

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 650-X-1
ORGANIZATION, ADMINISTRATION AND PROCEDURE**

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RULE 650-X-1-.01 Definitions. As used by the Peace Officers Standards and Training Commission, the following words and phrases shall have the following meanings respectively.

(1) **Approved Academy:** A school certified and authorized by the Commission to conduct law enforcement training.

(2) **Certification:** A written statement issued by the Commission testifying to the accreditation of an approved academy, instructor, or applicant.

(3) **Commission:** The Peace Officers Standards and Training Commission or employees thereof acting on its behalf.

(4) **Curriculum:** A program of study that conforms to the Commission's promulgated requirements.

(5) **Instructor:** An individual possessing a certificate issued by the Commission to instruct in an approved academy.

(6) **Academy Director:** The individual appointed or approved by the Commission to administer the operation of an approved academy.

(7) **Subject:** A specific course of instruction within the curriculum required by the Commission.

(8) **Applicant:** An individual seeking admittance to an approved academy as a trainee and/or certification as a law enforcement officer.

(9) **Trainee**: An individual undergoing training at an approved academy.

(10) **Law Enforcement Agency**: Means and includes the State Department of Public Safety, the Alabama Department of Corrections, the police department of each incorporated city or town, the department of each sheriff of the state, including all deputy sheriffs, the enforcement division of the State Department of Conservation and each public agency in the state charged with the enforcement of any laws and the officers or employees of which have power as such officials or employees to make arrests. Such term does not include the National Guard or any military organization.

(11) **Law Enforcement Officer**: Means and includes a police officer, deputy sheriff, deputy constable, and other officials who have authority as such official to make arrests. Such term includes Alabama State Troopers or members of the State Department of Public Safety.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997.

RULE 650-X-1-.02 Purpose. The Peace Officers Standards and Training Commission was created to insure that law enforcement officers receive training in their vocation, thereby providing better service to the public. These goals are obtained by empowering the Commission with authority to promulgate rules in the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of the Code of Alabama 1975, Sections 36-21-40 through 36-21-50 or the standards, rules and regulations of the Commission a misdemeanor.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: May 9, 1997.

RULE 650-X-1-.03 Composition and Selection of Commission. The Commission is composed of seven members, each of whom must be a qualified elector of the State who is over the age of 19 years. The State Fraternal Order of Police shall designate one member of the Commission to serve for a term of four years; the Alabama Peace Officers Association shall designate one member to serve for a term of four years; the Law Enforcement Planning Association shall designate one member to serve for a term of four years; and the Governor shall designate four members to serve for terms of four years.

Authority: Code of Alabama 1975, § 36-21-41, § 36-21-45.

Effective Date: September 29, 1983. Amended June 12, 1995. Amended February 14, 2013.

RULE 650-X-1-.04 General Description of Organization and Operation. The Commission is an independent agency of the State of Alabama. All costs of operating the Commission, including administrative, secretarial, clerical and investigative are paid from legislative appropriations. The Attorney General and his assistants provide legal services to the Commission.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.05 Rules of Order. All proceedings of the Commission shall be governed by Roberts Rules of Order, except during disciplinary hearings and except where otherwise provided in these rules.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.06 Quorum. Four members of the Commission shall constitute a quorum.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.07 Election of Officers. The Commission shall elect a Chairman and Vice-Chairman from among its members on the first meeting after January 1st of each year.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.08 Meetings.

(1) The Commission shall meet in regular sessions, quarterly, at a time and place in the State of Alabama, to be designated by the Chairman of the Commission.

(2) Special Meetings may be called by the Chairman, the Vice-Chairman or any three members, by giving notice of the time, place and purpose of such meeting to each member.

(3) Each member of the Commission shall be given at least five days notice of the time, place, and purpose of quarterly or Special Meetings. Such notice may be waived by all members of the Commission either before or after a Special Meeting.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.09 Use of Forms. All applications and requests for which the Commission has prescribed a form must be made on the prescribed form. Forms used by the Commission may be acquired from the Executive Secretary.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.10 Executive Secretary. The Executive Secretary of the Commission is a certified law enforcement officer with the power of arrest as defined in Rule 650-X-1-.01(11) and shall be responsible for the administration of Commission policy. The Executive Secretary is designated as agent for the Commission for service of legal process upon the Commission. The Executive Secretary shall be custodian of the seal and shall have authority to affix the seal to agreements and obligations of the Commission and to certify copies of proceedings of the Commission. All correspondence to the Commission, including requests for information and all submissions and other requests, should be made to the Executive Secretary at the Commission's headquarters.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995. Amended September 5, 2000.

RULE 650-X-1-.11 Records.

(1) "Public Record" for the purpose of these Rules means all Commission records which are reasonably necessary to record the business and activities required to be done or carried on by the Commission so that the status and condition of such business and activities can be known by the public. Records which do not constitute "public records" include, but are not limited to, those received by a public officer in confidence, sensitive personal and criminal records, complaints against law enforcement officers and individuals seeking certification as law enforcement officers, and records, the disclosure of which would be detrimental to the best interests of the public.

(2) Specific public records are available for inspection at Commission headquarters during regular business hours.

(3) Any person wishing to obtain copies of specific public records may request same from the Executive Secretary, and upon payment of the cost of copying, which cost shall be estimated and set from time to time by resolution of the Commission, will be supplied copies.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.12 Employment of Agents, etc. The Commission may employ investigators, inspectors, attorneys and any other agents, and employees and assistants as may from time to time be necessary, and may use any other means necessary to bring about and maintain a rigid administration and enforcement of the Code and these rules.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.13 Grants and Appropriations. The Commission is authorized to accept grants from the Federal Government, its departments and agencies as well as grants and appropriations by the State, any county or municipality, or any individual, corporation or fund.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.14 Declaratory Rulings.

(1) The Commission may issue declaratory rulings to any person substantially affected by a Rule with respect to the validity of the Rule, or with respect to the applicability to any person, property, or state of facts of any rule or statute enforceable by the Commission, or with respect to the meaning and scope of any order of the Commission. Such ruling shall be issued provided:

- (a) The petitioner shows that he/she is substantially affected by the Rule in question,
 - (b) Sufficient facts are supplied in the request to permit the Commission to make a valid determination, and
 - (c) The request arises from an actual question or controversy.
- (2) A request for a declaratory ruling must be in writing and must specifically state that it is

a "request for a declaratory ruling".

(3) Such rulings will be made in accordance with the Alabama Administrative Procedure Act §11.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-1-.15 Functions and Duties of the Commission. The Commission shall have the following functions and duties together with all powers necessary or convenient for the performance thereof:

(1) To study, obtain data, statistics, and information and to make reports concerning the recruitment, selection and training of law enforcement officers in the state and to make improvements in methods of recruitment, selection, and training of law enforcement officers;

(2) To review from time to time the standards described in Section 36-21-46 for applicants for and appointees as law enforcement officers;

(3) To consider, hold public hearings on, adopt and promulgate standards relating to the physical, mental and moral fitness of any applicant for or appointee as a law enforcement officer as do not lower the standards in Section 36-21-46 or as otherwise permitted by Section 36-21-46;

(4) To study, consider, and make reports from time to time concerning the work and the curriculum and courses offered by law enforcement training schools in the State and to make recommendations for improving the schools, curriculum, and courses;

(5) To encourage the establishment of law enforcement training schools and courses on law enforcement in existing institutions of learning;

(6) To gather statistics and data relative to standards and training and make the same available to governmental entities upon request;

(7) To revoke its approval or certification of any person appointed or certified pursuant to this article for failure to meet the continuing training or education requirements set forth in the rules of the Commission or for failure to meet the requirements of Section 36-21-46;

(8) To make investigation to determine whether the requirements of this article and the rules, regulations and standards of the Commission issued pursuant to this article are being observed and followed;

(9) To enforce this article and the rules, regulations, and standards issued by the commission with appropriate civil and criminal actions by the Attorney General, district attorneys or other appropriate officials;

(10) To enter into cooperative agreements with federal, state and local law enforcement agencies for effective training; and

(11) To obtain the services and advice of experts in the field of law enforcement for the purpose of aiding the Commission in its studies, considerations, reports and recommendations, and in the adoption of standards, rules and regulations.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997.

RULE 650-X-1-.16 Responsibilities of Each Law Enforcement Agency.

(1) Each law enforcement agency shall have the responsibility of seeing that all required

forms and necessary information are properly submitted to the Commission in a timely manner.

(2) Each law enforcement agency shall have the responsibility of assuring that each of its employees who are law enforcement officers, receive the training required by the Code of Alabama 1975, Title 36-21-40 through Title 36-21-52 or by the rules of the Commission.

(3) Each law enforcement agency shall cooperate with the Commission and its Executive Secretary in carrying out the provisions and responsibilities of the Code of Alabama 1975, Title 36-21-40 through Title 36-21-52 and the rules and regulations of the Commission.

(4) It shall be the responsibility of each law enforcement agency to submit an application to the Commission on the day the applicant is employed.

(5) It shall be the responsibility of each law enforcement agency to submit a notice of employment, within 10 days of employment, to the Commission on any law enforcement officer previously certified by the Commission.

(6) Each law enforcement agency shall file, within 10 days of the termination of a law enforcement officer, a notice of termination form with the Commission.

(7) It shall be the sole responsibility for each law enforcement agency to hire and/or terminate persons as law enforcement officers and not the responsibility, duty or obligation of the Commission.

(8) It shall be the responsibility of each law enforcement agency to conduct a thorough background investigation on each applicant.

Authority: Code of Alabama 1975, §36-21-40 through §36-21-52.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: February 4, 1999. Amended: August 4, 1999.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 650-X-2
REQUIRED STANDARDS FOR APPOINTEES AS LAW ENFORCEMENT OFFICERS
AND FOR APPLICANTS FOR CERTIFICATION AS LAW ENFORCEMENT OFFICERS**

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RULE 650-X-2-.01 Training. The applicant must be gainfully employed as a law enforcement officer by a law enforcement agency at the time of his/her application to the academy. For the purpose of this Chapter the term Law Enforcement Officer includes Correctional Officers employed by the Alabama Department of Corrections. Prior to certification, the applicant shall complete the required course of training established by the Commission. An applicant may be provisionally appointed for a period of six months. No individual may be employed for an additional period until that individual is certified by the commission.

(1) Each applicant must be gainfully employed as a full time law enforcement officer by a law enforcement agency at the time of his/her application to the academy.

(a) Full time is understood to mean 40 hours per week or to average out to 40 hours per week during the monthly or bi-weekly pay periods of most agencies.

(b) A law enforcement agency employing an applicant working less than 40 hours per week must request in writing a waiver from the Executive Secretary requesting the applicant to attend an academy.

(2) Prior to certification, the applicant shall complete the required course of training established by the Commission.

(3) An applicant may be provisionally appointed for a period of six months.

(a) Provisional appointment requires:

(1) An application package as set out in Rule 650-X-2-.09 has been submitted on the first day of employment as stipulated in Rule 650-X-1-.16(4) and has been received by the Commission.

(2) A provisionally appointed law enforcement officer who is involved in patrol operation for the purpose of detection, prevention and suppression of crime or the enforcement of the traffic or highway laws of the state, including exercising the power of arrest, will be under the direct control and supervision of a certified law enforcement officer.

(3) Traffic direction and control may be performed by a provisionally appointed law enforcement officer without direct supervision, provided, however, that supervisory control is exercised by a certified law enforcement officer whose total span of control would be considered within reasonable limits.

(4) A provisionally appointed law enforcement officer may render crowd control assistance at public gatherings or governmental functions as directed by their employing law enforcement agency provided supervisory control is exercised by a certified law enforcement officer whose span of control would be considered within reasonable limits.

(5) The provisional appointment is valid for a total of six (6) months (180 days) during a two (2) year period of (730 days) from the time of first appointment by any law enforcement agency.

(6) This six month period to complete his/her required course of training cannot be extended or re-started by an applicant being terminated or re-employed by the same or another law enforcement agency nor by an applicant voluntarily changing employment from one law enforcement agency to another. Each day of the six-month provisional appointment is cumulative no matter how many law enforcement agencies the applicant has worked for during his/her six-month provisional appointment.

(7) The provisional appointment of any applicant who does not complete the required course of law enforcement training within six months from the date of his/her initial employment/appointment is null and void.

(8) A provisionally appointed applicant who fails to achieve certification, as required herein, within his/her six months provisional appointment time, may not re-apply for employment/appointment as a law enforcement officer for two years following the expiration of their provisional appointment time.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983. Amended May 9, 1997, Amended: February 4, 1999, Amended June 20, 2014

RULE 650-X-2-.02 Age. The applicant shall not be less than 19 years old.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983, Amended June 20, 2014.

RULE 650-X-2-.03 Education Requirement. The applicant shall meet the following education requirements:

(1) Possess a valid high school diploma as defined in a, b, or c:

(a) Earned from an accredited high school in Alabama and is the equivalent of a regular academic diploma recognized by the State Department of Education. Or earned another type diploma at said high school and also have achieved a minimum American College Testing (ACT) score of 18.

(b) Earned from a non-accredited high school which is recognized by the State Department of Education and has achieved a minimum ACT score of 18.

(c) Earned in another state from a high school accredited by an accrediting agency recognized by the Alabama State Department of Education and is the equivalent of a regular academic diploma recognized by the State Department of Education. Or earned another type diploma at said high school and achieved a minimum ACT score of 18. Or,

(2) Possess a valid General Education Development (GED) certificate. On-line, correspondence or mail order GED certificates are not acceptable. Or,

(3) Possess an earned Associate's Degree or higher Degree from a College or University accredited by the Southern Association of Colleges and Schools (SACS), or its equivalent. And,

(4) In addition to meeting one (1) of the three (3) requirements listed above, the applicant shall take and pass a Law Enforcement Basic Abilities Test (BAT), approved by the Commission, prior to employment or certification as a law enforcement officer. The BAT is required of all applicants except those applicants who are already APOSTC certified and are required to complete Refresher training for reinstatement of their Certification.

A. The BAT may only be taken at a Commission approved testing center. Test results from unapproved test sites are not acceptable. Commission approved testing centers shall restrict access to the BAT to those applicants who present authorization (APOST Form Number 11) from his/her employing agency and who produce a valid photo identification. Proctors shall validate the name, date of birth, gender and social security number of each applicant to ensure that the information given by the applicant is consistent with their driver license and departmental authorization.

B. The applicant shall not engage in conduct that subverts or attempts to subvert the BAT process.

C. The applicant shall not violate the standards of the BAT test administration.

D. The applicant shall not violate the application identification process. Conduct that violates the process is identified as, but not limited to, the following;

- (1) Falsifying or misrepresenting information required for admission to the BAT.
- (2) Impersonating an applicant.
- (3) Having an impersonator take the BAT on one's behalf.
- (4) Disrupting the test administration.

E. Any violation of this provision shall be documented and reported to the Commission's Executive Secretary in writing. The Executive Secretary shall then conduct an immediate investigation of the reported violation(s).

F. When the Commission finds that a violation of Section (4) A,B,C, or D, of this rule the Commission shall impose one or more of the following sanctions:

- (1) Declare the applicant has failed the BAT;
- (2) Declare the applicant ineligible to apply to take the BAT in any discipline for a period of five years;
- (3) Deny certification by the Commission.
- (4) Take action against any currently held certification.

G. A Passing score on the Commission approved BAT is valid two years from date of the test. The applicant shall not take the BAT more than two times during any twelve month period.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq., ACT Number 2014-245

History: Effective Date: September 29, 1983. Amended: February 24, 2000, Amended: September 8, 2006, Amended June 20, 2014.

RULE 650-X-2-.04 Physical Qualifications. The applicant shall be certified on APOST Form Number 3, by a licensed physician, designated by the appointing authority, as in good health and physically fit for the performance of the duties of a law enforcement officer.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983. Amended: June 12, 1995, Amended: May 9, 1997, Amended June 20, 2014

RULE 650-X-2-.05 Character.

(1) The applicant shall be a person of good moral character and reputation;

(2) Conviction of any felony pursuant to any state or federal law shall be a complete and absolute bar to certification, employment, appointment or approval as a law enforcement officer.

(a) The existence of a pardon does not nullify a conviction for the purpose of this Rule.

(b) An applicant having pleaded guilty or nolo contendere to any felony pursuant to state or federal law is not eligible for certification, employment, appointment or approval as a law enforcement officer, notwithstanding suspension of sentence or withholding of adjudication.

(c) Conviction of any conduct, including a plea of guilty or nolo contendere, in any other jurisdiction that would have constituted a felony in Alabama and been punishable by a sentence exceeding one year in Alabama shall be a complete and absolute bar to certification, employment, appointment or approval as a law enforcement officer, notwithstanding suspension of sentence, withholding of adjudication or the existence of a pardon.

(d) An applicant shall disclose and produce to the Commission, any expunged record of any arrest, regardless of the disposition of the case. For the purpose of certification and regulation of law enforcement and correctional officers the Commission shall have access to any expunged records sealed or archived.

(3) Conviction of a misdemeanor pursuant to any municipal, state or federal law shall not automatically disqualify a person as a law enforcement officer. Such a conviction may be considered as a factor among several in evaluating fitness as a law enforcement officer, which factors shall include but not be limited to the nature and gravity of the offense or offenses, the time that has passed since the conviction and/or completion of the sentence and the nature of the job held or sought and such other factors as to affect the applicant's character. In the case of a misdemeanor conviction involving a guilty plea or plea of nolo contendere, involving force, violence, moral turpitude, perjury, or false statements, notwithstanding suspension of sentence or withholding of adjudication, results of psychological testing shall also be considered as a factor in considering the applicant's fitness as a law enforcement officer.

(a) The psychological test administered to law enforcement officers will be approved by the Commission.

(b) At the request of the agency, and at the expense of the applicant or agency, a complete comprehensive psychological evaluation may be approved for an applicant who fails the psychological test. This complete comprehensive psychological evaluation will be administered by an agency selected by the Commission and must be given immediately after the failure of the first test.

(c) The results of the psychological test will be furnished to the Commission. The psychological test results must include a statement of whether or not the person is recommended for law enforcement.

(d) If an applicant fails the psychological test, he/she must wait one year to be eligible to submit a new application package requesting to attend the academy. This does not exempt the applicant from Rule 650-X-2-.01.

(4) Adjudication as a youthful offender or juvenile shall not be considered as a conviction for the purpose of these Rules.

(5) Any person who is prohibited by state or federal law from owning, possessing, or carrying a firearm, including but not limited to a pistol, handgun, rifle or shotgun, shall not be employed or certified as a law enforcement officer.

(6) Any person who is required to register as a convicted sex offender as defined in Title 13A-11-200, Code of Alabama, 1975, as amended, shall not be employed or certified as a law enforcement officer.

(7) The arrest of any certified law enforcement officer, provisionally appointed law enforcement officer, or applicant for any felony or misdemeanor offense shall be immediately reported to the Commission by the employing agency, arresting agency and the law enforcement officer.

(8) Applicants who falsify their application are ineligible for employment as a law enforcement officer and they are ineligible to attend the academy for certification as a law enforcement officer. Applicants who are determined to have falsified their applications are barred from employment or certification as a law enforcement officer for two (2) years.

(9) No law enforcement officer, either certified or provisionally appointed, shall knowingly and willfully provide false or misleading information to the Commission or any of its agents.

(10) No law enforcement officer shall knowingly and willfully violate the Rules and Regulations of the Commission.

(11) Any law enforcement officer who knowingly and willfully provides false or misleading information to the Commission or its agents, or who knowing and willfully violates the Rules and Regulations of the Commission, shall be subject to having their Certification suspended or revoked by the Commission.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq., Act Number 2014-292

History: Effective Date: September 29, 1983. Amended June 12, 1995, Amended: February 4, 1999, Amended March 14, 2002, Amended: September 8, 2006, Amended: February 13, 2009, Amended June 20, 2014.

RULE 650-X-2-.06 Applicants To Be Citizens. The applicant must be a citizen of the United States.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983. Amended: June 20, 2014.

RULE 650-X-2-.07 Discharge from Armed Services. If an applicant has been a member of the armed forces of The United States, each and every discharge must be under honorable conditions.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983. Amended: February 4, 1999, Amended: June 20, 2014.

RULE 650-X-2-.08 Driver's License. The applicant must have a valid Driver's License.

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983. Amended: June 20, 2014.

RULE 650-X-2-.09 Application Package Required.

(1) Each applicant for certification as a law enforcement shall submit a complete application package in the form prescribed by the Commission and provided by the Executive Secretary. An incomplete application will not be processed. An application which appears to be falsified or contains false information will be denied.

(2) Documentation. All documents listed below must be received by the Executive Secretary before an application package will be processed.

(a) Each applicant shall complete an electronic application. All required paper documents shall be printed or typewritten. All documents must be completed fully. Incomplete electronic applications and paper documents will not be processed and will be returned to the employing agency.

(b) Certification by a licensed physician (APOST Form Number 3) that the applicant is physically able to participate in the required law enforcement training program.

(c) Each applicant shall submit an affidavit (APOST Form Number 2) certifying that he/she meets all requirements for employment and certification as a law enforcement officer under the provisions of Title 36-21-46, Code of Alabama, 1975.

(d) Each applicant shall submit documents which reflect that the applicant meets the Education requirements of 650-X-2-.03

(e) Each applicant shall submit two APOST ORI fingerprint cards.

(f) Each applicant shall submit a release of information. (APOST Form Number 4).

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Alabama 1975, §36-21-40 et seq.,

History: Effective Date: September 29, 1983. Amended: June 12, 1995, Amended: May 9, 1997, Amended: June 20, 2014.

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**CHAPTER 650-X-3
TRAINING ACADEMIES**

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RULE 650-X-3-.01 Academy Certification.

(1) Certification may be issued for an approved academy that offers basic training, and in-service training courses. Certification will continue in effect until surrendered or revoked.

(2) Prior to considering certification, an inspection of the proposed academy shall be conducted by the Commission employees. Such inspection shall include but shall not be limited to the following areas: Administration, faculty, and facilities. The Executive Secretary shall submit to the Commission the results of inspection with an appropriate recommendation.

(3) The following information will be provided to the Commission:

(a) The request must include the geographical area that will be covered (counties).

(b) The estimated number of students that will be trained in the program.

(c) Proposed method of funding.

(d) Anticipated yearly budget of proposed academy.

(e) Statement as to why basic and advanced training cannot be obtained through existing academies.

(f) Statement of request for basic or advanced training from existing academies that have not been met.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997.

RULE 650-X-3-.02 Course of Study (Law Enforcement Officer).

(1) Introduction to Law Enforcement

(2) General Topics

(3) Equipment

(4) Criminal Investigations

(5) Criminal Procedures and Laws of Evidence

(6) Juvenile Procedures

(7) Courts

(8) Patrol Techniques

(9) Traffic Operations

(10) Offensive and Defensive Tactics

(11) Community/News Media Relations

(12) Firearms Training

(13) Examinations

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995.

RULE 650-X-3-.03 Academy Employees. The employees of each law enforcement academy shall be governed by personnel rules and regulations of the academy.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995.

RULE 650-X-3-.04 Instructors. All instructors participating in basic and in-service training courses at an approved academy must be certified. Instructor's Certification: General, Specific, Legal and Firearms. Instructor certificates are valid three years from date of issue.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: May 9, 1997. Amended: August 4, 1999.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-4
CERTIFICATION OF LAW ENFORCEMENT OFFICERS
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650-X-4-.05	Withdrawal from School
650-X-4-.06	Repealed
650-X-4-.07	Repealed
650-X-4-.08	Repealed

RULE 650-X-4-.01 Education Requirements.

(1) The trainee must successfully complete 480 hours of basic training at an approved academy.

(2) The trainee must satisfactorily complete the law enforcement training course within the time set forth in the statutory requirement of the Code of Alabama, Title 36-21-46.

(3) In order to successfully complete the law enforcement training course and be certified by the Commission, the trainee must achieve the following:

(a) An overall score of not less than 70% on written exams,

(b) Pass the first aid exam with a score of not less than 70% (Any re-test, if necessary, shall be administered within 72 hours.),

(c) Pass the legal issues exam with a score of not less than 70% (Any re-test, if necessary, shall be administered within 72 hours.),

(d) Pass the physical agility/ability test (Any re-test, if necessary, shall be administered within 48 to 72 hours.),

(e) Pass 43 hours of firearms training and qualify two of three attempts on the firearms course. A minimum score of seventy (70) is required to pass each attempt

(1) If a trainee does not pass ANY of the three (3) qualification attempts then the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two years.

(2) Any trainee who passes one of the three attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to re-take the forty three (43) hours of firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month provisional appointment time). If the trainee fails to pass firearms training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two years.

(f) Trainees shall not be absent more than 5% of the required training hours.

(4) The trainee shall comply with all rules and regulations promulgated by the Commission.

(5) The trainee in addition to complying with the Commission's rules and regulations shall comply with all rules and regulations promulgated by the academy.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997.

Amended: February 4, 1999. Amended: January 1, 2006.

RULE 650-X-4-.02 Employment Requirements. The applicant must be gainfully employed as a law enforcement officer by a law enforcement agency at the time of his/her application to the academy. Prior to certification, the applicant shall complete the required course of training established by the commission. An applicant may be provisionally appointed for a period of six months. No individual may be employed for an additional period until that individual is certified by the commission.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997.

RULE 650-X-4-.03 Waiver for Lateral Entry Equivalency Training.

(1) The Commission may waive the completion of any course required by Rule 650-X-4-.01 of the regulations upon presentation of documentary evidence by a department that a gainfully employed (full-time or part-time) officer has received equivalent training in another jurisdiction or through federal, or department of defense law enforcement experience.

(a) If a law enforcement agency has a properly established and bonafide law enforcement reserve program, and if a duly appointed reserve officer is qualified and commissioned with the power of arrest, then the Chief Law Enforcement Officer may submit a letter of request to the Commission requesting the reserve officer be considered for Waiver of Lateral Entry Equivalence training. Reserve law enforcement officers who are approved for this training will be admitted to the refresher training program on a space available status only and may not occupy a position in the class if participation prevents a gainfully employed law enforcement officer from attending.

(b) Any reserve law enforcement officer who attends this program must be covered by Workers Compensation Insurance.

(2) The Commission will review the documentation of equivalent training presented by the department and use a point system, as described later in this rule, to determine if comparative compliance is achieved.

(3) If equivalency training is approved, the officer will qualify to attend an 80 hour Law Enforcement Officer Refresher Course to equate previous training with current standards.

(4) Equivalency of Training Point System. For the purpose of determining equivalency of training, the terms listed below shall have the following meaning and values:

(a) Experience: The total; number of years the applicant has been employed full time as a law enforcement officer since completing an entry level basic police training course.

(b) Education: An academic title awarded by a post-secondary institution which is accredited by a state certification board or commission and authorized to award such degrees.

(c) Equivalency: Achieved by:

(1) An applicant being Certified or licensed as a law enforcement officer in another State, by

the Peace Officers Standards and Training Commission of that State, and whose Certification is valid and in good standing, and who meets all other requirements for lateral entry equivalency training as outlined in these Rules. Applicant must have a minimum of one (1) year experience as a gainfully employed, full time law enforcement officer and must not have a break in service of more than two (2) years following separation of employment as a law enforcement officer in said state.
Or;

(2) By an applicant obtaining a total of ten or more points based on the following schedule; of which, each applicant will be awarded the maximum number of points that he/she qualifies for in each of the three categories:

Years of full-time Law Enforcement Experience:	
Less than one (1)	0
One (1) to five (5) years	5
Five years, 1 day, to 10 years	6
Ten years, 1 day, to 15 years	7
Fifteen years, 1 day, to 20 years	8
Twenty years and one day or more	9

Basic Police Training	
less than 280 hours	0
280 hours - 319 hours	1
320 hours - 479 hours	2
480 hours - 639 hours	3
640 hours - 800 hours	4
801 hours - 959 hours	5
960 hours or more	6

Post-secondary Degrees	
Associate Degree	1
Bachelor Degree	2
Masters Degree or above	3
(correspondence courses not accepted)	

(5) Eligibility. An applicant who is Certified in another State and who meets the requirements of Equivalency as outlined in section (4)(c)(1) of this Rule is deemed eligible. All other applicant's requesting lateral entry to the law enforcement field in Alabama must meet the following requirements:

(a) Military Police Applicant. Be a graduate of a formal Military Police "Law Enforcement" Basic Police Training Course. Must have been performing duties in a law enforcement function the last four years prior to separation and must not have a break in service in excess of two (2) years following military separation.

(b) Federal Law Enforcement Applicant. Be a graduate of a formal Federal Law Enforcement Basic Police Training Course. Must have been performing duties in a law enforcement function the

last four years prior to separation from Federal Service and must not have a break in service in excess of two (2) years following Federal Service separation.

(c) The following applicants will not be considered for eligibility:

- (1) Applicants who do not meet APOSTC standards for certification.
- (2) Applicants who have been "Grandfathered" or "exempted" from training.
- (3) Applicants whose certification has been suspended or revoked.
- (4) Applicants who have a primary Security Police occupational code.

(6) Refresher Course. Those applicants who have received an acceptable evaluation of their experience, education, and training are required to attend an eighty (80) hour refresher training course to be conducted at an assigned regional academy. The general curriculum will be developed and updated as needed by a committee of Academy Directors and approved by the Alabama Peace Officers Standards and Training Commission. This training course will be rotated among the regional academies. A minimum of one course (if there is a sufficient number of applicants) will be conducted each calendar year. No credit will be given for a partially completed training course. Trainees shall not be absent more than 5% of the required training hours. The following mandated subjects must be passed. Any trainee who fails to pass (a), (b), (c) or (d) shall be required to attend the 480 hour basic Academy.

(a) An overall academic average of not less than 70%.

(b) Pass the legal issues exam with a score of not less than 70%.

(c) Pass the defensive driving course with a score of not less than 70%.

(d) Pass the physical agility test.

(e) Pass two of three attempts on the firearms course. A minimum score of seventy (70) is required to pass each attempt.

(1) If a trainee does not pass ANY of the three (3) qualification attempts then the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two years.

(2) Any trainee who passes one of the three attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to take the forty three (43) hours of firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month provisional appointment time). If the trainee fails to pass firearms training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two years.

(f) Applicant must present proof of CPR Training prior to admission to the course.

(7) Definitions:

(a) Law Enforcement Officer: One who is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of the State of Alabama. A full-time federal or military law enforcement officer who has powers of arrest, authority to carry a firearm, and is classified by their agency in a law enforcement position.

(b) Basic Police Training Course: A basic course recognized by a state commission, state board, or agency which leads to licensing or certification as a law enforcement officer; or a basic course sponsored by the federal government for its law enforcement officers; or a basic course conducted by the Department of Defense for personnel classified as law enforcement personnel

under their military specialty codes, i.e., Military Occupation Code (MOS), Air Force Specialty Code (AFSC).

(8) Procedures:

(a) All commission procedures applicable to certification of newly employed officers must be followed when applying for Lateral Entry.

(b) The employer must complete the required application forms in duplicate, and provide certified true copies of law enforcement training and training curriculums provided in the training of the applicant.

(c) The applicant will arrange for the post-secondary schools, colleges, and universities to forward a certified true copy of post-secondary degrees earned, to the Peace Officers Standards and Training Commission.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997.

Amended: May 5, 1999. Amended: September 5, 2000. Amended: September 13, 2000.

Amended: July 18, 2001. Amended: January 1, 2006. Amended: June 28, 2007.

RULE 650-X-4-.04 Failure to Complete Training. Should a trainee fail academically or physically, the hiring agency may request that the trainee be allowed to attend another session. An applicant is eligible for two attempts of completion of the academy. If an applicant fails the academy twice, the applicant is ineligible to attend an academy for a period of two years from the date of failure of the second academy attempt. If, after two years, the applicant is again employed as a law enforcement officer, a new application package is required. This does not exempt the applicant from Rule 650-X-2-.01.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995. Amended: February 4, 1999.

RULE 650-X-4-.05 Withdrawal from School. A trainee who is failing the course of study may withdraw and re-enter school only in hardship or emergency situations.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-4-.06 Repealed.

RULE 650-X-4-.07 Repealed.

RULE 650-X-4-.08 Repealed.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: October 29, 1980. Amended: June 12, 1995. Amended: May 9, 1997.

Repealed: April 4, 2005.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 650-X-5
DISCIPLINARY ACTIONS**

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650-X-5-.01	Complaints
650-X-5-.02	Probable Cause

RULE 650-X-5-.01 Complaints. Complaints alleging any violations of the law of Alabama, training, or rules of this Commission concerning law enforcement selection, may be lodged by any person with the Executive Secretary.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-5-.02 Probable Cause. The Executive Secretary will investigate the alleged violation and determine whether probable cause exists for disciplinary action.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 650-X-6
HEARING OF CONTESTED CASES**

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650-X-6-.01	Procedure for Hearing Contested Cases
650-X-6-.02	Revocation of Certification

RULE 650-X-6-.01 Procedure for Hearing Contested Cases.

(1) Before the Commission can deny an individual certification as a law enforcement officer, the Commission shall follow the requirements set forth in the Alabama Administrative Procedure Act concerning contested cases as defined in the Code of Alabama 1975, §41-22-1 through §41-22-27.

(2) Without limiting the scope of Rule 650-X-6-.01, the following shall apply to contested cases:

(a) The Commission may at its discretion, appoint some person to act as a hearing officer. In the event a hearing officer is appointed, he/she shall preside at the hearing and shall rule on all questions of evidence and procedure, notwithstanding any other provisions of these rules to the contrary.

(b) The Commission shall be allowed the right to examine any witnesses called by either party.

(c) The Commission shall issue an order within thirty (30) days of the date of the final hearing, which shall include findings of fact, official notice taken and conclusions of law, separately stated. The individual shall be delivered a copy of the order by certified mail, return receipt requested, and a copy shall be mailed first class to each attorney of record.

(d) Evidence. Evidence shall be admitted in accordance with the Code of Alabama 1975, Title 41-22-13.

(3) Emergencies. The Commission may in an emergency situation, when danger to the public health, safety and welfare requires, deny certification without a hearing or with an abbreviated hearing in accordance with the Code of Alabama 1975, Title 41-22-19(d).

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995.

RULE 650-X-6-.02 Revocation of Certification.

(1) The certification or authority of any law enforcement officer certified by the Alabama Peace Officers Standards and Training Commission or otherwise exempt from the minimum standards pursuant to subsection (b) of Section 36-21-46 of the Code of Alabama 1975, shall be revoked by the Commission when a law enforcement officer is convicted of a felony.

(2) Any law enforcement officer whose certificate or authority is revoked pursuant to this section may request a hearing before the Commission concerning the revocation. The only issue at the hearing shall be whether the revocation was based on a felony conviction of the officer.

(3) In the event the felony conviction is reversed or a new trial granted, the officer whose certificate has been revoked will have his/her certificate restored upon notification of the Commission by certified mail. The notification will include a certified copy of the court record of reversal or granting of a new trial.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: Amended: May 9, 1997.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-7
PERSONS WHO CEASE ACTIVE DUTIES
AS LAW ENFORCEMENT OFFICERS
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650-X-7-.01 Grandfather Status

650-X-7-.01 Grandfather Status.

(1) If a grandfathered law enforcement officer shows more than (6) six months break in service, he must then comply with the Act.

(2) Grandfathered law enforcement officers who cease active duties for the following reasons will retain their status with the Alabama Peace Officers Standards and Training Commission.

(a) Leave of absence without pay.

(b) Injured in the line of duty.

(c) Retired or temporary disability obtained while on duty.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended: July 1, 1999.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-8
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650-X-8-.02 The Commissioner of the Department of Corrections and his deputies
650-X-8-.03 Repealed
650-X-8-.04 Repealed

650-X-8-.01 Cabinet Members appointed by the Governor of the State of Alabama.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

650-X-8-.02 The Commissioner of the Department of Corrections and his deputies.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

650-X-8-.03 Repealed.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Repealed: November 3, 2006.

650-X-8-.04 Repealed.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Repealed: November 3, 2006.

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**CHAPTER 650-X-9
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650-X-9-.06	Compliance with Administrative Procedure Act

RULE 650-X-9-.01 Petition for Adoption of Rules.

(1) Any person who wishes to propose that the Commission adopt, repeal, or amend any rule may do so on the form prescribed by the Commission and supplied by the Executive Secretary.

(2) The Commission shall meet and consider any petition for adoption, repeal, or amendment at the next quarterly meeting of its submission.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-9-.02 Notice.

(1) The Commission shall give at least 35 days notice of any proposed action on any rule by publication in the Alabama Administrative Monthly in compliance with the Alabama Administrative Procedure Act §5(1)(a).

(2) Any person who wishes to receive notice by mail of all proposed actions on rules may do so by requesting such notice from the Executive Secretary and paying an annual charge of \$10 to cover costs of the mailings. All annual subscriptions begin October 1 and expire September 30.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-9-.03 Public Hearings. The Commission shall permit all interested persons reasonable opportunity to submit data, views or arguments in writing which must be received by the Executive Secretary at least five days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Commission to present data, views or arguments orally must submit a request to appear before the Commission to the Executive Secretary, and such request must be received by the Executive Secretary at least five days before the scheduled public hearing.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-9-.04 Written Notice. The Commission shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Commission, if conflicting views are submitted on the proposed rule, shall issue a concise statement of the principle reasons for and against its adoption, incorporating therein its reasons for overruling any considerations urged against its adoption.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-9-.05 Emergency Rules. In the event the Commission finds that an immediate danger to the public health, safety or welfare requires adoption of a rule upon fewer than 35 days notice or that action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than 35 days notice, the Commission may adopt an emergency rule under the provisions of the Administrative Procedure Act, §5(2).

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

RULE 650-X-9-.06 Compliance with Administrative Procedure Act. All rules adopted by the Commission shall otherwise substantively and procedurally comply with the provisions of the Alabama Administrative Procedure Act.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-10
RESERVE AND/OR AUXILIARY LAW ENFORCEMENT OFFICERS**

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650-X-10-.01	Definition
650-X-10-.02	Auxiliary-Reserve Training

RULE 650-X-10-.01 Definition. "Reserve law enforcement officers" are defined as set forth in the Code of Alabama, Title 11-43-210(a) and their functions shall be confined to those functions as set forth in the Code of Alabama, Title 11-43-210(c).

(1) Title 11-43-210(d) No reserve law enforcement officer shall have authority to exercise any power of arrest unless he or she has completed the training requirements of the Alabama Peace Officers Standards and Training Commission as set out in Article 3, Chapter 21, Title 36.

(2) Title 11-43-210(e) No reserve law enforcement officer shall carry any firearm unless he/she has obtained a properly issued permit for such firearm and the appointing authority has approved his/her use of such firearm. Reserve law enforcement officers may use such firearms only to the extent permitted by properly promulgated regulations of the appointing authority.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995.

RULE 650-X-10-.02 Auxiliary-Reserve Training.

(1) The Peace Officers Standards and Training Commission shall establish and maintain an Auxiliary or Reserve police training program with a prescribed curriculum and administered by an approved certified training academy.

(2) Upon successful completion of the prescribed curriculum for Auxiliary or Reserve police the certified academy will issue to the officer a certificate indicating that he/she has completed the prescribed curriculum.

(3) Only those Auxiliary or Reserve officers who complete the full 480 hours of instruction at an approved training academy will be certified by the Commission.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: September 29, 1983. Amended June 12, 1995.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 650-X-11
CERTIFICATION OF CORRECTIONAL OFFICERS**

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650-X-11-.01	Education Requirements
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650-X-11-.03	Correctional Officers (Course of Study)
650-X-11-.04	Correctional Officer Waiver for Lateral Entry Equivalency Training

RULE 650-X-11-.01 Education Requirements.

(1) The trainee must successfully complete 480 hours of correctional officer training at an approved Academy.

(2) The trainee must satisfactorily complete the correctional officer training course within the time set forth in the statutory requirement of the Code of Alabama, Title 36-21-46.

(3) In order to successfully complete the correctional officer training course and be certified by the Commission, the trainee must achieve the following:

(a) An overall score of not less than 70% on written exams,

(b) Pass the first aid exam with a score of not less than 70% (Any re-test, if necessary, shall be administered within 72 hours.),

(c) Pass the legal issues exam with a score of not less than 70% (Any re-test, if necessary, shall be administered within 72 hours.),

(d) Pass the physical agility/ability test (Any re-test, if necessary, shall be administered within 48 to 72 hours.),

(e) Pass 43 hours of handgun firearms training and qualify two of three attempts on the handgun firearms course. A minimum score of seventy (70) is required to pass each attempt.

(1) If a trainee does not pass ANY of the three (3) handgun qualification attempts then the trainee is deemed to have failed the Academy and is barred from employment and certification as a correctional officer for two years.

(2) Any trainee who passes one of the three attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to re-take the forty three (43) hours of handgun firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month provisional appointment time). If the trainee fails to pass handgun firearms training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a correctional officer for two years.

(f) Pass shotgun firearms training and pass the shotgun firearms course. A minimum score of seventy (70) is required to pass the shotgun firearms course.

(g) Trainees shall not be absent more than 5% of the required training hours.

- (4) The trainee shall comply with all rules and regulations promulgated by the Commission..
- (5) The trainee in addition to complying with Commission's rules and regulations must comply with all rules and regulations promulgated by the academy.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: June 12, 1995. Amended: January 1, 2006.

RULE 650-X-11-.02 Employment Requirements. The applicant must be employed as a correctional officer or guard as defined in the Code of Alabama 1975, Title 14-3-14. All Correctional investigative services officers and their supervisors given police power shall be required to comply with the minimum standards now in effect relating to state law enforcement officers.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: June 12, 1995.

RULE 650-X-11-.03 Correctional Officers (Course of Study).

- (1) Administrative/Personnel Time
- (2) Ethics and Professionalism
- (3) Communication
- (4) Inmate Management
- (5) Officer Safety/Fitness
- (6) Medical and Mental Health
- (7) Legal Issues
- (8) Security, Custody, and Control
- (9) Conflict and Crisis Management
- (10) Correctional Operations

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: June 12, 1995.

RULE 650-X-11.04 Correctional Officer Waiver for Lateral Entry Equivalency Training.

(1) The Commission may waive the completion of any course required by Rule 650-X-11.01 of the regulations upon presentation of documentary evidence by the Department of Corrections that a gainfully employed (full-time or part-time) officer has received equivalent training in another jurisdiction or through federal, or department of defense correctional experience.

(2) The Commission will review the documentation of equivalent training presented by the Department of Corrections and use a point system, as described later in this rule, to determine if comparative compliance is achieved.

(3) If equivalency training is approved, the officer will qualify to attend an 80 hour Correctional Officer Refresher Course to equate previous training with current standards.

(4) Equivalency of Training Point System. For the purpose of determining equivalency of training, the terms listed below shall have the following meaning and values:

(a) Experience: The total; number of years the applicant has been employed full time as a correctional officer since completing an entry level basic correctional training course.

(b) Education: An academic title awarded by a post-secondary institution which is accredited

by a state certification board or commission and authorized to award such degrees.

(c) **Equivalency:** Achieved by obtaining a total of ten or more points based on the following schedule; of which, each applicant will be awarded the maximum number of points that he/she qualifies for in each of the three categories:

Years of full-time Correctional Experience:

Less than one (1)	0
One (1) to five (5) years	5
Five years, 1 day, to 10 years	6
Ten years, 1 day, to 15 years	7
Fifteen years, 1 day, to 20 years	8
Twenty years and one day or more	9

Basic Correctional Training

less than 280 hours	0
280 hours - 319 hours	1
320 hours - 479 hours	2
480 hours - 639 hours	3
640 hours - 800 hours	4
801 hours - 959 hours	5
960 hours or more	6

Post-secondary Degrees

Associate Degree	1
Bachelor Degree	2
Masters Degree or above	3

(correspondence courses not accepted)

(5) **Eligibility.** An applicant requesting lateral entry to the correctional field in Alabama must meet the following requirements:

(a) **Other State Applicants.** Possess a current and valid Peace Officers Standards and Training Certificate from the state the applicant received training. This certification of training must be issued after completing a basic correctional training course mandated by the State in which the officer was trained. Applicant must not have had a break in service in excess of two (2) years following separation.

(b) **Military Corrections Applicant.** Be a graduate of a formal Military Confinement Basic Training Course. Applicant must have been performing duties in a correctional function the last four years prior to separation and must not have a break in service in excess of two (2) years following military separation.

(c) **Federal Corrections Applicant.** Be a graduate of a formal Federal Correctional Basic Training Course. Applicants must have been performing duties in a correctional function the last four years prior to separation from Federal Service and must not have a break in service in excess of two (2) years following Federal Service separation.

(d) The following applicants will not be considered for eligibility:

- (1) Applicants who do not meet APOSTC standards for certification.
- (2) Applicants who have been "Grandfathered" or "exempted" from training.
- (3) Applicants whose certification has been suspended or revoked.

(4) Applicants who have a primary Security Guard occupational code.

(6) Refresher Course. Those applicants who have received an acceptable evaluation of their experience, education, and training are required to attend an eighty (80) hour refresher training course to be conducted at the corrections basic training academy. The general curriculum will be developed and updated as needed by the departmental curriculum development committee and approved by the Alabama Peace Officers Standards and Training Commission. No credit will be given for a partially completed training course. Trainees shall not be absent more than 5% of the required training hours. The following are mandated subjects and must be passed. Any trainee who fails to pass (a), (b), or (c) shall be required to attend the 480 hour corrections basic Academy.

(a) An overall academic average of not less than 70%

(b) Pass the Legal Issues Exam with a score of not less than 70%

(c) Pass the physical agility test

(d) Pass two of three attempts on the handgun firearms course. A minimum score of seventy (70) is required to pass each attempt.

(1) If a trainee does not pass ANY of the three (3) handgun qualification attempts then the trainee is deemed to have failed the Academy and is barred from employment and certification as a correctional officer for two years.

(2) Any trainee who passes one of the three attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to take the forty three (43) hours of handgun firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month provisional appointment time). If the trainee fails to pass handgun firearms training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a correctional officer for two years.

(e) Pass shotgun firearms training and pass the shotgun firearms course. A minimum score of seventy (70) is required to pass the shotgun firearms course.

(f) Applicant must present proof of CPR Training prior to admission to the course.

(7) Definitions:

(a) Correctional Officer: An individual who is employed or has been employed by a federal, state, county, or municipal agency as a correctional officer, federal correctional officer, or military confinement officer who has power of arrest.

(b) Basic Correctional Training Course: A basic course recognized by a state commission, state board, or agency which leads to licensing or certification as a correctional officer; or a basic course conducted by the Department of Defense for personnel classified as correctional personnel under their military specialty codes, i.e., Military Occupation Code (MOS), Air Force Specialty Code (AFSC).

(8) Procedures:

(a) All Commission procedures applicable to certification of newly employed correctional officers must be followed when applying for Lateral Entry.

(b) The employer must complete the required application forms in duplicate, and provide certified true copies of correctional training and training curriculums provided in the training of the applicant.

(c) The applicant will arrange for the post-secondary schools, colleges, and universities to forward a certified true copy of post-secondary degrees earned, to the Peace Officers Standards and Training Commission.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: October 10, 1997. Amended: February 4, 2003. Amended: January 1, 2006.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 650-X-12
CONTINUING EDUCATION REQUIREMENTS**

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RULE 650-X-12-.01 Executive Continuing Education.

(1) Each chief of police or acting chief of police of any municipality in this state must annually complete 20 hours of executive level continuing education courses approved by the Alabama Peace Officers Standards and Training Commission.

(2) Any chief of police or acting chief of police who fails or refuses to comply with the provisions of this section or falsely reports executive level training shall be subject to having his/her certification revoked by the Alabama Peace Officers Standards and Training Commission.

(3) The Alabama Peace Officers Standards and Training Commission may, for sufficient cause, grant an extension of time in which to complete said courses.

(4) Any chief of police or acting chief of police who is aggrieved by any order or ruling made under the provisions of this section shall have the same rights and procedure of appeal as from any other order or ruling of the Alabama Peace Officers Standards and Training Commission.

Authority: Code of Alabama 1975, §36-21-51.

Effective Date: June 12, 1995. Amended: February 4, 1999.

RULE 650-X-12-.02 Continuing Education.

(1) Certified law enforcement officers in this state shall annually complete 12 hours of continuing education courses approved by the Commission.

(a) Law enforcement officer includes all officers certified by the Alabama Peace Officers Standards and Training Commission who have arrest powers to include reserve officers who are certified and have the power of arrest.

(b) In the case of law enforcement officers employed by a county sheriff's office, the training shall be required only if the county commission of the county in which the officer serves adopts a resolution requiring such continuing education.

(c) No reserve deputy sheriff or auxiliary, who is a law enforcement officer, is exempt from completing the annual continuing education requirements.

(2) The Alabama Peace Officers Standards and Training Commission may, for sufficient cause, grant an extension of time in which to complete said courses.

(a) Any certified law enforcement officer who is a member of the Alabama National Guard or U.S. Military Reserve and who is ordered to active duty because of a declared state of

emergency shall be exempt from continuing education requirements while he or she is serving on active military duty, provided the certified law enforcement officer's continuing education is current and not delinquent at the time he or she is called to active military service.

(b) The Chief Law Enforcement Officer of the employing agency must file a written request to the Executive Secretary stating that the officer is currently employed and has been ordered to active military duty because of a national emergency. A copy of the officer's military orders shall be included with the request.

(c) This exemption shall not extend beyond twenty-four (24) months.

(3) A certified law enforcement officer in this state may keep up or maintain their continuing education courses for two (2) years without being employed as a law enforcement officer to allow them to re-enter the field of law enforcement without having to take the refresher training. This training will be maintained by the law enforcement officer and sent to the Alabama Peace Officers Standards and Training Commission immediately after re-employment as a law enforcement officer within the two-year period. The courses must be acceptable and approved by the Commission.

(4) After a two year absence from employment as a law enforcement officer in this state, a previously certified law enforcement officer in this state shall be required to apply for renewal of his/her certification which will require successful completion of an approved 80-hour academy re-certification course. A previously certified law enforcement officer in this state, who has not been employed as a law enforcement officer for two years or more in this state, may be provisionally appointed for six months by the employing agency upon their submitting a notice to the Commission as required by Rule 650-X-1-.16(5) and an application for training as set out in Rule 650-X-2-.09, requesting to attend the next available 80-hour academy re-certification course.

(5) If the Commission is unable to provide an 80-hour academy re-certification course within the state, during the six-month provisional appointment period for a previously certified officer, the commission may through the Executive Secretary extend the provisional appointment period for a period up to 180 days.

(a) The provisional appointment of any law enforcement officer shall be null and void at the end of one year after appointment unless that person has completed the 80-hour academy re-certification course. Said person shall then be required to attend the regular basic law enforcement training course (480 hours).

(6) Continuing Education credit may not be granted for re-certification training, i.e., chemical aerosol, firearms qualification, defensive driving, etc.

(7) No more than six hours of continuing education credit may be obtained through video, computer, multi-media, or satellite-based training and the training must:

(a) Be approved by the agency head in advance, and

(b) Be directly related to law enforcement, and

(c) Occur in a classroom setting, and

(d) Have a training coordinator or department official present, and

(e) The student achieve a minimum passing score of 70% or above on a post-viewing examination.

(8) Continuing education shall be reported to the Commission by each agency head in the manner prescribed by the Commission.

(9) Permanent training records verifying course of study, including syllabus listing instructor(s), institution sponsoring name, date and time of training and proof of officer attendance shall be maintained by the law enforcement agency. All training records shall be available to inspection and verification by the Commission.

(10) The certification of any law enforcement officer, not otherwise exempt, shall be suspended if the law enforcement officer's continuing education becomes delinquent twenty-four (24) or more hours. The law enforcement officer shall then be required to complete the Alabama Peace Officers Standards and Training Commission eighty (80) hour refresher training program before having his/her certification reinstated. The Executive Secretary shall notify the law enforcement officer and the chief law enforcement officer of the employing agency, thirty (30) days before the effective date of said suspension.

(a) The certification of any law enforcement officer shall be automatically suspended if the law enforcement officer's employment is terminated and he/she is in violation of this section at the time of termination.

(11) Any law enforcement officer who fails or refuses to comply with the provisions of this section or who falsely reports training shall be subject to having his/her certification revoked by the Alabama Peace Officers Standards and Training Commission.

(12) Law enforcement officers who have honorably retired from law enforcement in this state, and who qualify under Title 36-21-9, Code of Alabama, with 20 years or more of service, are exempt from Sections (3) and (4) of this rule.

(13) Any law enforcement officer who is aggrieved by any order or ruling made under the provisions of this section shall have the same rights and procedure of appeal as from any other order or ruling of the Alabama Peace Officers Standards and Training Commission.

Authority: Code of Alabama 1975, §36-21-51, §36-21-45.

Effective Date: February 4, 1999. Amended: January 4, 2000. Amended: September 5, 2000. Amended: September 13, 2000. Amended November 7, 2001.

RULE 650-X-12-.03 Firearms Re-qualification. Alabama Peace Officers Standards and Training Commission requires that all law enforcement officers as defined in the Code of Alabama 36-21-40, subsection 4, who have been certified by APOSTC, shall successfully pass an approved firearms course annually.

(1) All law enforcement agencies or departments shall report annually to the Alabama Peace Officers Standards and Training Commission the results of firearms re-qualifications for each certified law enforcement officer on POST approved forms.

(2) The employer or appointing authority of any certified law enforcement officer, as defined by the Code of Alabama 1975, §36-21-40 may request in writing a suspension or waiver of firearms re-qualification if their department no longer authorizes or requires them to carry or use a firearm.

(3) Any officer who has been granted a waiver or suspension of the firearms re-qualification rule, must submit proof of firearms re-qualification signed by the department head, prior to again being authorized or required to carry or use a firearm.

(4) Any officer who fails to pass an annual firearms re-qualification course shall be subject to his/her certification being revoked.

Authority: Code of Alabama 1975, §36-21-40, §36-21-51.

Effective Date: April 4, 2005