) Applicants must have five (5) years of experience as a Dual or Single Purpose Canine Officer, or be actively serving as a certifying official with a nationally recognized police canine organization to qualify as a Certifying Official in that respective field.
- ~~(7) All applicants for Law Enforcement Canine Certifying Official Certification must pass a written examination approved and administered by CLEST.~~
- (7) All applicants for Law Enforcement Canine Certifying Official Certification must attend the eight (8) hour Certifying Official Course.
- (8) All Applicants must conduct the certification process for each Law Enforcement Canine in accordance Arkansas Certifications Requirements approved by CLEST.

1032 RETIRED OFFICER ELECTED AS CONSTABLE

1. A Full-Time Law Enforcement Officer, as described by Regulation 1001 (9), who retires from an Arkansas Law Enforcement Unit, as described by Regulation 1001 (10) and serves as or is elected as Constable within six months of retirement from the Law Enforcement Unit, will not be not be subject to either Regulation 1005 (1)(b) or the refresher course if:
 - a. That person is reappointed as a law enforcement officer as described by Regulation 1001 (9); and
 - b. The person has successfully completed a minimum of sixteen (16) hours of CLEST certified training annually. to include firearms qualification and Racial Profiling; and
 - c. The person has a nonforfeitable right to benefits under a State of Arkansas retirement plan.
2. If a person meets the requirements of paragraph 1, his instructor certification(s), except instructor certification regarding radar, held at retirement will continue.

MARIJUANA LEAF FIELD TEST TECHNICIAN

- (1) Only Full-time law enforcement officers who have completed the Commission approved training for Certified Law Enforcement Officers shall be eligible for certification as a Marijuana Leaf Field Test Technician.
- (2) Only Full Time Arkansas Law Enforcement Training Academy (ALET A) Instructors or Arkansas State Crime Laboratory Chemical Analysis Technicians shall be eligible to instruct the Marijuana Leaf Field Test Class.
- (3) All applicants for Marijuana Leaf Field Test Technician Certification must attend the eight (8) hour certification course conducted or coordinated through the Arkansas Law Enforcement Training Academy (ALET A).
- (4) All certificates and ID cards remain the property of the Commission and the Commission shall have the power to revoke any certificate issued. Technicians shall be required to attend any re-training or refresher training as required by ALET A.
- (5) The Marijuana Leaf Field Test Technician will be certified on the basis of minimum qualifications in the area of education, training, experience, and the ability to perform the task of drug identification according to established protocol. It shall be the responsibility of the department head to ensure that the Marijuana Leaf Field Test Technician is supervised on a regular basis to insure a professional standard is maintained.