

**Montana Public Safety Officer
Standards and Training Council**



**March 11, 2015
Meeting Materials**

**Approval of Minutes:
December 3, 2014 Meeting
Draft Minutes**

**MEETING MINUTES
MONTANA POST COUNCIL
December 3, 2014
Helena Regional Airport
HELENA, MT**

PRESENT

Tony Harbaugh ~ Chairman
Mike Batista
Laurel Bulson
Kimberly Burdick ~ by phone
Gina Dahl ~ by phone
Bill Dial ~ by phone
Tia Robbins ~ by phone
Jesse Slaughter ~ by phone
Jim Smith ~ by phone
John Strandell

NOT PRESENT

Jim Cashell
Lewis Matthews
Jim Thomas

STAFF PRESENT

Perry Johnson ~ Executive Director
Katrina Bolger ~ Paralegal/Investigator
Mary Ann Keune ~ Administrative Assistant

LEGAL COUNSEL PRESENT

Sarah Clerget
Chris Tweeten ~ by phone

GUESTS

Truman Tulson ~ Missoula Police Department
Ryan Oster ~ Hamilton Police Chief
Dan Moore ~ Motor Carrier Services
Curt Stinson ~ Helena Police Department
Steven Doner ~ MSU Police Department
Pat Kiem ~ Alternative Inc.

WELCOME

Meeting called to order by Tony Harbaugh, Chairman at 9:04.

Roll call was taken by Perry Johnson.

Perry Johnson stepped out of the room to place calls to the absent members to gather a quorum.

Laurel Bulson arrived at 9:18 ~ quorum present.

Chris Tweeten commented that the November 18, 2014 POST Council meeting minutes had double names in some places. John Strandell made a motion and Laurel Bulson seconded to approve the meeting minutes for September 3, 2014 and November 18, 2014 after they are cleaned up. Motion carried ~ all members voting in favor.

PUBLIC COMMENT

Truman Tolson stated he would like to be able to access his agency's training records. He also would like the forms to be fillable. Perry Johnson responded that he is hoping the new software will address those issues.

OLD BUSINESS

Chris Tweeten gave the Council an update on the ARM adoption. The final adoption of the rules has been submitted to the Secretary of State's office along with an order signed by Tony Harbaugh. The notice will be published in the Montana Administrative Register on December 15, 2014. The rules will be affective at that time. Chris Tweeten stated replacement pages will need to be created and submitted for the new ARMs by the end of December, 2014.

Bill Dial joined the meeting at 9:29 by phone

Perry asked Chris to explain the procedure for adopting the module rules in Title 1 by reference. There was some renumbering done as well.

NEW BUSINESS

Stipulations: The Council couldn't review the three cases with officer stipulations due to no quorum available with the three members of the Case Status Subcommittee excluded. The stipulations will be added as an agenda item to the next Council meeting.

Coroners: John Strandell, Perry Johnson and Katrina Bolger met with Dan Whitting and Dick Brown in Great Falls in September. Katrina Bolger reported on the meeting with the coroners. She stated they read the statutes regarding POST certifying coroners and had some good discission. Overall, everyone felt like POST should be certifying, decertifying and tracking their training. The coroners are interested in POST coming to their meetings and being involved.

John Strandell stated that this would increase the workload on POST staff. Capturing the gap that has occurred in the last couple of years will take some effort but once things are caught up it will be easier to maintain.

Tony Harbaugh added that there are twenty counties with civilian coroners and twenty-six counties where the coroners are contained within the Sheriff's Office. He thinks it is critical for this to be brought under one umbrella at POST.

John Strandell also mentioned that there is some glaring contradiction in statute concerning coroners. Perry Johnson would like to have a look at the statute with Sarah and make some decisions.

Perry Johnson reported that Frank Garner, a freshman legislator from Flathead County, will be carrying our legislative package. There was discussion about addressing the

part-time officer issue. Tony Harbaugh, Perry Johnson, and Sarah Clerget made comments. It was decided to put some language together, then discuss when and how to put a meeting together.

Perry Johnson shared that POST will be hosting a sixteen hour Death Investigations class in Great Falls, December 9-10-11, 2015. POST will make this training an annual event since it is a statutory obligation for POST. Perry Johnson also pointed out that the Basic Coroner training is a statutory obligation for POST as well. Bob Rosipal and Bob Edwards have taken on the training and do a nice job with it each year. Tony Harbaugh is glad there are a couple of options for coroner training. Perry Johnson pointed out that the training isn't limited to coroners, anyone can attend.

Pretrial and Misdemeanor Probation Officers: Sarah Clerget spoke about pretrial and misdemeanor probation officers. She summarized the memo she wrote concerning this subject. Sarah Clerget referred to 46-23-1005 and believes that **government employed misdemeanor probation officers** fit into the category by definition. She doesn't think that private misdemeanor probation officers are contained under this statute. She finds no guidance in the MCA to support **private misdemeanor probation officers**. Misdemeanor Probation Officers are required to have 160 hours of basic training and sixteen hours of continuing education each year. She reminded the Council that POST is required to approve the training for misdemeanor probation officers but it isn't required to provide the training.

Sarah Clerget referred to 46-9-505 in her memo. It addresses **pretrial probation officers** employed by **private** agencies and those employed by a **governmental** agency. She reported that they also are required to have 160 hours of basic training and sixteen hours of continuing education each year. POST is required to set the standards for their training but is not required to provide the training. According to the statute Sarah Clerget believes POST is obligated to certify, decertify and track the training for all pretrial probation officers.

Laurel Bulson, asked Sarah how she weeded this all out. Sarah Clerget referred to 46-23-1003 (2) and 44-4-401(2)(i) and explained how she came to this decision. Sarah Clerget explained that Pretrial, Misdemeanor and Probation and Parole officers are all statutorily required to have the same training.

Tony Harbaugh and Perry Johnson made comments about the level of oversight the Council has and the responsibility of POST in regards to the training of these officers.

Perry Johnson asked Mike Batista if POST approved a curriculum from a private vendor, would DOC be able to live with that for their Probation and Parole Officers. Mike Batista stated he would have to take a look at it. Perry Johnson asked that this discussion be added to the next Council meeting's agenda. Mike Batista would like to have some internal discussion with his staff in the meantime. Tony Harbaugh tabled the issue until the next meeting.

John Strandell asked how many counties contract with private companies. Laurel Bulson stated Missoula, Cascade and Yellowstone all contract at this time but it is a growing situation.

Jim Smith joined the meeting by phone.

Pat Kiem, who represents Prerelease Center in Billings Alternative, Inc, stated that his company is trying to figure out what kind of training is required for them and where they get it from. He asked if they would fall under the DOC umbrella. Tony Harbaugh stated that if Pat Kiem is talking about the umbrella of training the answer is yes. The training that is approved for DOC would be the basic that the Council would establish. Perry Johnson commented that the group that Pat Kiem represents wouldn't fall under the DOC umbrella. However, the basic course content that the Council approves in regards to the training of DOC's P & P officers, the statutory requirement for those other officers is to meet that same requirement.

Sarah Clerget clarified the statutes' requirements for private misdemeanor and pretrial officers. She states that under the statute private misdemeanor officers don't exist. Pat Kiem asked about private probation and parole officers that deal with felonies. Sarah needed to think about that for a little bit.

John Strandell had a question about the instructors who would teach from the private sector. Perry Johnson said POST doesn't certify private instructors. Perry explained that law enforcement instructors from Montana have to be certified by POST but private vendors only have to send in a bio and POST credit is given. Truman Tolson made a comment concerning the subject.

Sarah Clerget had an answer for the question concerning private probation and parole officers. She stated, based on 46-12-1003, there isn't an additional specific definition for felony probation and parole officers. She believes private felony probation and parole officers would fall under the peace officer definition. Tony Harbaugh asked Pat Kiem if the county contracts with the district courts to provide this service for felony probation. Pat Kiem reported that they do contract with the county and also with the Department of Corrections. Tony asked if there was any training requirement language in the contract. Pat Kiem wasn't sure of that answer.

Perry Johnson is concerned that the scope of work gets bigger each time the Council meets without enough staff to do the job. Sarah Clerget believes this was the initial intent of the legislature when POST was created, they just didn't give POST enough money to carry out the task.

Tony Harbaugh stated he didn't think there is a clear definition of a private provider. Perry Johnson replied that he agreed with Sarah's analysis that the felony and probation and parole officers do fall under POST's purview. He believes the Council has a responsibility to the private industry to clearly define what POST's role is in this matter.

Tony Harbaugh asked if we could address this by resolution. Sarah Clerget said that POST could handle it that way but it's not a very strong position. She thinks it should be handled with an ARM. Tony Harbaugh wondered if POST should ask the private entities to make a draft of how they would want to change the language to bring themselves in. Perry Johnson replied that the Council has Laurel Bulson and Mike Batista as a reference to be involved in the discussion along with the private industries.

Chris Tweeten stated that the Council has been dealing with the problem for a couple of years and gave a brief history of the situation and his opinion in regards to the statute.

John Strandell recommended that Mike Batista, Laurel Bulson, and Perry Johnson meet and come up with a recommendation. Mike Batista will chair the group.

Chris Tweeten stated that there is a window of opportunity to draft some legislation and line up a sponsor to introduce it. Mike Batista wasn't sure if it was enough time and would like to see how it comes together.

Case Files: Cases: Perry reported that the Case Status Subcommittee has been meeting on a regular basis trying to move these cases through the process. He feels there are a few cases hanging out there that may end up going to contested case. He explained the process that POST is using which follows the ARM when a complaint comes in. He said it seems to be working well.

Office Updates. Katrina Bolger reported that she spoke with Claudia Weiss from BOCC about the potential problems and concerns with a Facebook page. Claudia Weiss said their page had been well received without any problems. There are filters that can be turned on if there is a worry of inappropriate remarks.

Curt Stinson started the page and shared the safeguards they use at the Helena Police Department. He cautioned that POST makes sure there is a person who has the time to maintain the page.

Perry Johnson wants to wait and see if POST will have enough time to handle this project. John Strandell added he thinks it should be done and Bill Dial agreed. Perry Johnson said as long as POST has permission to create a page, it will get worked on as time allows.

Katrina Bolger also addressed the idea of a newsletter. Bill Dial thinks that anything that could be done to keep the rumor mill down is a good idea. He thinks Perry writing a quarterly email and posting it on the website is a good idea.

Perry Johnson let the Council know that Katrina Bolger would be trained in managing POST's website so people will be seeing changes soon.

Perry Johnson directed the Council to the updated forms in their binders. The new forms are reflective of the information that will be used in the new database, Sugar CRM. He told the Council that Amy Palmer handed off the project to a new project manager and the staff will meet with him next week.

John Strandell made a motion and Bill Dial seconded to approve the forms presented along with any changes with non-substantive edits that need to be made to the forms in the future. Motion carried-all members voting in favor.

Budget Report: Perry Johnson reported that POST is almost fifty percent through the fiscal year and haven't spent quite a third of the budget. He is comfortable but reminds everyone that a contested case can come along and eat up a budget.

Legislative Update: Chris Tweeten talked about the procedure for the bill POST is going to bring before the Legislature.

Chris Tweeten reported that the claim against POST has now become a lawsuit. The complaint had not yet been served the last time Chris Tweeten talked to Ann Brodsky. Sarah Clerget added that it was served and Ann Brodsky accepted service on behalf of all defendants. Chris Tweeten share that Josh Van de Wetering, the lawyer for the plaintiffs, has offered a settlement number which is not acceptable to Risk Management. Chris Tweeten suggested Perry Johnson and himself schedule a meeting with Ann Brodsky to hear her thoughts on defending the case. Chris Tweeten stated he would talk to Ann Brodsky and get back to Perry Johnson about meeting with Ann Brodsky hopefully before Christmas.

Approval/Denial of Certificate Requests: There were 102 names on the certificate list. Bill Dial made a motion and Kimberly Burdick seconded to approve the certificates as presented by POST Director Johnson. Motion carried-all members voting in favor.

Approval/Denial of Extension Requests: There were two extension requests. Kimberly Burdick made a motion and Laurel Bulson seconded to approve the extension requests. Motion carried-all members voting in favor.

Basic Equivalency Requests: There were thirteen requests. Eight of the officers had already attended an EQ class at the MLEA. John Strandell made a motion and Bill Dial seconded it to approve the basic equivalency requests. Motion carried-all members voting in favor.

Letter of Resignation from Kevin Olson: Perry Johnson read a letter of resignation from Kevin Olson to the Council. Kevin Olson resigned as the MLEA Administrator to take a job with DOC as the Administrator of the Probation and Parole Division. Mike Batista made the announcement to the Council.

Sarah Clerget's Memo: Sarah Clerget summed up the memo concerning the situation that POST had with Dan Wadsworth in Ronan in regards to Reserve Officers. Bill Dial, Perry Johnson, Tony Harbaugh and Chris Tweeten all made comments about the question of an amicus brief opportunity. Bill Dial made a motion and Kimberly Burdick seconded to table this until Sarah Clerget has time to meet with Risk Management and the Council has time to consider the other information that Chris Tweeten presented to the Council. Motion carried-all members voting in favor.

COMMITTEE REPORTS:

ARM Committee: Tony Harbaugh had nothing new to add.

Coroner Committee: Tony Harbaugh had nothing new to add.

Integrity and Profession Standard Committee: Kimberly Burdick had nothing new to add.

Curriculum Committee: Perry Johnson had nothing new to add.

Business Plan Committee: Perry Johnson stated he would like the staff to put together a plan and bring it back to the Council.

Policy Committee: Perry Johnson stated he would like the staff to put together a plan and bring it back to the Council.

Individual Council Member Reports and Comments:

Kimberly Burdick: no comment

Bill Dial: Bill Dial asked that any contact with Legislative Service be copied to Frank Garner or whomever is carrying a bill for POST.

Mike Batista: no comment
Laurel Bulson: no comment
John Strandell: no comment
Tony Harbaugh: no comment

Perry Johnson commented with the new ARMs coming out, he would like to publish a book and push it out to our stakeholders. Bill Dial suggested it get published on line and make it the responsibility of the agencies. Perry Johnson said he has had a tremendous reception to stopping in at agencies and visiting with the officers and would like to do that outreach with the ARMs.

Perry Johnson asked if the Council has any interest in creating an “end of service” certificate for the Sheriffs and Chiefs who are leaving office. John Strandell commented that including everyone who is retiring would be a nice idea. The Council members thought that sounded like a good idea.

John Strandell asked about the status of the stipulations since there wasn't a quorum available to handle the stipulations.

Perry Johnson replied that the Executive Director has authority to move forward with the stipulations and he planned to do that

There was a decision not to go into executive session since there wasn't a quorum present. The next meeting will be held Wednesday, March 11, 2015. The meeting will be a phone conference.

Bill Dial made a motion and Kimberly Burdick seconded to adjourn the meeting. Motion carried-all members voting in favor. Meeting adjourned at 11:48.

Submitted by
Mary Ann MAK
2/24/15

Stipulations



Montana Public Safety Officer Standards & Training Council
2260 Sierra Road East
Helena, MT 59602

Phone: (406) 444-9975
Fax: (406) 444-9978

Stipulation and Resolution

Perry Johnson, Executive Director of the Montana Public Safety Officer Standards & Training Council (POST), and Austin Vielle have agreed to the following terms to resolve POST complaint case number 13-24.

1. POST will place Austin Vielle's POST certificate on probation for one year.
2. Within one month of this agreement, Austin Vielle will obtain a chemical dependency evaluation from a licensed mental health professional specializing in chemical dependency treatment and diagnosis, who does not operate a practice on the Blackfeet Reservation.
3. Austin Vielle will complete all necessary releases for POST to receive a copy of the chemical dependency evaluation described in 2, above.
4. Upon receipt of the copy of the chemical dependency evaluation described in 2, above, POST will make arrangements with Austin Vielle to discuss and document further conditions for the remainder of his probation, which may include recommendations from the evaluation.
5. Within one week completion of the chemical dependency evaluation described in 2 above, Austin Vielle will begin to report monthly to his Chief of Police regarding his compliance with the terms of this agreement, and any further conditions which are agreed upon pursuant to 4 above. The Chief of Police will forward the results of these monthly reports to POST.
6. Upon any non-compliance by Austin Vielle with this Stipulation and Resolution, and any further stipulated conditions agreed to during the probationary

period, POST may suspend Austin Vielle's POST certificate for a period of two years.

7. If, after one year from the date of this agreement, Austin Vielle has complied with this stipulation and resolution, and any further stipulated conditions agreed to during the probationary period, POST will remove Austin Vielle's certificate from probation and this matter will be closed.

8. By signing this agreement, Austin Vielle acknowledges and understands that he has waived all rights to a contested case hearing pursuant to the Montana Administrative Procedures Act and ARM 23.13.704, in addition he has waived all rights to appeal this sanction and any suspension of his certificate which may occur due to his failure to comply with the requirements of this Stipulation and Resolution and other Stipulations reached during his probationary period.

Dated this 27 day of August, 2014


Austin Vielle

Dated this 27th day of August, 2014


Chief of Police – Josh Black Weasel

Dated this 3rd day of September, 2014


Perry Johnson, Executive Director



Montana Public Safety Officer Standards & Training Council
2260 Sierra Road East
Helena, MT 59602

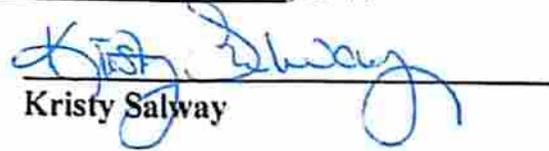
*Phone: (406) 444-9975
Fax: (406) 444-9978*

Stipulation and Resolution

Perry Johnson, Executive Director of the Montana Public Safety Officer Standards & Training Council (POST), and Kristy Salway have agreed to the following terms to resolve POST complaint case number 13-25.

1. POST will place Kristy Salway's POST certificate on probation for one year. Kristy Salway will report to her Chief of Police quarterly, beginning 90 days from the date of the last signature on this document. Kristy Salway's Chief of Police will share the results of these quarterly reports with POST.
2. Upon any additional allegations of misconduct on the part of Kristy Salway during the probationary period, POST may suspend Kristy Salway's POST certificate for a period of two years.
3. If, after one year from the date of this agreement, Kristy Salway has complied with this stipulation and resolution, and POST has not received any other allegations of misconduct by Kristy Salway, POST will remove Kristy Salway's certificate from probation and this matter will be closed.
4. By signing this agreement, Kristy Salway acknowledges and understands that she has waived all rights to a contested case hearing pursuant to the Montana Administrative Procedures Act and ARM 23.13.704, in addition she has waived all rights to appeal this sanction and any suspension of her certificate which may occur due to her failure to comply with the requirements of this Stipulation and Resolution.

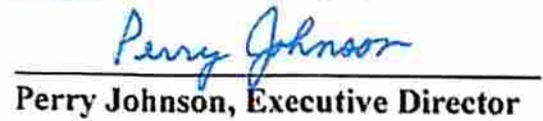
Dated this 2nd day of September, 2014


Kristy Salway

Dated this 2nd day of September, 2014


Chief of Police – Josh Black Weasel

Dated this 10th day of September, 2014


Perry Johnson, Executive Director



Montana Public Safety Officer Standards & Training Council
2260 Sierra Road East
Helena, MT 59602

Phone: (406) 444-9975
Fax: (406) 444-9978

RECEIVED
OCT 14 2014

MT POST Council

Stipulation and Resolution

Perry Johnson, Executive Director of the Montana Public Safety Officer Standards & Training Council (POST), Cory Anderson, and the Chief of the Polson Police Department have agreed to the following terms to resolve POST allegation case numbers 13-31 and 14-07.

1. Cory Anderson will undergo and cooperate with a complete alcohol/substance abuse evaluation conducted by a counselor/examiner chosen by the POST Executive Director and at a location chosen by the POST Executive Director. Anderson understands that this evaluation will be conducted outside of Polson, Montana and by someone with whom he is not acquainted or familiar. Anderson agrees that this evaluation will be at his own expense, meaning that he will pay all costs associated with it and will agree to provide the complete results of the evaluation to POST.
2. Anderson agrees that he will fully undertake and abide by all treatment recommendations made by the counselor/examiner as a result of the alcohol/substance abuse evaluation. Anderson understands that if he fails to undertake or abide by any of these treatment recommendations it will be grounds for sanction, suspension, or revocation of his POST Certificate(s) and will be construed by the Hearing Examiner in a POST contested case proceeding as a per se violation of A.R.M. 23.13.702(2)(f). Such proceedings may result in full revocation of all of Anderson's POST certificates.
3. POST will place Cory Anderson's POST certificate on probation for one year starting from the date that this stipulation is signed by all parties, or the last date of signature by any party, whichever is later. As a condition of this probation Anderson will abide by all Montana laws and rules, POST A.R.M.s, and policies and procedures of the Polson Police Department and the City of Polson during that probationary period. If

Anderson fails to abide by those laws, rules, and policies, or receives any warning, infraction, violation, conviction, loss of privileges, demotion, or other negative review of his conduct, whether such conduct occurred on or off duty, it will constitute a violation of this probation.

4. Anderson will inform his Chief of Police of any such violation and the Chief of Police will notify POST of the same.

5. If Anderson violates this probation in any way before the year is complete, POST will commence proceedings against Anderson's POST certificate(s). Such proceedings may be based on the facts underlying complaints 13-31 and 1407, any new allegations of misconduct, prior allegations or instances of misconduct, and/or his violation of this stipulation, which will be construed by the Hearing Examiner in a POST contested case proceeding as a per se violation of A.R.M. 23.13.702(2)(f). Such proceedings may result in full revocation of all of Anderson's POST certificates.

6. If, after one year from the date of this agreement, Cory Anderson has complied with this stipulation and resolution, and POST has not received any other allegations of misconduct by Anderson, POST will remove Anderson's certificate from probation and this matter will be closed.

7. By signing this agreement, Cory Anderson acknowledges and understands that he has waived all rights to a contested case hearing pursuant to the Montana Administrative Procedures Act and ARM 23.13.704 and any hearing or consideration of this allegation by the full POST Council. In addition he has waived all rights to appeal this sanction and any sanction of his certificate which may occur due to his failure to comply with the requirements of this Stipulation and Resolution.

8. Anderson also fully releases the State of Montana, Montana Department of Justice, the POST Council, and all of their current and former officers, agents, and employees from any and all claims or demands of any kind without exception, arising out of POST Council or staff's actions prior to the date of this agreement, with relation to Anderson's POST certificates, *RELATIVE TO COMPLAINTS 13-31 AND 14-07.*

9. Anderson acknowledges that he has been offered the opportunity to hire or consult with counsel as to this agreement, and has chosen to go forward without doing so.

10. All parties further agree that this agreement is complete and binding.

Dated this 9TH day of OCTOBER, 2014.



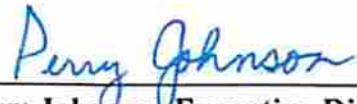
Cory Anderson

Dated this 9TH day of October, 2014.



Polson Chief of Police – Wade Nash

Dated this 15TH day of October, 2014.



Perry Johnson, Executive Director

MLEA Basic Syllabi

MLEA

Montana Law Enforcement Academy
 Law Enforcement Officer Basic Course
 Release - September 2014

Course Classifications

Administrative Assessment		
Orientation and Culmination		10
Written Examinations		6
		16
Law and Criminal Procedure		
Court Systems		2
Legal Issues in the Use of Force		4
Search Warrants and Court Room Testimony		12
Juvenile Law		2
Civil Process		2
Risk Management and Liability Reduction		4
Laws of Searches, Seizures and Arrest		5
Laws of Interviews and Statements		4
Montana Criminal Codes		8
Montana Traffic Codes		6
Laws of Gambling and Tobacco		2
Prohibitive Conduct		2
POST Council		1
		54
Human Behavior and Social Interaction		
History of Law Enforcement		2
The Effective Officer		2
Ethics		8
Winning Attitudes		4
Culture and Diversity		4
Community Policing		2
Interpersonal Communications		6
		28
Patrol Operations		
Patrol Tactics		14
Building Searches		4
Active Shooter		4
Vehicle Stops		24
Police Vehicle Operations		44
Youth Gangs		2
Mental Illness and Mental Health First Aid		18
Hazards of Railroads		2
CJIN		2
Report Writing		4
Child Protective Services		2
Outlaw Motorcycle Gangs		2
Patrol Negotiation		4
		126

Investigations

Abuse and Neglect	6
Sex Crimes	8
Child Interviews	2
Drug Endangered Children	2
Domestic Violence	16
Crime Scene Photography	4
Evidence Analysis	8
Crime Scene Management	8
Computer Crimes	2
Dangerous Drugs	6
Criminal Intelligence Systems	2
Motor Vehicle Identification / Fraud	2
Investigative Interviewing	16
	82

Health and Wellness

Diet and Exercise	2
Critical Incident Stress	4
Emotional Survival for Families	2
Physical Fitness (MPAT)	4
	12

Traffic Enforcement

Crash Investigation	4
DUI Detection and Processing	40
Traffic Radar	8
	52

Survival Skills

Firearms	48
Pat Downs and Frisks	2
Defensive Tactics - PPCT	36
Defensive Tactics - Chemical Agents	4
Defensive Tactics - Deadly Encounters	16
Defensive Tactics - Confrontation Simulation	4
	110

TOTAL HOURS**480****480**

**Montana Law Enforcement Academy
Correction / Detention Officer Basic Course**

2014 Curriculum

Course Title	Hours
Avoiding Offender Manipulation	4
Behavior Management	6
Cell Extractions	4
Chemical Agents	2
Classification	3
Correctional Law	4
Crime Scene Preservation	2
Cross Gender Supervision	2
Cultural Awareness	4
Dangerous Drugs	2
Defensive Tactics	26
Diet and Exercise	1
Domestic Violence	2
Emergency Response	4
Ethics	4
Fingerprinting	4
Fire Safety and Response	2
Gangs	3
Generational Issues	3
Hostage Situations	4
Human Development	4
Mental Health First Aid	8
Intake	8
Interpersonal Communications	8
Mental Illness Intervention	4
Non-Violent Crisis Intervention	9
Orientation and Culmination	4
POST	1
Prison Rape Elimination Act (PREA)	3
Report Writing	4
Restraints	3
Searches	6
Sexual Harassment	1
Fatigue to Fulfillment	4
Transportation and Escort	2
Written Exams	5
TOTAL HOURS ---->	160

Course Classifications

Administrative Assessment		
Orientation and Culmination		1
Written Examinations		2
		3
Law and Criminal Procedure		
Terminology / Definitions		2
Risk Management / Liability		1
Sexual Harassment		1
POST		1
		5
Human Behavior and Social Interaction		
Racial Profiling / Cultural Awareness		2
Interpersonal Communications		2
Ethics		2
Suicide Prevention		2
Interpersonal Communications		2
Crisis Intervention / Stress Management		4
		14
Operations		
Telephone Techniques / Call Taking		2
Sexual Violent Offender Registry		1
TTD / TTY Devices		2
Foreign Language Assistance		1
Domestic Violence		2
Radio Operations		2
EMS Call Operations		2
Fire / Haz-Mat Call Operations		2
Law Enforcement Call Operations		2
CJIN Systems		1
911 Systems		1
		18

Probation and Parole Basic Academy No. 23

Syllabus

Classroom Instruction:

ACCD Placement

Hours: 3

Instructor: Rick Deady (DOC Treatment Contract Program Manager)

Course Description: The instruction was designed to provide the probation and parole officer with the understanding of offender treatment needs through the correctional system and provide placement options and supervision strategies.

Addictions

Hours: 2

Instructor: Jesse Westerhold (TANF Policy Specialist)

Course Description: The program included the biology of addiction, how individuals become addicted, risk and protective factors, DSM criteria for abuse and dependence, assessment dimensions, stages of change and treatment success.

Case Plans

Hours: 2

Instructor: Annette Carter (DOC P&P Officer II)

Course Description: The instruction involved teaching probation and parole officers how to analyze offender needs and community resources and incorporate them into an effective case plan which guide offenders to successfully completing their parole requirements.

Crime Victim Services

Hours: 3

Instructor: Sally Highlander (DOC Victim Services Program Manager)

Course Description: The instruction was given to students regarding the provision of DOC and other agency resources for crime victims. The instruction also included a question and answer session involving students and crime victims.

Defensive Tactics (PPCT)

Hours: 12

Instructor: David Edwards (DOC P&P Officer), Brian Callarman (DOC P&P Officer II) and Amy Rehbein (DOC P&P Officer)

Course Description: The instruction involved the physical application of Pressure Point Control Tactics (PPCT) as proscribed through the Warrior Science curriculum.

Domestic Violence**Hours: 1****Instructor: Rebecca Guyer-Strait (DOJ MLEA Instructor)**

Course Description: The curriculum addressed the legal definition of domestic violence, identifying power and control tactics, the identification of the predominant aggression, the differences between orders of protection and no-contact orders and the importance of interagency collaboration regarding domestic violence issues.

Drug Identification**Hours: 2****Instructor: (DOJ DCI Investigator)**

Course Description: The curriculum dealt with drug usage in Montana, the prevalent drugs in use, symptoms of drug use, legal issues relating to drug use and manufacture and medical issues relating to drug use. The instruction also included resources the DOJ has available to probation and parole officers

Ethics**Hours: 2****Instructor: Pam Bunke (DOC ACCD Division Head) and Ron Alsbury (DOC P&P Bureau Chief)**

Course Description: The program included instruction on both the state and DOC policy and procedures definitions regarding the responsibilities and implementation of the code of ethics, how grounding in ethics relates to the concept of professionalism, those affected by lapses in ethical behavior, and actions that are recognized as unethical.

Evidence Collection and Handling**Hours: 1****Instructor: Monty LeTexier (DOC Regional Administrator)**

Course Description: The instruction focused on understanding evidence collection as it relates to probation and parole offenders. It focused on evidence collection, handling needs and techniques, accurate documentation and the proper securing and eventual destruction of evidence.

Field Trip**Hours: 7****Instructor: DOC Staff**

Course Description: This year the field trip was scheduled for the WATCH alcohol treatment facility in Warm Springs. Instruction was provided regarding the program's operation, including the concept of a therapeutic community, and students were allowed to sit on group meetings. In conjunction and due to time constraints, other programming was also included in the day's field trip.

First Aid**Hours: 8****Instructor:** William Barker (DOC Professional Development Bureau Instructor)**Course Description:** The instruction involved basic first aid treatment for illness and injuries as proscribed through the CCSI curriculum. The instruction also included instruction in cardio-pulmonary resuscitation (CPR) and the use of the Automated Electronic Defibrillator (AED) as well as instruction on safety issues concerning bloodborne and airborne pathogens.**Hearings****Hours: 4****Instructor:** Scott Brotnov (DOC P&P Officer II), David Dowell (DOC P&P Officer II)**Course Description:** The instruction included the requirements and procedures for holding Disciplinary, Intervention and On-site hearings, what constituted the requirements to hold each hearing and the necessary staffing with a supervisor prior to scheduling a hearing and preparation of related documentation.**Home Visits****Hours: 4****Instructor:** Emery Brelje (DOC P&P Regional Administrator)**Course Description:** This instruction involved two hours of classroom training and two hours of guided practice in conducting home visits. The curriculum was incorporated in the 16 block of simulation training which included "sims" firearms training. The program focused on safely searching individuals and residences. Also emphasized were the responsibilities of the cover and contact officers.**Interstate Compact****Hours: 3****Instructor:** Cathy Gordon (DOC Interstate Compact Supervisor)**Course Description:** The instruction focused on the legal issues of sending offenders out of state to complete their parole requirements. Topics of instruction included promoting public safety, protecting victims' rights, controlling the movement of offenders, the provision of effective tracking and the level of supervision and rehabilitation issues

Investigative Techniques**Hours: 2****Instructor:** Monty LeTexier (DOC Regional Administrator)

Course Description: The instruction delivered information on how to conduct a basic crime scene investigation, including evidence collection, search grids, report writing, use of specialized equipment, proactive versus reactive investigations, special home visit issues to be considered, status offenses, supervising officer responsibilities, the interviewing process and the different types of evidence, including documentary versus physical evidence.

Judgments**Hours: 1****Instructor:** Annette Carter (DOC P&P Officer II)

Course Description: The program included a review of the various kinds of court judgments and how they relate to case planning. Example documentation and suggestions on how to interpret and utilize judgments in case planning were explored.

Legal Issues**Hours: 2****Instructor:** Colleen Ambrose (DOC Legal Services Bureau Chief)

Course Description: The instruction focused on the officers' responsibility to maintain confidentiality, and the individual's, both offender, victim and third parties, right to privacy. Also included were search requirements, arrest and Miranda requirements, warrants, and jurisdiction on Indian reservations.

Legal Liability**Hours: 2****Instructor:** Colleen Ambrose (DOC Legal Services Bureau Chief)

Course Description: The instruction was delivered to familiarize the students with the concept of legal liability including negligent supervision, providing a framework with which to analyze potential liability, provide actual department cases involving liability issues, and discussing the legal process and how it affects the probation and parole officer.

MATIC**Hours: 2****Instructor: Greg Schulz (Intelligence Analyst (MATIC))**

Course Description: The instruction regarding the Montana All Threat Intelligence Center (MATIC) was provided to familiarize the student in how MATIC collects, stores, analyzes and disseminates information on public safety issues, including suspected offenses, to the law enforcement community and government officials regarding dangerous drugs, fraud, organized crime, terrorism and other criminal activity for the purposes of decision making, and proactive law enforcement while ensuring the rights and privacy of citizens.

Mechanics of Arrest**Hours: 4****Instructor: Jay Childress (DOC P&P Officer)**

Course Description: The instruction included Montana's legal doctrine which provides probation and parole officers the authority to detain and arrest. The program also included DOC policies and procedures relating to detention and arrests, a definition of reasonable suspicion and probable cause, understanding threat assessments, levels of offender control and techniques in handcuffing a compliant offender.

Motivational Interviewing / Effective Communication**Hours: 24****Instructor: William Barker (DOC Professional Development Bureau)**

Course Description: The course was an introduction to Motivational Interviewing (MI). It included instruction in risk control and risk reduction strategies, social learning theory, an analysis of risks, need and responsivity regarding offender management, interviewing techniques, case planning, and related scenario training.

Orientation**Hours: 2****Instructor: William Barker (DOC Professional Development Bureau Instructor), Deputy Director Loraine Wodnick and staff**

Course Description: The program was an introduction to the Department of Corrections and an overview of agency resources and officer responsibilities.

Pre-sentence Investigation Reports (PSI)**Hours: 2****Instructor: Kristina Besseney (DOC P&P Officer II)**

Course Description: The instruction addressed the legal requirements to prepare a PSI for the court, the various components of a PSI and what information and recommendations they need to contain and appropriate writing style.

Probation and Parole Board**Hours: 1****Instructor: Julie Thomas (Senior Parole Board Analyst)****Course Description:** The instruction was based on the history and responsibilities of the Board of Pardons and Parole, how the board is constituted, board functions including parole eligibility, rehabilitation, victims, protecting society, executive clemency and imposing conditions on offenders.**Professional Boundaries****Hours: 8****Instructor: Dave Garcia (DOC Professional Development Bureau Instructor)****Course Description:** The instruction focused on DOC employee responsibility to maintain uncompromised ethical and moral relationships with staff and offenders. The instruction also included related department policy and procedure and a personal accountability piece requiring employee involvement in identifying and reporting suspected violations of related policy and procedure.**Public Information Officer****Hours: 1****Instructor: Judy Beck (DOC Public Information Officer)****Course Description:** The program introduced the role of the public information officer and role they provide in disseminating information to the public. The instruction also addressed officer responsibilities in providing information to the public, in example, news interview and the legal limitations involved.**Reports of Violation (ROV)****Hours: 2****Instructor: Brian Callarman (DOC P&P Officer II)****Course Description:** The instruction addressed the technical aspects of preparing a report of violation for the court that might involve a sanctions or revocation process.**Restitution****Hours: 1****Instructor: Amanda Eslick (DOJ – Crime Victims Services)****Course Description:** The instruction discussed areas of responsibility the DOC and DOJ are required to meet when dealing with issues of pursuing court-ordered offender restitution. The instruction also included victim distribution of funds.

Room Clearing**Hours: 8****Instructor:** Emery Brelje (DOC P&P Regional Administrator)

Course Description: This instruction involved two hours of classroom training and eight hours of guided practice. It was followed by 16 hours of simulation training which included "sims" firearms training. The program focused on safely entering rooms and searching a residence. Also emphasized were the responsibilities of the cover and contact officers.

Search Techniques**Hours: 8****Instructor:** Darrell Vanderhoef (DOC P&P Officer)

Course Description: This instruction involved two hours of classroom training and eight hours of guided practice. It was incorporated in the 16 block of simulation training which included "sims" firearms training. The program focused on safely searching individuals and residences. Also emphasized were the related responsibilities of the cover and contact officers.

Security Threat Groups**Hours: 2****Instructor:** Lorna Kuchinsky (STG Analyst)

Course Description: The instruction provided students with a basic understanding of gang activity within the Montana State Prison system. Specific gangs were profiled and elementary instruction in gang signs and tattoos were provided as well as gang member linkages with other gang elements.

Sentencing**Hours: 2****Instructor:** Colleen Ambrose (DOC Legal Services Bureau Chief)

Course Description: This program provided the students with an overview of general sentencing concepts, gave them knowledge of specific sentencing provisions and how to interpret them within the context of statutory and case law and provide specific examples of court implementation of particular sentencing provisions.

Sexual and Violent Offender Registration (SVOR)**Hours: 2****Instructor:** Dawn Spencer (DOJ Department of Criminal Investigation)

Course Description: This instruction provided the student with an overview of their responsibility to address the sexual and violent offender reporting responsibilities with their clients. The instruction also focused on the DOJ responsibilities to maintain accurate updated related offender information for the legal authorities and the concerned public.

Situational Awareness**Hours: 2****Instructor: William Barker (DOC Professional Development Bureau)**

Course Description: This program included information regarding officer-safety related issues when dealing with offenders and others who might intend to do them harm. The instruction covered the responsibilities of the contact and cover officers, a review of historical officer safety issues, the physiology of threatening engagements and overall street and office safety concerns.

Suicide Prevention and Mental Health**Hours: 4****Instructor: Kim Lahiff (DOC Regional Administrator)**

Course Description: The instruction included the public perspective of mental health issues, behavioral signs of serious mental illness, tips for effective management of persons with mental health issues, communication techniques with persons who suffer from mental illness, specific mental health disorders, social factors associated with suicide, warning signs of suicide, and dealing with suicidal individuals.

Survival and Wellness**Hours: 2****Instructor: Lisa Hunter (DOC PDB Bureau Chief)**

Course Description: The program provided a varied level of instruction focusing on officer wellness and how the physical, emotional and mental health components relate to long-term officer viability in the profession. A major focus was on stress-related issues and attention to individual emotional health needs, relationships with family and friends, and provided officers with different coping techniques designed to help them deal with stressful day-to-day problems.

Use of Force - Human Factors and Control Principles (PPCT classroom)**Hours: 4****Instructor: Amy Rehbein (DOC P&P Officer)**

Course Description: This instruction involved two hours of classroom training relating to the physiological and psychological issues relating to the escalation of the use of force. The program not only dealt with associated problems but also discussed techniques to help overcome the physiological and psychological limitations use of force situations may involve.

Use of Force Scenario Training**Hours:** 16**Instructor:** Emery Brelje (DOC P&P Regional Administrator)**Course Description:** This instruction involved sixteen hours of classroom review of use of force issues and related scenario exercises. The training involved stress inoculation techniques which included "sims" firearms training. The program focused on safely entering a room and searching a residence.**Verbal Judo****Hours:** 8**Instructor:** Dave Garcia (DOC Professional Development Bureau Instructor)**Course Description:** The program is a specialized course in communication techniques which includes communication de-escalation skills and utilization of specialized communication techniques which allow the practitioner to achieve desired and effective communication outcomes.**On-line pre-academy required instruction:****Your Role: Responding to Sexual Abuse****Hours:** 2**Source:** NIC Frontline**Course Description:** The online programed focused on responding to sexual abuse in the workplace.**Montana Code of Ethics****Hours:** 1**Source:** Montana Department of Administration**Course Description:** The online course dealt with DOA employee code of ethics responsibilities.**Ethics and Career Survival for Adult Community Corrections****Hours:** 1**Instructor:** Montana Department of Corrections Webinar**Course Description:** The program was an introductory webinar dealing with probation and parole ethical issues, including specific examples of recurring ethical decision-making problems.**Workplace Security Awareness****Hours:** 1**Source:** Federal Emergence Management Administration**Course Description:** The online course dealt with universal workplace security awareness issues.

Active Shooter: What Can You Do**Hours:** 1**Source:** Federal Emergency Management Administration**Course Description:** The online course dealt specifically with how and how not to react to workplace active shooter situations**Working Effectively with Tribal Governments****Hours:** 1**Source:** United States Department of Administration**Course Description:** The online course discussed the issues relating to tribal sovereignty and how best to work with tribal governments.**Offender Transports****Hours:** 2**Source:** Montana Department of Corrections**Course Description:** This online instruction piece was a webinar dealing with offender transports in state vehicles. The curriculum included officer safety issues, offender restraints, properly placing the offender in the vehicle and emergency issues that might arise during the transport.**Sexual Harassment and Discrimination****Hours:** 1**Source:** Montana Department of Corrections**Course Description:** The online program was directed to the discussion of inappropriate work behavior, specifically in the areas of sexual harassment and discrimination. The course discussed related legal issues and the duty to report related infractions.**Diversity Awareness****Hours:** 1**Source:** Federal Emergency Management Administration**Course Description:** The online course focused on legal issues related to identifying diverse populations and what constitutes diversity.

TIME	Start 1300 hrs. Monday - End 1300 hrs. Friday					
	MONDAY March 30	TUESDAY March 31	WEDNESDAY April 1	THURSDAY April 2	FRIDAY April 3	
8:00 AM	Course Check - In	Pursuit Considerations	Cultural Awareness Racial Profiling Peter & Rebecca	Search & Seizure Peter Bovingdon	End of Course Exam	
8:30 AM						
9:00 AM		Juvenile Procedures/Youth Peter	Criminal Justice Information	Use of Force Mike McCarthy	Range Qualification	
9:30 AM						
10:00 AM						
10:30 AM		P.O.S.T Perry				
11:00 AM						
11:30 AM						
12:00 PM	LUNCH (Cafeteria)	LUNCH (Cafeteria)	LUNCH (Cafeteria)	LUNCH (Cafeteria)	LUNCH (Cafeteria)	
12:30 PM						
1:00 PM	Course Outline Ethics	Domestic Violence Gender Diversity Sexual Harrassment Rebecca Guyer-Strait Peter Bovingdon	MCA Criminal Procedure Constitutional Law Laws of Arrest Peter	Mental Illness Intervention Randy Robinson	End of Course Activities	
1:30 PM						
2:00 PM	Interview & Interrogation Peter Bovingdon		Report Writing Peter			
2:30 PM						
3:00 PM						
3:30 PM						
4:00 PM						
4:30 PM						
5:00 PM						
	COURSE	HOURS		COURSE	HOURS	
	Outline	0.5		Criminal Justice Info	1.5	
	Ethics	1.5		Proh.Conduct/Racial Prof	2.5	
	Interview/Interrogation	2		Mental Illness Interv	4	
	Pursuit Considerations	2		D/V Gen. Div. Sex Har.	4	
	Juvenile Procedure	1		End of Course Exam	1.5	
	P.O.S.T	1		Range Qualification	2	
	Search & Seizure	2		End of Course Activities	0.5	
	Use of Force	2				
	MCA etc.	3				
	Report Writing	1		TOTAL HRS	32	

Certifying Non-Montana Officers



Linda McCulloch
MONTANA SECRETARY OF STATE

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Rule: 23.13.205

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Rule Title: GENERAL REQUIREMENTS FOR CERTIFICATION

Department: [JUSTICE](#)
Chapter: [PUBLIC SAFETY OFFICER STANDARDS AND TRAINING \(POST\)](#)
Subchapter: [Certification](#)



Latest version of the adopted rule presented in Administrative Rules of Montana (ARM):

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23.13.205 GENERAL REQUIREMENTS FOR CERTIFICATION

(1) To be eligible for the award of a certificate, each officer must be a full-time or part-time public safety officer employed by a federal agency, state, tribal entity, county, municipality, city, or town, as defined by [44-4-401](#), MCA, at the time the application for certification is received by the council.

(2) Public safety officers must complete the required basic training as set by the council.

(3) All public safety officers must subscribe to the code of ethics as prescribed in ARM [23.13.203](#). Acceptance of POST certification is an agreement to abide by and adopt the code of ethics and refrain from the behaviors outlined in ARM [23.13.702](#).

(4) Prior to issuance of any certificate, the public safety officer must have completed the designated combinations of education, training, and experience as computed by the credit hour system established by the council.

(5) To maintain certification the officer must:

(a) abide by all laws and rules of Montana, including those set forth herein;

(b) maintain ethical conduct by upholding and abiding by the code of ethics set forth in ARM [23.13.203](#) and refrain from engaging in any behavior that constitutes a ground for sanction, suspension, or revocation under ARM [23.13.702](#);

(c) maintain the continuing education and training requirements set forth by the council and ARM [23.13.201\(2\)\(j\)](#).

(6) Training hour guidelines are as follows:

(a) no training hours for the basic courses or legal equivalency courses may be applied to any other certificate; and

(b) acceptability of training hours claimed for training received from noncriminal justice sponsored agencies will be determined by the council, and requires notice of application for credit.

(7) In calculating the training hours for an intermediate, advanced, or supervisory certificate, no more than 25% of the required training hours will be allowed from any college or military training credits and no more than 15% will be allowed from in-service training.

(a) The POST Council is not responsible for maintaining records of in-service training hours acquired to satisfy the requirements of this rule. The employing agency must maintain records of in-service training hours acquired to satisfy this rule and provide those records with the application for intermediate or advanced certificates.

(8) In calculating the training hours for an intermediate, advanced, or supervisory certificate, military training will be accepted hour for hour only with a written explanation of how the training relates to civilian law enforcement and other supporting documents requested by the director.

(9) In calculating the training hours for an intermediate, advanced, or supervisory certificate, college education will be credited for individual class work only. Credit will be given using the formula of ten hours for one semester credit hour and six hours for one quarter credit hour, and must be accompanied by a written explanation of how the higher education course relates to public safety officer work and supporting documents including a transcript.

(10) Applicable discipline-specific experience in any public safety agency will be considered by the council when determining the minimum standards for certification of each discipline.

History: [2-15-2029](#), MCA; [IMP](#), [2-15-2029](#), [44-4-403](#), MCA; [NEW](#), 2008 MAR p. 1587, Eff. 8/1/08; [AMD](#), 2014 MAR p. 2951, Eff. 12/12/14.

MAR Notices	Effective From	Effective To	History Notes
23-13-240	12/12/2014	Current	History: 2-15-2029 , MCA; IMP, 2-15-2029, 44-4-403 , MCA; NEW , 2008 MAR p. 1587, Eff. 8/1/08; AMD , 2014 MAR p. 2951, Eff. 12/12/14.
23-13-196	8/1/2008	12/12/2014	History: 2-15-2029 , MCA; IMP, 2-15-2029 , MCA; NEW , 2008 MAR p. 1587, Eff. 8/1/08.

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For questions regarding the content, interpretation, or application of a specific rule, please contact the agency that issued the rule. A directory of state agencies is available online at <http://www.mt.gov/govt/agencylisting.asp>.

For questions about the organization of the ARM or this web site, contact sosarm@mt.gov.

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44-4-401. Definitions. For the purposes of this part, the following definitions apply:

- (1) "Council" means the Montana public safety officer standards and training council established in [2-15-2029](#).
- (2) "Public safety officer" means:
 - (a) a corrections officer who is employed by the department of corrections, established in [2-15-2301](#), and who has full-time or part-time authority or responsibility for maintaining custody of inmates in a state correctional facility for adults or juveniles;
 - (b) a detention officer who is employed by a county and who has full-time or part-time authority or responsibility for maintaining custody of inmates in a detention center, as defined in [7-32-2241](#), or a youth detention facility, as defined in [41-5-103](#);
 - (c) a peace officer, as defined in [46-1-202](#);
 - (d) a department of transportation employee appointed as a peace officer pursuant to [61-12-201](#);
 - (e) a law enforcement officer or reserve officer, as the terms are defined in [7-32-201](#);
 - (f) a public safety communications officer, as defined in [7-31-201](#);
 - (g) a probation or parole officer who is employed by the department of corrections pursuant to [46-23-1002](#);
 - (h) a person subject to training requirements pursuant to [44-2-113](#) or [44-4-902](#); and
 - (i) any other person required by law to meet the qualification or training standards established by the council.

History: En. Sec. 2, Ch. 506, L. 2007.

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46-1-202. Definitions. As used in this title, unless the context requires otherwise, the following definitions apply:

- (1) "Advanced practice registered nurse" means an individual certified as an advanced practice registered nurse provided for in [37-8-202](#), with a clinical specialty in psychiatric mental health nursing.
- (2) "Arraignment" means the formal act of calling the defendant into open court to enter a plea answering a charge.
- (3) "Arrest" means taking a person into custody in the manner authorized by law.
- (4) "Arrest warrant" means a written order from a court directed to a peace officer or to some other person specifically named commanding that officer or person to arrest another. The term includes the original warrant of arrest and a copy certified by the issuing court.
- (5) "Bail" means the security given for the primary purpose of ensuring the presence of the defendant in a pending criminal proceeding.
- (6) "Charge" means a written statement that accuses a person of the commission of an offense, that is presented to a court, and that is contained in a complaint, information, or indictment.
- (7) "Conviction" means a judgment or sentence entered upon a guilty or nolo contendere plea or upon a verdict or finding of guilty rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury.
- (8) "Court" means a place where justice is judicially administered and includes the judge of the court.
- (9) "Included offense" means an offense that:
 - (a) is established by proof of the same or less than all the facts required to establish the commission of the offense charged;
 - (b) consists of an attempt to commit the offense charged or to commit an offense otherwise included in the offense charged; or
 - (c) differs from the offense charged only in the respect that a less serious injury or risk to the same person, property, or public interest or a lesser kind of culpability suffices to establish its commission.
- (10) "Judge" means a person who is vested by law with the power to perform judicial functions.
- (11) "Judgment" means an adjudication by a court that the defendant is guilty or not guilty, and if the adjudication is that the defendant is guilty, it includes the sentence pronounced by the court.
- (12) "Make available for examination and reproduction" means to make material and information that is subject to disclosure available upon request at a designated place during specified reasonable times and to provide suitable facilities or arrangements for reproducing it. The term does not mean that the disclosing party is required to make copies at its expense, to deliver the materials or information to the other party, or to supply the facilities or materials required to carry out tests on disclosed items. The parties may by mutual consent make other or additional arrangements.
- (13) "New trial" means a reexamination of the issue in the same court before another jury after a verdict or finding has been rendered.
- (14) "Notice to appear" means a written direction that is issued by a peace officer and that requests a person to appear before a court at a stated time and place to answer a charge for the alleged commission of an offense.
- (15) "Offense" means a violation of any penal statute of this state or any ordinance of its political subdivisions.
- (16) "Parole" means the release to the community of a prisoner by a decision of the board of pardons

and parole prior to the expiration of the prisoner's term subject to conditions imposed by the board of pardons and parole and the supervision of the department of corrections.

(17) "Peace officer" means any person who by virtue of the person's office or public employment is vested by law with a duty to maintain public order and make arrests for offenses while acting within the scope of the person's authority.

(18) "Persistent felony offender" means an offender who has previously been convicted of a felony and who is presently being sentenced for a second felony committed on a different occasion than the first. An offender is considered to have been previously convicted of a felony if:

- (a) the previous felony conviction was for an offense committed in this state or any other jurisdiction for which a sentence of imprisonment in excess of 1 year could have been imposed;
- (b) less than 5 years have elapsed between the commission of the present offense and either:
 - (i) the previous felony conviction; or
 - (ii) the offender's release on parole or otherwise from prison or other commitment imposed as a result of a previous felony conviction; and
- (c) the offender has not been pardoned on the ground of innocence and the conviction has not been set aside at the postconviction hearing.

(19) "Place of trial" means the geographical location and political subdivision in which the court that will hear the cause is situated.

(20) "Preliminary examination" means a hearing before a judge for the purpose of determining if there is probable cause to believe a felony has been committed by the defendant.

(21) "Probation" means release by the court without imprisonment of a defendant found guilty of a crime. The release is subject to the supervision of the department of corrections upon direction of the court.

(22) "Prosecutor" means an elected or appointed attorney who is vested by law with the power to initiate and carry out criminal proceedings on behalf of the state or a political subdivision.

(23) "Same transaction" means conduct consisting of a series of acts or omissions that are motivated by:

- (a) a purpose to accomplish a criminal objective and that are necessary or incidental to the accomplishment of that objective; or
- (b) a common purpose or plan that results in the repeated commission of the same offense or effect upon the same person or the property of the same person.

(24) "Search warrant" means an order that is:

- (a) in writing;
- (b) in the name of the state;
- (c) signed by a judge;
- (d) a particular description of the place, object, or person to be searched and the evidence, contraband, or person to be seized; and
- (e) directed to a peace officer and commands the peace officer to search for evidence, contraband, or persons.

(25) "Sentence" means the judicial disposition of a criminal proceeding upon a plea of guilty or nolo contendere or upon a verdict or finding of guilty.

(26) "Statement" means:

- (a) a writing signed or otherwise adopted or approved by a person;
- (b) a video or audio recording of a person's communications or a transcript of the communications; and
- (c) a writing containing a summary of a person's oral communications or admissions.

(27) "Summons" means a written order issued by the court that commands a person to appear before a court at a stated time and place to answer a charge for the offense set forth in the order.

(28) "Superseded notes" means handwritten notes, including field notes, that have been substantially incorporated into a statement. The notes may not be considered a statement and are not subject to disclosure except as provided in [46-15-324](#).

(29) "Temporary road block" means any structure, device, or means used by a peace officer for the purpose of controlling all traffic through a point on the highway where all vehicles may be slowed or stopped.

(30) "Witness" means a person whose testimony is desired in a proceeding or investigation by a grand jury or in a criminal action, prosecution, or proceeding.

(31) "Work product" means legal research, records, correspondence, reports, and memoranda, both written and oral, to the extent that they contain the opinions, theories, and conclusions of the prosecutor, defense counsel, or their staff or investigators.

History: En. Sec. 2, Ch. 800, L. 1991; amd. Sec. 1, Ch. 262, L. 1991; amd. Sec. 1, Ch. 262, L. 1993; amd. Sec. 203, Ch. 546, L. 1995; amd. Sec. 6, Ch. 395, L. 1999; amd. Sec. 1, Ch. 303, L. 2001.

Provided by Montana Legislative Services

Legal Equivalency: Waiving the work requirement

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7-32-303. Peace officer employment, education, and certification standards -- suspension or revocation -- penalty. (1) For purposes of this section, unless the context clearly indicates otherwise, "peace officer" means a deputy sheriff, undersheriff, police officer, highway patrol officer, fish and game warden, park ranger, campus security officer, or airport police officer.

(2) A sheriff of a county, the mayor of a city, a board, a commission, or any other person authorized by law to appoint peace officers in this state may not appoint any person as a peace officer who does not meet the following qualifications plus any additional qualifying standards for employment promulgated by the Montana public safety officer standards and training council established in [2-15-2029](#):

- (a) be a citizen of the United States;
- (b) be at least 18 years of age;
- (c) be fingerprinted and a search made of the local, state, and national fingerprint files to disclose any criminal record;
- (d) not have been convicted of a crime for which the person could have been imprisoned in a federal or state penitentiary;
- (e) be of good moral character, as determined by a thorough background investigation;
- (f) be a high school graduate or have passed the general educational development test and been issued an equivalency certificate by the superintendent of public instruction or by an appropriate issuing agency of another state or of the federal government;
- (g) be examined by a licensed physician, who is not the applicant's personal physician, appointed by the employing authority to determine if the applicant is free from any mental or physical condition that might adversely affect performance by the applicant of the duties of a peace officer;
- (h) successfully complete an oral examination conducted by the appointing authority or its designated representative to demonstrate the possession of communication skills, temperament, motivation, and other characteristics necessary to the accomplishment of the duties and functions of a peace officer; and
- (i) possess or be eligible for a valid Montana driver's license.

(3) At the time of appointment, a peace officer shall take a formal oath of office.

(4) Within 10 days of the appointment, termination, resignation, or death of any peace officer, written notice of the event must be given to the Montana public safety officer standards and training council by the employing authority.

(5) (a) Except as provided in subsections (5)(b) and (5)(c), it is the duty of an appointing authority to cause each peace officer appointed under its authority to attend and successfully complete, within 1 year of the initial appointment, an appropriate peace officer basic course certified by the Montana public safety officer standards and training council. Any peace officer appointed after September 30, 1983, who fails to meet the minimum requirements as set forth in subsection (2) or who fails to complete the basic course as required by this subsection (5)(a) forfeits the position, authority, and arrest powers accorded a peace officer in this state.

(b) A peace officer who has been issued a basic certificate by the Montana public safety officer standards and training council and whose last date of employment as a peace officer was less than 36 months prior to the date of the person's present appointment as a peace officer is not required to fulfill the basic educational requirements of subsection (5)(a). If the peace officer's last date of employment as a peace officer was 36 or more but less than 60 months prior to the date of present employment as a peace officer, the peace officer may satisfy the basic educational requirements as set forth in subsection (5)(c).

(c) A peace officer referred to in subsection (5)(b) or a peace officer who has completed a basic peace officer's course that is taught by a federal, state, or United States military law enforcement agency and that is reviewed and approved by the Montana public safety officer standards and training council as equivalent with current training in Montana and whose last date of employment as a peace officer or member of the military law enforcement was less than 60 months prior to the date of present appointment as a peace officer may, within 1 year of the peace officer's present employment or initial appointment as a peace officer within this state, satisfy the basic educational requirements by successfully completing a basic equivalency course administered by the Montana law enforcement academy. The prior employment of a member of the military law enforcement must be reviewed and approved by the Montana public safety officer standards and training council. If the peace officer fails the basic equivalency course, the peace officer shall complete the appropriate basic equivalency course within 120 days of the date of the failure of the equivalency course.

(6) The Montana public safety officer standards and training council may extend the 1-year time requirements of subsections (5)(a) and (5)(c) upon the written application of the peace officer and the appointing authority of the officer. The application must explain the circumstances that make the extension necessary. Factors that the council may consider in granting or denying the extension include but are not limited to illness of the peace officer or a member of the peace officer's immediate family, absence of reasonable access to the basic equivalency course, and an unreasonable shortage of personnel within the department. The council may not grant an extension to exceed 180 days.

(7) A peace officer who has successfully met the employment standards and qualifications and the educational requirements of this section and who has completed a 1-year probationary term of employment must, upon application to the Montana public safety officer standards and training council, be issued a basic certificate by the council, certifying that the peace officer has met all the basic qualifying peace officer standards of this state.

(8) It is unlawful for a person whose certification as a peace officer, detention officer, or detention center administrator has been revoked or suspended by the Montana public safety officer standards and training council to act as a peace officer, detention officer, or detention center administrator. A person convicted of violating this subsection is guilty of a misdemeanor, punishable by a term of imprisonment not to exceed 6 months in the county jail or by a fine not to exceed \$500, or both.

History: En. Sec. 4598, Pol. C. 1895; re-en. Sec. 3124, Rev. C. 1907; re-en. Sec. 4879, R.C.M. 1921; re-en. Sec. 4879, R.C.M. 1935; amd. Sec. 1, Ch. 257, L. 1967; amd. Sec. 2, Ch. 66, L. 1971; amd. Sec. 1, Ch. 81, L. 1971; amd. Sec. 1, Ch. 62, L. 1973; amd. Sec. 2, Ch. 188, L. 1975; R.C.M. 1947, 16-3705(part); amd. Sec. 1, Ch. 191, L. 1983; amd. Sec. 1, Ch. 714, L. 1985; amd. Sec. 1, Ch. 217, L. 1989; amd. Sec. 9, Ch. 662, L. 1991; amd. Sec. 2, Ch. 437, L. 1993; amd. Sec. 12, Ch. 506, L. 2007; amd. Sec. 13, Ch. 2, L. 2009; amd. Sec. 1, Ch. 75, L. 2009.

Provided by Montana Legislative Services

Montana Code Annotated 2014

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

44-4-403. Council duties -- determinations -- appeals. (1) The council shall:

- (a) establish basic and advanced qualification and training standards for employment;
- (b) conduct and approve training; and
- (c) provide for the certification or recertification of public safety officers and for the suspension or revocation of certification of public safety officers.

(2) The council may waive or modify a qualification or training standard for good cause.

(3) A person who has been denied certification or recertification or whose certification or recertification has been suspended or revoked is entitled to a contested case hearing before the council pursuant to Title 2, chapter 4, part 6, except that a decision by the council may be appealed to the board of crime control, as provided for in [44-4-301](#). A decision of the board of crime control is a final agency decision subject to judicial review.

History: En. Sec. 4, Ch. 506, L. 2007.

Provided by Montana Legislative Services

Case Files:

Cases opened/closed



Montana Public Safety Officer Standards and Training Council
Perry Johnson – Executive Director

2260 Sierra Road East
Helena, MT 59602

Phone: (406) 444-9975
Fax: (406) 444-9978

dojmt.gov/post

February 25, 2015

To: POST Council

From: Perry Johnson
Executive Director

Subject: Closure of Cases

This is my written report setting forth the circumstances and resolution of cases. After consultation with legal counsel and meeting with the Case Status Sub-committee of the POST Council, the following cases have been closed:

2010: One case from 2010 was closed.

10-53 Closed due to the officer's failure to respond. The officer was suspended for 90 days and is now revoked.

No cases from 2010 remain open.

2011: No cases from 2011 were closed.

11-12 is the only case remaining from 2011. District Court case is resolved and POST is moving forward in the letter process.

2012: No cases from 2012 were closed.

12-18 Is the only remaining open case from 2012. Pending Federal court (Colstrip officer) complaint resolution.

2013: Three cases from 2013 were closed

13-06 Closed by recommendation of the Case Status Committee. Complaint did not rise to a level of POST involvement.

13-21 Officer's certificate was permanently revoked. Officer did not request a hearing.

13-26 Officer voluntarily surrendered his certificates. Officer's certificates are permanently revoked.

There are 6 open cases for 2013.

2014: Three cases from 2014 were closed

14-04 Closed due to the officer's failure to respond. The officer was suspended for 90 days and is now revoked.

14-10 Closed by recommendation of the Case Status Committee. Complaint did not rise to a level of POST involvement.

14-11 Officer voluntarily surrendered his certificates. Officer's certificates are permanently revoked.

There are 3 cases open for 2014.

2015: No cases from 2015 were closed

There are 2 open cases from 2015.

Perry Johnson, Executive Director
Montana POST Council

Budget Report

REPORT ID: MTG0106N-0
 BUS. UNIT: 41100 Department of Justice
 FOR THE FY PERIOD: JUNE 2015

STATE OF MONTANA
 ORGANIZATION DETAIL REPORT
 ORG: 2517 - POST Program
 MGR NAME: Johnson,Perry

PAGE NO. 1
 RUN DATE: 03/01/2015
 RUN TIME: 13:21:41

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY

ACCOUNT	FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	ELAPSED TIME YTD: 100%	CURR+PRIOR
61101 Regular	01100		71,160.99				71,160.99
61103 Sick Leave	01100		4,048.91				4,048.91
61104 Vacation	01100		1,482.41				1,482.41
61105 Holiday	01100		4,923.30				4,923.30
61158 Compensatory Time Taken	01100		7,141.05				7,141.05
TOTAL 61100 Salaries			88,756.66				88,756.66
61401 FICA	01100		6,705.99				6,705.99
61402 Retirement - Other	01100		7,340.19				7,340.19
61403 Group Insurance	01100		18,499.50				18,499.50
61404 Workers Compensation Insur	01100		512.48				512.48
61410 State Unemployment Tax	01100		399.55				399.55
TOTAL 61400 Employee Benefits			33,457.71				33,457.71
TOTAL 61000 Personal Services			122,214.37				122,214.37
62108 Legal Fees & Court Costs	01100		15,244.02				15,244.02
62113 Warrant Writing Services	01100		7.59				7.59
62114 HRIS Service Fees	01100		118.56				118.56
62114A Workers' Comp Program Fees	01100		12.06				12.06
62134 Honorariums	01100		600.00				600.00
62145 Food Services Expense	01100		206.74				206.74
62148 SABHRS Administrative Costs	01100		35.22				35.22
62187 Records Storage	01100		91.14				91.14
62190 Printing/Pub & Graphics	01100		94.41		2,500.00-		2,405.59-
62193 Photocopy Pool Services	01100		1,501.61				1,501.61
621B5 ITSD EMail Services	01100		25.35				25.35
621C5 ITSD Enterprise Services	01100		414.68				414.68
TOTAL 62100 Other Services			18,351.38		2,500.00-		15,851.38
62203 Clothing & Personal	01100		102.00				102.00
62205 Food	01100		7.94				7.94
62216 Gasoline	01100		127.93				127.93
62225 Books & Reference Materials	01100		40.00				40.00
62236 Ofc Supplies/E-Market	01100		844.77				844.77
62238 Minor Equipment-Office Equip	01100		324.62				324.62
62241 Office Sup/Minor Equip-NonStat	01100		17.31				17.31
62249 Minor Software.	01100		349.24				349.24
622B1 ITSD Asset Broker	01100		247.89				247.89
TOTAL 62200 Supplies & Materials			2,061.70				2,061.70
62319 Cellular Phones	01100		613.61				613.61
62322 Teleconferences	01100		292.75				292.75
62325 Federal Express Charges	01100		10.75				10.75
62371 Telephone Equip Crg/Non-D Of A	01100		206.67				206.67
62374 Internet Services/Non DofA	01100		30.00				30.00
623B0 ITSD Voice Services	01100		635.60				635.60
623B2 ITSD Network Services	01100		443.72				443.72
623B4 ITSD Long Distance Services	01100		181.33				181.33
TOTAL 62300 Communications			2,414.43				2,414.43

REPORT ID: MTG0106N-O
 BUS. UNIT: 41100 Department of Justice
 FOR THE FY PERIOD: JUNE 2015

STATE OF MONTANA
 ORGANIZATION DETAIL REPORT
 ORG: 2517 - POST Program
 MGR NAME: Johnson, Perry

PAGE NO. 2
 RUN DATE: 03/01/2015
 RUN TIME: 13:21:50

PART-A ACTUAL EXPENSE ACCOUNT SUMMARY			ELAPSED TIME YTD: 100%			
ACCOUNT	FUND	CURRENT MONTH	CURRENT YEAR	CM PRIOR YR	PRIOR YEAR	CURR+PRIOR
62401	In-State Personal Car Mileage	01100	721.17			721.17
62407	In-State Meals	01100	36.00			36.00
62408	In-State Lodging	01100	1,645.97			1,645.97
62410	In-State Meals Overnight	01100	173.00			173.00
62412	Out-Of-State Commercial Trans	01100	649.20			649.20
62418	Out-Of-State Lodging	01100	275.40			275.40
62424	Special Fees	01100	35.00			35.00
62430	Out-Of-State Meals-Overnight	01100	34.00			34.00
62494	Non-Employee Travel - Mileage	01100	870.24			870.24
62498	Non-employee travel	01100	30.24			30.24
TOTAL	62400 Travel		4,470.22			4,470.22
62506	Postage Meter	01100	390.00			390.00
62706	Vehicles - Passenger	01100	50.51			50.51
62801	Dues	01100	540.00			540.00
62807A	Sec of State Filing Fees	01100			1,800.00	1,800.00
62817	Meetings/Conference Costs	01100	785.13			785.13
TOTAL	62800 Other Expenses		1,325.13		1,800.00	3,125.13
TOTAL	62000 Operating Expenses		29,063.37		700.00-	28,363.37
TOTAL	FUND 01100 General Fund		151,277.74		700.00-	150,577.74
TOTAL	PART-A ACTUAL EXPENSE ACCOUNT SUMMARY		151,277.74		700.00-	150,577.74

PART-E STANDARD EXP BUDG FOR SCENARIO:							
ACCOUNT	FUND	PROG	SUB-CLS	BUDGET	EXPENDED	BALANCE	%
62000	Operating Expenses	01100	2014 200H1		700.00-	700.00	
	TOTAL SUB-CLS 200H1 POST COUNCIL				700.00-	700.00	
	TOTAL FUND 01100 General Fund				700.00-	700.00	
	TOTAL PROGRAM 2014				700.00-	700.00	
61000	Personal Services	01100	2015 200H1	176,260.00	122,214.37	54,045.63	69
62000	Operating Expenses	01100	2015 200H1	89,362.00	29,063.37	60,298.63	33
62000	Operating Expenses	01100	2015 200H2	50,000.00		50,000.00	
	TOTAL 62000 Operating Expenses			139,362.00	29,063.37	110,298.63	21
	TOTAL SUB-CLS 200H1 POST COUNCIL			265,622.00	151,277.74	114,344.26	57
	TOTAL SUB-CLS 200H2 POST LEGAL (RST)			50,000.00		50,000.00	
	TOTAL FUND 01100 General Fund			315,622.00	151,277.74	164,344.26	48
	TOTAL PROGRAM 2015			315,622.00	151,277.74	164,344.26	48
	TOTAL PART-E STANDARD EXP BUDG FOR SCENARIO:			315,622.00	150,577.74	165,044.26	48

Legislative Update

Bill Draft Number: LC0231**Bill Type - Number:** HB 100**Short Title:** Generally revise laws relating to the public safety officer training council**Primary Sponsor:** Frank Garner (R) HD 7**Bill Actions - Current Bill Progress:** In Second House--Out of Committee**Bill Action Count:** 33

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
(C) Printed - New Version Available	02/21/2015			
(S) Committee Report--Bill Concurred as Amended	02/21/2015			(S) Public Health, Welfare and Safety
(S) Committee Executive Action--Bill Concurred as Amended	02/20/2015	7	0	(S) Public Health, Welfare and Safety
(S) Rereferred to Committee	02/17/2015	50	0	(S) Public Health, Welfare and Safety
(S) Committee Report--Bill Concurred	02/14/2015			(S) Public Health, Welfare and Safety
(S) Committee Executive Action--Bill Concurred	02/13/2015	6	0	(S) Public Health, Welfare and Safety
(S) Hearing	02/04/2015			(S) Public Health, Welfare and Safety
(S) Referred to Committee	01/23/2015			(S) Public Health, Welfare and Safety
(S) First Reading	01/23/2015			
(H) Transmitted to Senate	01/22/2015			
(H) 3rd Reading Passed	01/21/2015	94	5	
(H) Scheduled for 3rd Reading	01/21/2015			
(H) 2nd Reading Passed	01/20/2015	93	7	
(H) Scheduled for 2nd Reading	01/20/2015			
(H) Committee Report--Bill Passed	01/16/2015			(H) Judiciary
(H) Committee Executive Action--Bill Passed	01/16/2015	17	4	(H) Judiciary
(H) Hearing	01/14/2015			(H) Judiciary
(H) First Reading	01/05/2015			
(H) Referred to Committee	12/23/2014			(H) Judiciary
(C) Introduced Bill Text Available Electronically	12/15/2014			
(H) Introduced	12/15/2014			
(C) Pre-Introduction Letter Sent	11/10/2014			
(C) Draft in Assembly/Executive Director Review	10/27/2014			

(C) Draft in Final Drafter Review	10/23/2014
(C) Bill Draft Text Available Electronically	10/22/2014
(C) Draft in Input/Proofing	10/22/2014
(C) Draft to Drafter - Edit Review [CMD]	10/22/2014
(C) Draft in Legal Review	10/22/2014
(C) Draft Back for Redo	10/22/2014
(C) Draft to Drafter - Edit Review [CMD]	10/20/2014
(C) Draft in Legal Review	10/16/2014
(C) Draft to Requester for Review	09/15/2014
(C) Draft Request Received	07/07/2014

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name Mi
Requester	Department of Justice by Law and Justice Interim Committee	
Drafter	Weiss	Rachel
By Request Of	Public Safety Officer Standards and Training Council	
Primary Sponsor	Garner	Frank

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Law Enforcement (see also: Criminal Procedure)		Simple	LEN
Public Officers and Employees		Simple	POFF
Safety (see also: Health)		Simple	SAF

Additional Bill Information

Fiscal Note Probable: No
Preintroduction Required: Y
Session Law Ch. Number:

DEADLINE

Category: General Bills

Transmittal Date: 02/27/2015

Return (with 2nd house amendments) Date: 04/10/2015

Section Effective Dates

No Records returned

HOUSE BILL NO. 100

INTRODUCED BY F. GARNER

BY REQUEST OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DUTIES OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL RELATED TO CERTIFICATION OF PUBLIC SAFETY OFFICERS; REMOVING REFERENCES TO THE GENERAL EDUCATIONAL DEVELOPMENT TEST; ALLOWING CERTAIN MENTAL HEALTH PROFESSIONALS TO EXAMINE AND EVALUATE THE MENTAL HEALTH OF A PEACE OFFICER CANDIDATE; ALLOWING SUBSTITUTION OF A STANDARDIZED MENTAL HEALTH EVALUATION INSTRUMENT FOR THE MENTAL HEALTH EXAMINATION; REVISING CERTAIN COURSE REQUIREMENTS; REMOVING APPLICATION REQUIREMENTS BEFORE THE COUNCIL ISSUES A CERTIFICATE TO A PUBLIC SAFETY OFFICER WHO MEETS CERTAIN EDUCATIONAL AND PROBATIONARY REQUIREMENTS; ESTABLISHING THE COUNCIL AS A CRIMINAL JUSTICE AGENCY FOR THE PURPOSES OF THE MONTANA CRIMINAL JUSTICE INFORMATION ACT; AMENDING SECTIONS 7-32-303 AND 44-4-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-32-303, MCA, is amended to read:

"7-32-303. Peace officer employment, education, and certification standards -- suspension or revocation -- penalty. (1) For purposes of this section, unless the context clearly indicates otherwise, "peace officer" means a deputy sheriff, undersheriff, police officer, highway patrol officer, fish and game warden, park ranger, campus security officer, or airport police officer.

(2) A sheriff of a county, the mayor of a city, a board, a commission, or any other person authorized by law to appoint peace officers in this state may not appoint any person as a peace officer who does not meet the following qualifications plus any additional qualifying standards for employment promulgated by the Montana public safety officer standards and training council established in 2-15-2029:

(a) be a citizen of the United States;

(b) be at least 18 years of age;

(c) be fingerprinted and a search made of the local, state, and national fingerprint files to disclose any



1 criminal record;

2 (d) not have been convicted of a crime for which the person could have been imprisoned in a federal or
3 state penitentiary;

4 (e) be of good moral character, as determined by a thorough background investigation;

5 (f) be a high school graduate or have passed the general educational development test and been issued
6 an equivalency certificate **A HIGH SCHOOL EQUIVALENCY DIPLOMA** by the superintendent of public instruction or by
7 an appropriate issuing agency of another state or of the federal government;

8 (g) (i) be examined by a licensed physician or, for the purposes of a mental health evaluation, a person
9 who is licensed by the state under Title 37 and acting within the scope of the person's licensure, who is not the
10 applicant's personal physician or licensed mental health professional, appointed by the employing authority to
11 determine if the applicant is free from any mental or physical condition that might adversely affect performance
12 by the applicant of the duties of a peace officer; or

13 (ii) (A) satisfactorily complete the physical examination required by subsection (2)(g)(i); and
14 (B) complete a standardized mental health evaluation instrument determined by the employing authority
15 to be sufficient to examine for any mental health conditions that might adversely affect the performance by the
16 applicant of the duties of a peace officer if the instrument is scored by a mental health professional acting within
17 the scope of licensure by any state and the mental health professional finds that the applicant is free of any such
18 mental health condition;

19 (h) successfully complete an oral examination conducted by the appointing authority or its designated
20 representative to demonstrate the possession of communication skills, temperament, motivation, and other
21 characteristics necessary to the accomplishment of the duties and functions of a peace officer; and

22 (i) possess or be eligible for a valid Montana driver's license.

23 (3) At the time of appointment, a peace officer shall take a formal oath of office.

24 (4) Within 10 days of the appointment, termination, resignation, or death of any peace officer, written
25 notice of the event must be given to the Montana public safety officer standards and training council by the
26 employing authority.

27 (5) (a) Except as provided in subsections (5)(b) and (5)(c), it is the duty of an appointing authority to
28 cause each peace officer appointed under its authority to attend and successfully complete, within 1 year of the
29 initial appointment, an appropriate peace officer basic course certified by the Montana public safety officer
30 standards and training council. Any peace officer appointed after September 30, 1983, who fails to meet the

1 minimum requirements as set forth in subsection (2) or who fails to complete the basic course as required by this
2 subsection (5)(a) forfeits the position, authority, and arrest powers accorded a peace officer in this state.

3 (b) A peace officer who has been issued a basic certificate by the Montana public safety officer
4 standards and training council and whose last date of employment as a peace officer was less than 36 months
5 prior to the date of the person's present appointment as a peace officer is not required to fulfill the basic
6 educational requirements of subsection (5)(a). If the peace officer's last date of employment as a peace officer
7 was 36 or more but less than 60 months prior to the date of present employment as a peace officer, the peace
8 officer may satisfy the basic educational requirements as set forth in subsection (5)(c).

9 (c) A peace officer referred to in subsection (5)(b) or a peace officer who has completed a basic peace
10 officer's course that is taught by a federal, state, or United States military law enforcement agency and that is
11 reviewed and approved by the Montana public safety officer standards and training council as equivalent with
12 current training in Montana and whose last date of employment as a peace officer or member of the military law
13 enforcement was less than 60 months prior to the date of present appointment as a peace officer may, within 1
14 year of the peace officer's present employment or initial appointment as a peace officer within this state, satisfy
15 the basic educational requirements by successfully completing a basic equivalency course administered by the
16 Montana law enforcement academy. The prior employment of a member of the military law enforcement must
17 be reviewed and approved by the Montana public safety officer standards and training council. If the peace officer
18 fails the basic equivalency course, the peace officer shall complete the next available appropriate basic
19 ~~equivalency course within 120 days of the date of the failure of the equivalency course.~~

20 (6) The Montana public safety officer standards and training council may extend the 1-year time
21 requirements of subsections (5)(a) and (5)(c) upon the written application of the peace officer and the appointing
22 authority of the officer. The application must explain the circumstances that make the extension necessary.
23 Factors that the council may consider in granting or denying the extension include but are not limited to illness
24 of the peace officer or a member of the peace officer's immediate family, absence of reasonable access to the
25 basic equivalency course, and an unreasonable shortage of personnel within the department. The council may
26 not grant an extension to exceed 180 days.

27 (7) A peace officer who has successfully met the employment standards and qualifications and the
28 educational requirements of this section and who has completed a 1-year probationary term of employment must;
29 ~~upon application to the Montana public safety officer standards and training council;~~ be issued a basic certificate
30 by the council; certifying that the peace officer has met all the basic qualifying peace officer standards of this

1 state.

2 (8) It is unlawful for a person whose certification as a peace officer, detention officer, or detention center
3 administrator has been revoked or suspended by the Montana public safety officer standards and training council
4 to act as a peace officer, detention officer, or detention center administrator. A person convicted of violating this
5 subsection is guilty of a misdemeanor, punishable by a term of imprisonment not to exceed 6 months in the
6 county jail or by a fine not to exceed \$500, or both."

7

8 **Section 2.** Section 44-4-403, MCA, is amended to read:

9 **"44-4-403. Council duties -- determinations -- appeals.** (1) The council shall:

10 (a) establish basic and advanced qualification and training standards for employment;

11 (b) conduct and approve training; and

12 (c) provide for the certification or recertification of public safety officers and for the suspension or
13 revocation of certification of public safety officers.

14 (2) The council may waive or modify a qualification or training standard for good cause.

15 (3) A person who has been denied certification or recertification or whose certification or recertification
16 has been suspended or revoked is entitled to a contested case hearing before the council pursuant to Title 2,
17 chapter 4, part 6, except that a decision by the council may be appealed to the board of crime control, as provided
18 for in 44-4-301. A decision of the board of crime control is a final agency decision subject to judicial review.

19 (4) The council is designated as a criminal justice agency within the meaning of 44-5-103 for the purpose
20 of obtaining and retaining confidential criminal justice information, as defined in 44-5-103, regarding public safety
21 officers in order to provide for the certification or recertification of a public safety officer and for the suspension
22 or revocation of certification of a public safety officer. The council may not record or retain any confidential
23 criminal justice information without complying with the provisions of the Montana Criminal Justice Information Act
24 of 1979 provided for in Title 44, chapter 5."

25

26 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

27

- END -

Approval/Denial of Certificate Requests



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
APS ADULT PROBATION AND PAROLE SUPERVISORY		
1 Barthel, Michael J	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Inter.</i>	03/11/2015
1 Barthel, Michael J	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Supervisory</i>	03/11/2015
1 Baxter, Jayson B	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Advanced</i>	03/11/2015
1 Belford, Eric J	DEPT OF HIGHWAYS/MOTOR CARRIER SERV <i>MCS Command</i>	03/11/2015
1 Belford, Eric J	DEPT OF HIGHWAYS/MOTOR CARRIER SERV <i>MCS Administrative</i>	03/11/2015
1 Caudill, Mathew S	DEPT OF HIGHWAYS/MOTOR CARRIER SERV <i>MCS Advanced</i>	03/11/2015
2 Baxter, Jayson B	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Inter.</i>	03/11/2015
3 Downey, Michelle	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Inter.</i>	03/11/2015
4 Frost, John J	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Inter.</i>	03/11/2015
5 Tymofichuk, Jennifer L	MONTANA DEPARTMENT OF CORRECTIONS <i>AP+P Inter.</i>	03/11/2015
6 Kluksdahl, Cindi L	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
7 Porter, David A	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
8 Roberts, Lacy M	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
9 Sieckman, Betty	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
10 Spang, Bruce W	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
11 Taoete, Siao Si (Tao)	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
12 Woodyard (Shouse), Sandra	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015
13 Zarr, Don R	TED LECHNER REGIONAL YOUTH SERVICES <i>Juv/Det Basic</i>	03/11/2015

Total APS Certificates 18

BAS Basic

5052 Esteves, Alex C	VALLEY COUNTY SHERIFF'S OFFICE	03/11/2015
5052 Gatlin, John R	POWDER RIVER COUNTY SHERIFF'S OFFICE	03/11/2015
5053 Uecker, Wyatt W	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
5054 Harms, Justin W	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
5055 Carroll, Klayton G	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
5056 Roy, Henry A	TROY POLICE DEPARTMENT	03/11/2015
5057 Deeks, Tyler J	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
5058 Doemel, Jack R	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
5059 Flack, Stephen J	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
5060 Pasha, Richard S	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
5061 Vauthier, Kristopher W	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
5062 Billmayer, Frank J	BLAINE COUNTY SHERIFF'S OFFICE	03/11/2015
5063 Beemer, Jim E	BLAINE COUNTY SHERIFF'S OFFICE	03/11/2015
5064 Scott, Michelle L	POLSON POLICE DEPARTMENT	03/11/2015
5065 Cleveland, William	POLSON POLICE DEPARTMENT	03/11/2015
5066 Waldie, Kevin D	BUTTE (BERT MOONEY) AIRPORT	03/11/2015
5067 Ashby, Steven E	BUTTE (BERT MOONEY) AIRPORT	03/11/2015
5068 Angulo, Brian R	MANHATTAN POLICE DEPARTMENT	03/11/2015
5069 Bishop, Tyler S	BILLINGS POLICE DEPARTMENT	03/11/2015
5070 Chroniger, Jordan B	HAVRE POLICE DEPARTMENT	03/11/2015
5071 Clackler, Ronald E	KALISPELL POLICE DEPARTMENT	03/11/2015
5072 Clyatt, Todd H	BILLINGS POLICE DEPARTMENT	03/11/2015
5073 Garcia, James B	RONAN POLICE DEPARTMENT	03/11/2015
5074 Grosfield, Zachary L	MONTANA HIGHWAY PATROL	03/11/2015



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
5075 Horton, Vincent J	SIDNEY POLICE DEPARTMENT	03/11/2015
5076 Kinsey, Michael J	DEPT OF HIGHWAYS/MOTOR CARRIER SERV	03/11/2015
5077 Knaff, Lucas L	BIG HORN COUNTY SHERIFF'S OFFICE	03/11/2015
5078 Lee, Jr, Howard G	BLACKFEET LAW ENFORCEMENT	03/11/2015
5079 McKnight, Amanda C	BILLINGS POLICE DEPARTMENT	03/11/2015
5080 Mercer, Scott A	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
5081 Middlestead, Jeramie P	BIG HORN COUNTY SHERIFF'S OFFICE	03/11/2015
5082 Miller, Robert J	BILLINGS POLICE DEPARTMENT	03/11/2015
5083 Moore, Clayton T	HAMILTON POLICE DEPARTMENT	03/11/2015
5084 Papke, Russell G	DOJ/DIVISION OF CRIMINAL INVESTIGATION	03/11/2015
5085 Reynolds, Matthew L	RAVALLI COUNTY SHERIFF'S OFFICE	03/11/2015
5086 Richter, Jeffrey M	BILLINGS POLICE DEPARTMENT	03/11/2015
5087 Roselles, Alex R	SIDNEY POLICE DEPARTMENT	03/11/2015
5088 Sanders, Andrew F	BILLINGS POLICE DEPARTMENT	03/11/2015
5089 Schnellbach, Eric A	BILLINGS POLICE DEPARTMENT	03/11/2015
5090 Ward, Jacob L	COLUMBUS POLICE DEPARTMENT	03/11/2015
5091 Snelling, Spencer L	HELENA POLICE DEPARTMENT	03/11/2015
5092 Hayes, Stephen P	SIDNEY POLICE DEPARTMENT	03/11/2015
5093 McDonough, Daniel P	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
5094 Hedges, Duncan W	PRAIRIE COUNTY SHERIFF'S OFFICE	03/11/2015
5095 Lindgren, Christopher R	SHERIDAN COUNTY SHERIFF'S OFFICE	03/11/2015
5096 Matthews, Angela D	FORT PECK DEPT OF LAW & JUSTICE	03/11/2015
5097 Schoenfelder, Sean M	GLASGOW POLICE DEPARTMENT	03/11/2015
5098 Slingsby, Bryan D	MEAGHER COUNTY SHERIFF'S OFFICE	03/11/2015
5099 Yost, Christy N	TOOLE COUNTY SHERIFF'S OFFICE	03/11/2015
5100 Salois, Misty D	BLACKFEET LAW ENFORCEMENT	03/11/2015
5101 McLain, Eric T	DOJ/DIVISION OF CRIMINAL INVESTIGATION	03/11/2015
5102 Salois, Jr., Edwin	BLACKFEET LAW ENFORCEMENT	03/11/2015
5103 Jones, Jason W	RAVALLI COUNTY SHERIFF'S OFFICE	03/11/2015
5104 Askvig, Mark D	FLATHEAD COUNTY SHERIFF'S OFFICE	03/11/2015
5105 Pavalone, Paige M	MISSOULA COUNTY SHERIFF'S OFFICE	03/11/2015
5106 James, Ryan W	BAKER POLICE DEPARTMENT	03/11/2015
5107 Hines, Brian J	LAKE COUNTY SHERIFF'S OFFICE	03/11/2015
5108 Brinton, Eric J	KALISPELL POLICE DEPARTMENT	03/11/2015
5109 Anderson, Dustin J	BROADWATER COUNTY SHERIFF'S OFFICE	03/11/2015
5110 Vander Ark, Matthew A	FLATHEAD COUNTY SHERIFF'S OFFICE	03/11/2015
5111 Colyer, Ross P	MISSOULA POLICE DEPARTMENT	03/11/2015
5112 Anderberg, Chad B	SHERIDAN COUNTY SHERIFF'S OFFICE	03/11/2015
5113 Mercer, Scott A	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
5114 Simenson, Justin M	CHINOOK POLICE DEPARTMENT	03/11/2015
5115 Ramaker, Tyler	FISH, WILDLIFE AND PARKS	03/11/2015
5116 Singleterry, Justin J	FISH, WILDLIFE AND PARKS	03/11/2015
5117 Winters, Tegan J	FISH, WILDLIFE AND PARKS	03/11/2015

Total BAS Certificates 67

INT Intermediate

4673 Beck, Benjamin T BILLINGS POLICE DEPARTMENT 03/11/2015



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
4674 Anderson, Dustin J	BROADWATER COUNTY SHERIFF'S OFFICE	03/11/2015
4675 Bailey, Eric J	CASCADE COUNTY SHERIFF'S OFFICE	03/11/2015
4676 Brunk, Steven M	CASCADE COUNTY SHERIFF'S OFFICE	03/11/2015
4677 Singletery, Justin J	FISH, WILDLIFE AND PARKS	03/11/2015
4678 Broesder, Seth W	FORT BENTON POLICE DEPARTMENT	03/11/2015
4679 Mayland, Dan M	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
4680 Hash, Michael R	MISSOULA COUNTY SHERIFF'S OFFICE	03/11/2015
4681 Pavalone, Paige M	MISSOULA COUNTY SHERIFF'S OFFICE	03/11/2015
4682 Kamerer, Michael K	MISSOULA POLICE DEPARTMENT	03/11/2015
4683 Volinkaty, Joshua J	MISSOULA POLICE DEPARTMENT	03/11/2015
4684 Christensen, Mathew H	MONTANA HIGHWAY PATROL	03/11/2015
4685 Jenson, Anthony D	MONTANA HIGHWAY PATROL	03/11/2015
4686 Hopkin, Jason P	PARK COUNTY SHERIFF'S OFFICE	03/11/2015
4687 Zeiler, Gabriel F	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
4688 Cantrell, Orin J	ROOSEVELT COUNTY SHERIFF'S OFFICE	03/11/2015

Total INT Certificates 16

ADV Advanced

3017 Robinson, Jarrod D	BELGRADE POLICE DEPARTMENT	03/11/2015
3018 Franscioni, Tommie S	BOZEMAN POLICE DEPARTMENT	03/11/2015
3019 Ziegler, Marek K	BOZEMAN POLICE DEPARTMENT	03/11/2015
3020 Mahoney, Ben J	CARBON COUNTY SHERIFF'S OFFICE	03/11/2015
3021 Smith, Justin D	CHOUTEAU COUNTY SHERIFF'S OFFICE	03/11/2015
3022 Royce II, Louis J	FISH, WILDLIFE AND PARKS	03/11/2015
3023 Milender, Judd	GLACIER COUNTY SHERIFF'S OFFICE	03/11/2015
3024 Hard, Wayne L	LIVINGSTON POLICE DEPARTMENT	03/11/2015
3025 Kaneff, Daniel C	MISSOULA POLICE DEPARTMENT	03/11/2015
3026 Lear, Stacy R	MISSOULA POLICE DEPARTMENT	03/11/2015
3027 Ross, Amy M	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
3028 Edwards, Aaron R	MUSSELSHELL COUNTY SHERIFF'S OFFICE	03/11/2015
3029 Lytle, Jerold E	PHILLIPS COUNTY SHERIFF'S OFFICE	03/11/2015
3030 Pruttis, Darrell J	PONDERA COUNTY SHERIFF'S OFFICE	03/11/2015
3031 Lingle, Timothy R	ROOSEVELT COUNTY SHERIFF'S OFFICE	03/11/2015

Total ADV Certificates 15

SUP Supervisory

2773 Berg, Aaron L	FISH, WILDLIFE AND PARKS	03/11/2015
2774 Yonkin, Daniel	LAKE COUNTY SHERIFF'S OFFICE	03/11/2015
2775 Kraft, Mark E	SIDNEY POLICE DEPARTMENT	03/11/2015

Total SUP Certificates 3

COM Command

2591 Snavely, Stephen P	HAMILTON POLICE DEPARTMENT	03/11/2015
2592 Nelson, Jay M	MONTANA HIGHWAY PATROL	03/11/2015



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
Total COM Certificates 2		
DTB Detention/Corrections Basic		
1723 Hungate, Robert	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
1724 McNamara, William	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
1725 Staley, Brandon M	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
1726 Trainor, Bryan L	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
1727 Trainor, Bryan L	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
1728 Ternes, Ian	BEAVERHEAD COUNTY SHERIFF'S OFFICE	03/11/2015
1729 Silva, Tim J	CASCADE COUNTY JUVENILE DETN FACILIT	03/11/2015
1730 Fellman, Douglas A	CASCADE COUNTY SHERIFF'S OFFICE	03/11/2015
1731 Semenza, Zachary A	CASCADE COUNTY SHERIFF'S OFFICE	03/11/2015
1732 Grove, Daniel D	CHOUTEAU COUNTY SHERIFF'S OFFICE	03/11/2015
1733 Williams, Kevin J	FERGUS COUNTY SHERIFF'S OFFICE	03/11/2015
1734 Fliehman, Shawn A	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
1735 Fliehman, Shawn A	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
1736 Kohler, Phil	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
1737 Pengra, Chelsey M	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
1738 Shyne, Patrick G	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
1739 Crossguns, Rebecca L	GLACIER COUNTY SHERIFF'S OFFICE	03/11/2015
1740 Newman, Travis C	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
1741 Ronayne, Michael W	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
1742 Renfro, Rick R	MISSOULA ADULT DETENTION FACILITY	03/11/2015
1743 Chaney, Donald W	MONTANA STATE PRISON	03/11/2015
1744 Eastis, Wesley E	MONTANA STATE PRISON	03/11/2015
1745 Scheett, Joel S	MONTANA STATE PRISON	03/11/2015
1746 Snowden, Thomas H	MONTANA STATE PRISON	03/11/2015
1747 Hackney, Sterrin	MONTANA STATE WOMEN'S PRISON	03/11/2015
1748 Kitterman, Allan	MONTANA STATE WOMEN'S PRISON	03/11/2015
1749 Rudolph, David	MONTANA STATE WOMEN'S PRISON	03/11/2015
1750 Howman, Harold R	PINE HILLS YOUTH CORRECTIONAL FACILIT	03/11/2015
1751 Yearby, Carressa V	PINE HILLS YOUTH CORRECTIONAL FACILIT	03/11/2015
1752 Juarez, Joey	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
1753 Ortloff, Amanda R	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
1754 Reed (Urban), Heather J	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
1755 Smith, Lorie J	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
1756 Wagle, Ashton K	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
1757 Warren, Jennifer	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
1758 Marnolejo, Albert	TED LECHNER REGIONAL YOUTH SERVICES	03/11/2015
1759 Donovan, Derek W	UNASSIGNED	03/11/2015

Total DTB Certificates 37

DTI Detention/Corrections Intermediate

456 Fliehman, Shawn A	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
457 Kohler, Phil	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
458 Hansen, (Hoscheid), Debra L	MONTANA STATE PRISON	03/11/2015



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
459 Saksa, Charles F	CASCADE COUNTY SHERIFF'S OFFICE	03/11/2015

Total DTI Certificates 4

DTA Detention/Corrections Advanced

241 Fliehman, Shawn A	GALLATIN COUNTY SHERIFF'S OFFICE	03/11/2015
242 Barnt, James J	MISSOULA ADULT DETENTION FACILITY	03/11/2015
243 Hansen, (Hoscheid), Debra L	MONTANA STATE PRISON	03/11/2015

Total DTA Certificates 3

DTS Detention/Corrections Supervisory

155 Hansen, (Hoscheid), Debra L	MONTANA STATE PRISON	03/11/2015
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Total DTS Certificates 1

DIS Public Safety Communicators Basic

379 Andrews, Pamela K	POWDER RIVER COUNTY SHERIFF'S OFFICE	03/11/2015
379 Bubash, Linda K	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
380 Hanson, Jamie C	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
380 Tabolt, Gina -	POWDER RIVER COUNTY SHERIFF'S OFFICE	03/11/2015
381 Killoy, Lynann M	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
381 Turnbough, Carmen L	POWDER RIVER COUNTY SHERIFF'S OFFICE	03/11/2015
382 Kroll, Mercedes L	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
383 Paull, Doris L	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
384 Peterson, Dawn R	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
385 Rampy, Brooke	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
386 Williams, Lynette J	ANACONDA-DEER LODGE LAW ENFORCEME	03/11/2015
387 Caltrider, Sadie J	BEAVERHEAD COUNTY SHERIFF'S OFFICE	03/11/2015
388 Harbolt, Brianna L	BLAINE COUNTY SHERIFF'S OFFICE	03/11/2015
389 Mellgren, Kaela M	BLAINE COUNTY SHERIFF'S OFFICE	03/11/2015
390 Mundlin, Carrie E	BLAINE COUNTY SHERIFF'S OFFICE	03/11/2015
391 Russell, Jolynn	BLAINE COUNTY SHERIFF'S OFFICE	03/11/2015
392 Chylik, Darci M	CHOUTEAU COUNTY SHERIFF'S OFFICE	03/11/2015
393 Koski, Amy C	COLSTRIP POLICE DEPARTMENT	03/11/2015
394 Nowka, Sandy	EUREKA POLICE DEPARTMENT	03/11/2015
395 Hintz, Michelle D	GALLATIN COUNTY 911 CTR.	03/11/2015
396 O'Connell, Christopher S	HELENA POLICE DEPARTMENT	03/11/2015
397 Burns, Kristi M	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
398 James, Katy O	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
399 McKenrick, Jennifer	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
400 Nelson, Daniel R	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
401 Warner, Rebecca L	JEFFERSON COUNTY SHERIFF'S OFFICE	03/11/2015
402 Dupuis, Deirdre	LAKE COUNTY SHERIFF'S OFFICE	03/11/2015
403 Jennison, (Cottle), Karlee J	LAKE COUNTY SHERIFF'S OFFICE	03/11/2015
404 Fanning, Stephen W	LEWISTOWN POLICE DEPARTMENT	03/11/2015
405 Pfaff, Barbara A	LINCOLN COUNTY SHERIFF'S OFFICE	03/11/2015
406 Gillen, Sara J	LIVINGSTON PARK COUNTY 911	03/11/2015



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
407 Hutchings, Makaya	LIVINGSTON PARK COUNTY 911	03/11/2015
408 Story, Judy L	LIVINGSTON PARK COUNTY 911	03/11/2015
409 Story, Judy L	LIVINGSTON PARK COUNTY 911	03/11/2015
410 Gallegos, Kimberly	MISSOULA 911 CENTER	03/11/2015
411 Bunnis, (Massengale), Julie	MONTANA HIGHWAY PATROL	03/11/2015
412 Christopher, Valerie L	MONTANA HIGHWAY PATROL	03/11/2015
413 Conrad, Nicholas T	MONTANA HIGHWAY PATROL	03/11/2015
414 Gillman, Kelly J	MONTANA HIGHWAY PATROL	03/11/2015
415 Zerr, Kaylee N	MONTANA HIGHWAY PATROL	03/11/2015
416 Beery, Jami	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
417 Boehm, Brian J	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
418 Fellows, Lana	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
419 Greer, Andrew T	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
420 Hart, Brandy M	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
421 Nickolay, Brittany	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
422 Owenby, Donna C	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
423 Tyrell, Jennifer L	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
424 Wiley, Kathryn L	MSU POLICE DEPARTMENT/BOZEMAN	03/11/2015
425 Loomis, Vicki J	POWDER RIVER COUNTY SHERIFF'S OFFICE	03/11/2015
426 Goff, Shenae	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
427 Hofman, James D	RICHLAND COUNTY SHERIFF'S OFFICE	03/11/2015
428 Taylor, Denise A	SANDERS COUNTY SHERIFF'S OFFICE	03/11/2015
429 Buesch, Shinae	TROY POLICE DEPARTMENT	03/11/2015
430 Davis, Katie L	TROY POLICE DEPARTMENT	03/11/2015
431 Erickson, Steven G	TROY POLICE DEPARTMENT	03/11/2015
432 Maynard, Reese R	TROY POLICE DEPARTMENT	03/11/2015

Total DIS Certificates 57

COR Coroner Basic

1367	Hale, Dennis D	CHOUTEAU COUNTY SHERIFF'S OFFICE	03/11/2015
1368	Hedges, Duncan W	PRAIRIE COUNTY SHERIFF'S OFFICE	03/11/2015

Total COR Certificates 2

APP Adult Probation and Parole Basic

893	Powell-Balsley, Sherill L	CROSSROADS CORRECTIONAL CENTER	03/11/2015
894	Anderson, Nichole A	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
895	Barthel, Michael J	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
896	Baxter, Jayson B	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
897	Bellusci, William W	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
898	Bethel, Andrea	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
899	Boettger, Bonnie L	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
900	Boyd, John	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
901	Callarman, Brian J	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
902	Cameron, James D	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
903	Clancy, James S	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
904	Daly, Sean H	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
905 DatsoPoulos(Crowley), Kristin	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
906 Dibblee, Jesse A	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
907 Diehl, Erin K	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
908 Donath, Katherine F	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
909 Downey, Michelle	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
910 Edwards, David L	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
911 Estes, Randall	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
912 Fisher, Elizabeth	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
913 Frost, John J	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
914 Krum, Timothy P	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
915 Slaughter, Christie A	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
916 Tymofichuk, Jennifer L	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
917 Wilson-Janes, Allison J	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
918 Zody-Ewers, Tara	MONTANA DEPARTMENT OF CORRECTIONS	03/11/2015
919 Miller-Kautzman, Lavonne M	PROBATION & PAROLE ADULT	03/11/2015

Total APP Certificates 27

INS	Instructors	Issue Date
1	Clark, David D	MADISON COUNTY SHERIFF'S OFFICE
4673	Jagers, Justin C	BILLINGS POLICE DEPARTMENT
4673	Musson Jr., Richard	BOZEMAN POLICE DEPARTMENT
4674	Jagers, Justin C	BILLINGS POLICE DEPARTMENT
4674	Musson Jr., Richard	BOZEMAN POLICE DEPARTMENT
4675	Mayo, Shawn D	BILLINGS POLICE DEPARTMENT
4675	Sells, Brent R	DEPARTMENT OF JUSTICE/DRIVERS SERVIC
4676	Leonard, John E	LIVINGSTON POLICE DEPARTMENT
4676	Mayo, Shawn D	BILLINGS POLICE DEPARTMENT
4677	Crawford, Steven J	BOZEMAN POLICE DEPARTMENT
4677	Leonard, John E	LIVINGSTON POLICE DEPARTMENT
4678	Clark, David D	MADISON COUNTY SHERIFF'S OFFICE
4678	Danzer, Matthew	BOZEMAN POLICE DEPARTMENT
4679	Musson Jr., Richard	BOZEMAN POLICE DEPARTMENT
4680	Scow, Jeffrey J	HELENA POLICE DEPARTMENT
4681	Baker, Guy A	MISSOULA POLICE DEPARTMENT
4682	Manraksa, Sean N	MISSOULA POLICE DEPARTMENT
4683	Waln, Bradley R	MISSOULA POLICE DEPARTMENT

Total INS Certificates 18



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
BAS Basic		
5051 Barker, Caitlin D	MSU POLICE DEPARTMENT/BOZEMAN	01/22/2015
Total BAS Certificates 1		
ADV Advanced		
3015 Doner, Steven W	MSU POLICE DEPARTMENT/BOZEMAN	01/22/2015
Total ADV Certificates 1		



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
ADV Advanced		
3016 Dunster, Ryan	MISSOULA COUNTY SHERIFF'S OFFICE	02/09/2015
Total ADV Certificates 1		



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
INS Instructors		
4669 Bichler, Braddy W	PARK COUNTY SHERIFF'S OFFICE	UTL - UNIVERSAL TACTICAL LI 02/17/2015
4670 Bichler, Braddy W	PARK COUNTY SHERIFF'S OFFICE	FIREARMS - PISTOL 02/17/2015
4671 Bichler, Braddy W	PARK COUNTY SHERIFF'S OFFICE	FIREARMS - PATROL RIFLE 02/17/2015
4672 Bichler, Braddy W	PARK COUNTY SHERIFF'S OFFICE	FIREARMS - SHOTGUN 02/17/2015

Total INS Certificates 4

Approval/Denial of Extension Requests



Montana Public Safety Officer Standards and Training Council
Perry Johnson – Executive Director

2260 Sierra Road East
Helena, MT 59602

Phone: (406) 444-9975
Fax: (406) 444-9978

dojmt.gov/post

Extension Requests

Montana POST Council Meeting
March 11, 2015

- 1. Sandy Nowka – Public Safety Communicator, Eureka Police Department**
Judy Romeo sent an extension request for Ms. Nowka to attend PSC Basic. Ms. Nowka was hired on September 15, 2013, and Ms. Romeo indicated she was unaware there was a PSC Basic class in December, 2014. She requested an extension to place Ms. Nowka in PSC Basic on February 22, 2015, which was done.
- 2. Jacqueline Whittle – Deputy Coroner, Park County Coroner**
Coroner Al Jenkins sent an extension request for Deputy Coroner Whittle to receive her 16 hours of advanced coroner training. Deputy Coroner Whittle was unable to attend the December training that POST conducted because she is an EMT for the SAR team in Cooke City, and was working avalanche season. She plans to attend the Coroner training in Lewistown in May, 2015. Conditional approval of this extension was given to her.
- 3. Meghen O'Brien – Public Safety Communicator, Troy Area Dispatch**
Head Dispatcher Katie Davis sent an extension request for Ms. O'Brien to attend PSC Basic. Ms. O'Brien was hired May 12, 2014, and she was scheduled to go to PSC Basic on February 22, 2015. However, due to another dispatcher's medical issues, sending Ms. O'Brien in February would have left the agency short staffed. Katie Davis is requesting an extension for Ms. O'Brien to attend PSC Basic on May 18-22, 2015. Conditional approval of this extension was given.
- 4. Michael Dennis – Detention Officer, Rosebud County Sheriff's Office**
Sgt. Alan James sent an extension request for Mr. Dennis to attend CDOB. Mr. Dennis was hired on August 29, 2014. The Rosebud County Sheriff's Office has been experiencing high turnover, causing the office to be short staffed. Mr. Dennis has been accepted to CDOB #131, beginning on September 20, 2015.
- 5. Dave White – Deputy Sheriff, Richland County Sheriff's Office**
Sheriff John Dynneson sent an extension request for Deputy White to attend LEOB. Sheriff Dynneson indicated that the office is short staffed, and another Deputy was attending LEOB, so the office could not spare Deputy White. Deputy White was hired on March 10, 2014, and will attend LEOB from April 6-June 26, 2015. Conditional approval for this extension was given.
- 6. Melissa Verhage – Detention Officer, Richland County Sheriff's Office**
Sheriff John Dynneson sent an extension request for Ms. Verhage to attend CDOB. Sheriff Dynneson stated that he realized she was out of compliance while trying to ensure

that staff were appropriately trained and certified when he came on as the new sheriff. Sheriff Dynneson indicated that the office has been short staffed, resulting in Ms. Verhage not attending CDOB. Ms. Verhage was hired on January 31, 2013, and will attend CDOB from March 8-April 3, 2015. I explained to the new Sheriff that Ms. Verhage was beyond the timeframe for the Council to approve an extension, as they can only give a 180 day extension beyond the first year of appointment, and she has been working longer than 180 days past her initial appointment.

7. **Seth Gibson – Deputy Coroner, Gallatin County Sheriff's Office**
Sheriff Brian Gootkin sent an extension request for Deputy Coroner Gibson to receive his 16 hours of advanced coroner training. Deputy Coroner Gibson did not attend his training due to an error in the office and the fact that Sheriff Gootkin was unaware of the requirement. He plans to attend the Coroner training in Lewistown in May, 2015.
8. **Paul Griffin – Deputy Coroner, Gallatin County Sheriff's Office**
Sheriff Brian Gootkin sent an extension request for Deputy Coroner Griffin to receive his 16 hours of advanced coroner training. Deputy Coroner Griffin did not attend his training due to an error in the office and the fact that Sheriff Gootkin was unaware of the requirement. He plans to attend the Coroner training in Lewistown in May, 2015.
9. **Ted Quillen – Deputy Coroner, Gallatin County Sheriff's Office**
Sheriff Brian Gootkin sent an extension request for Deputy Coroner Quillen to receive his 16 hours of advanced coroner training. Deputy Coroner Quillen did not attend his training due to an error in the office and the fact that Sheriff Gootkin was unaware of the requirement. He plans to attend the Coroner training in Lewistown in May, 2015.

Perry Johnson, Executive Director
Montana POST Council

Approval/Denial of Equivalency Requests



Montana Public Safety Officer Standards and Training Council
Perry Johnson – Executive Director

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Basic Equivalency Requests

1. **Darin Allen – Deputy Sheriff, Fergus County Sheriff’s Office**
Sheriff Troy Eades sent a request for reciprocity and requested that Deputy Allen be allowed to attend the Legal Equivalency course. Deputy Allen attended LEOB #117 at MLEA in 2002. He worked for Cut Bank Police Department and the Glacier County Sheriff’s Office prior to leaving law enforcement to attend college on June 7, 2011. He was hired with the Fergus County Sheriff’s Office on February 18, 2015.
2. **Jeremiah Wyrick – Police Officer, Glendive Police Department**
Chief Ty Ulrich sent a request for reciprocity for Officer Wyrick and requested that he be allowed to attend the Legal Equivalency course. Officer Wyrick completed a 540-hour basic police officer course at the Lake Region State College in North Dakota. He was not employed as a peace officer in North Dakota. He was hired by the Glendive Police Department on January 7, 2015.
3. **Cory Wilson – Corrections Officer, Montana Women’s Prison**
Lt. Albert Hust sent a request for reciprocity for CO Wilson. CO Wilson completed a 360-hour basic corrections officer course at the Correctional Officer Basic Academy in Rawlins, Wyoming. He was issued a basic certificate in the State of Wyoming in 2011. He has been employed as a corrections officer in Wyoming at the Wyoming Department of Corrections. CO Wilson was hired at the Montana Women’s Prison on February 3, 2015.
4. **Chad Glick – Deputy Sheriff, Carbon County Sheriff’s Office**
Sheriff Josh McQuillan sent a request for reciprocity for Deputy Glick and requested that he be allowed to attend the Legal Equivalency course. Deputy Glick completed a 511-hour basic police officer course at the Wyoming Law Enforcement Academy in 2004. He was employed as an officer with the Powell Police Department in Wyoming for approximately 11 years, until January 6, 2015. He was hired at the Carbon County Sheriff’s Office on January 7, 2015.
5. **Adam Watson – Police Officer, Red Lodge Police Department**
Scott Cope sent a request for reciprocity for Officer Watson and requested that he be allowed to attend the Legal Equivalency course. Officer Watson completed a 400-hour basic at the North Central Georgia Law Enforcement Academy, and was certified in Georgia in 2001. He worked in Georgia as a law enforcement officer until May of 2008. Thereafter, Officer Watson completed an Alabama lateral course in March of 2005, and received his certifications in Alabama. Officer Watson worked as a police officer until May of 2011 in Alabama. He was hired by the Red Lodge Police Department as a part-time officer on December 17, 2014.

6. **Justin Gould – Deputy Sheriff, Gallatin County Sheriff’s Office**
Lt. Shane Frantz sent a request for reciprocity and requested that Deputy Gould be allowed to attend the Legal Equivalency course. Deputy Gould completed a 672-hour basic course in Florida. He worked as a Sheriff’s Deputy at the Brevard County Sheriff’s Office in Florida from 2002-2014. Prior to that, he worked at the Port Orange Police Department for approximately one year. He was hired by the Gallatin County Sheriff’s Office on October 1, 2014.

7. **Michael Baum – Deputy Sheriff, Teton County Sheriff’s Office**
Sheriff Keith Van Setten sent a request for reciprocity for Deputy Baum and requested that he be allowed to attend the Legal Equivalency course. Deputy Baum attended the Air Force’s 559-hour Security Forces Apprentice Course, and was issued his certificate of completion in February of 2007. In 2014, he completed the VA’s six-week Basic Police Officer Training Course. He has also attended college, taken some Utah POST training, and received training at the VA. He was employed as a Police Officer at the VA until he was hired at the Teton County Sheriff’s office on December 17, 2014. See attachments.

8. **Philip Tanis – Police Officer, Billings Police Department**
Dan Brown sent a request for reciprocity for Officer Tanis and requested that he be allowed to attend the Legal Equivalency course. Officer Tanis attended Hennepin Technical College’s 281.5 credit basic program in Minnesota. He later sat for and passed the Peace Officer Licensing Exam in Minnesota. He was later granted reciprocity and equivalency in Wyoming. He worked as a police officer in Worland, Wyoming from December of 2012 to the summer of 2014. He was hired by the Billings Police Department on December 29, 2014.

9. **Kelly Cole – Ranger, Bureau of Land Management**
Chief Ranger Bryan Sakahara sent a request for Ranger Cole to attend the Legal Equivalency course. Ranger Cole completed the Land Management Police Training at FLETC in 2005. He has over ten years of Federal Law Enforcement experience.

Perry Johnson, Executive Director
Montana POST Council

Baum, Michael James
Job Qualification Standard (JQS)
3POX1 – 1/11/2010

Wartime Tasks	2. Core Tasks	3. Certification for OJT						4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
	1. Tasks, Knowledge And Technical References	A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
	1. General career field knowledge							-	-	-	-
*	1.4. Security Forces ethics TR: Core Values; AFMAN 31-201, Vol. 1	X		3/24/2011	9/27/2011	MJB	wRb	A	B	-	-
	2. SF Operations Planning							-	-	-	-
	2.1. Utilize post priority charts TR: AFI 31-101		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
	7. SF Organizational and functional responsibilities							-	-	-	-
*	7.2. S-1 thru S-5 home station/deployed duties TR: AFH 31-302; AFH 31-305; AFI38- 101	X		3/24/2011	9/27/2011	MJB	wRb	A	A	-	B
	8. Command/Control/Communications and intelligence (C3I)							-	-	-	-
	8.4. Communications							-	-	-	-
*	8.4.1. Net communication protocol TR: AFMAN 31-201, Vol. 3				9/24/2009	MJB	JJL	B	B	-	-
*	8.4.2. Use phonetic alphabet TR: AFMAN 31-201, Vol 3	X			9/24/2009	MJB	JJL	3c	-	-	-
	8.4.3. Install and recover communication systems TR: T.O. 31W1-2PT-421; T.O. 31W1-2PT 291; FM 24-12; AFH 31-302; FM 32-75							-	b	-	b
	8.4.4. Inspect and correct communication systems TR: AFH 31-302; FM 21-75; FM 24-12							-	b	-	b
	8.4.5. Operate communication systems TR: TM 11-5805-262-12; T.O. 31W1-2PT 361; FM 24-12; 37 Series							-	-	-	b
*	8.4.6. Use and react to visual signaling techniques TR: AFMAN 10-100; FM 21-60; CALL 04-27, Vol II	X		3/24/2011	9/27/2011	MJB	wRb	2b	c	-	-
*	8.4.7. Use sign/countersign in restricted areas TR: AFI 31-101	X			9/24/2009	MJB	JJL	2b	c	-	-
*	8.4.8. Use sign/countersign in integrated defense TR: AFH 31-302; AFMAN 10-100	X		3/24/2011	9/27/2011	MJB	wRb	2b	c	-	-
	12. Integrated defense							-	-	-	-
*	12.1. Integrated defense concepts TR: AFTTP B-10.1; (CONOPS 20/20, Bomb Mitigation Guide); AFPD 31-1; AFI 31-101	X		3/24/2011	9/27/2011	MJB	wRb	A	B	-	C
	15. Nuclear/Non-nuclear Weapons Systems and Resources Security							-	-	-	-
	15.2. Physical security safeguards TR: AFI 31-101; DoD S-5210.41M; (S)AFMAN 31-108; AFI 31-207				9/24/2009	MJB	JJL	-	B	-	-
	16. Guardmount							-	-	-	-
	16.1. Conduct guardmount TR: AFMAN 31-201, Vol 3		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
	16.2. Personnel and equipment inspection TR: AFMAN 31-201, Vol. 3		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	B
*	16.3. Stand guardmount TR: AFMAN 31-201, Vol. 3	X			9/24/2009	MJB	JJL	2b	-	-	-
	17. Posting							-	-	-	-

Wardtime Tasks	1. Tasks, Knowledge And Technical References	2. Core Tasks		3. Certification for OJT				4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
		A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
*	17.1. Assume post procedures TR: AFMAN 31-201, Vol 3	X			9/24/2009	MJB	JJL	A	-	-	-
*	17.2. Post checks TR: AFMAN 31-201, Vol 3		X		9/24/2009	MJB	JJL	A	-	-	B
	19. Use preventive medicines TR: AFMAN 10-100; FM 21-10; FM 21-11							-	-	-	-
*	22. Blood borne pathogens/Counter blood borne pathogens TR: Public Law 29CFR; AFI 31-201	X			9/24/2009	MJB	JJL	B	B	-	-
*	23. Camouflage self/individual/team equipment TR: FM 3-21.75; STP 21-1-SMCT; FM 20-3; FM 55-30; AFJMAN 24-306							A	B	-	-
*	24. Fight from defensive fighting positions TR: FM 3-21.8; FM 21-75	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	27. Practice noise, light, and litter discipline TR: FM 21-75; STP 21-1-SMCT	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
	29. Map utilization							-	-	-	-
*	29.2. Use installation grid maps TR: AFJMAN 24-306; FM 21-305	X			9/24/2009	MJB	JJL	1a	b	-	-
	30. Topographical maps							-	-	-	-
*	30.1. Use topographical maps TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.2. Determine grid coordinates of a point using the Military Grid Reference System TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.3. Determine the magnetic azimuth using a Lensatic Compass TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.4. Determine elevation of a point using a map TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.5. Measure distance on a map TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.6. Convert azimuths (magnetic/grid) TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.7. Determine azimuths using a protractor TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.8. Compute back azimuths TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.9. Determine the distance while moving between two points TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.10. Determine location by terrain association TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.11. Orient a map to the ground by map/terrain association TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.12. Locate an unknown point on a map by intersection TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.13. Locate an unknown point on a map by resection TR: FM 3-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	30.14. Orient a map using a lensatic compass TR: FM 23-25.26	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
	30.15. Navigate from one point to another point, dismounted TR: FM23-25.26	X		3/24/2011	9/27/2011	MJB	wRb	-	b	-	-
	33. Prepare SF documents							-	-	-	-
	33.1. AF Form 52 TR: AFMAN 31-201, Vol. 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.2. AF Form 75 TR: AFMAN 31-201, Vol. 7	X			9/24/2009	MJB	JJL	-	b	-	-

Wartime Tasks	1. Tasks, Knowledge And Technical References	2. Core Tasks		3. Certification for OJT				4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
		A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
	33.3. AF Form 1109 TR: AFMAN 31-201, Vol. 7, AFI 31-101 and AFMAN 31-108	X			9/24/2009	MJB	JJL	-	b	-	-
*	33.4. AF Form 1168 TR: AFMAN 31-201, Vol. 7	X			9/24/2009	MJB	JJL	2b	b	-	-
	33.5. DD Form 1408 TR: AFMAN 31-201, Vol. 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.7. AF Form 1176 TR: AFI 31-201 and AFMAN 31-201, Vol 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.8. AF Form 1364 TR: AFI 31-201, and AFMAN 31-201, Vol 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.9. AF Form 3545 TR: AFI 31-201, and AFMAN 31-201, Vol 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.10. DD Form 2708 TR: AFMAN 31-201, Vol. 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.11. DD Form 1920 TR: AFMAN 31-201, Vol. 7	X			9/24/2009	MJB	JJL	-	b	-	-
	33.12. Write and review correspondence/ reports TR: AFH 33-337; AFMAN 31-201, Vol 2 and Vol 7	X			9/24/2009	MJB	JJL	-	a	-	b
*	33.13. Use tactical reporting formats (LACE, SITREP, SPOT, SALUTE, etc TR: FM 3-21.8; AFH 31-302	X			9/24/2009	MJB	JJL	2b	-	-	-
*	33.14. Security Reporting/Alerting System TR: AFI 31-101; DoD S-5210.41M; AFMAN 31-108	X			9/24/2009	MJB	JJL	B	B		
*	33.15. Joint Reporting Systems [9 line MEDEVAC, 9 line IED, Casualty Evacuation (CASEVAC), Troops In Contact (TIC)] TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	A	B	-	-
	35. Training and supervision							-	-	-	-
	35.1. Assigning personnel duty positions TR: AFMAN 36-2101; AFI 38-201; AFI 31-201; AFI 31-207; AFH 31-302		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
	35.2. Manage assigned personnel TR: AFMAN 36-2101; AFI 38-201; AFI 31-201; AFI 31-207; AFH 31-302		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
*	35.4. Establish and enforce priorities of work TR: AFH 31-302; FM 3-21.8; FM 7-10		X	3/24/2011	9/27/2011	MJB	wRb	a	-	b	b
	36. Legal considerations							-	-	-	-
*	36.1. Military authority and jurisdiction TR: AFI 31-101; AFMAN 31-201, Vol. 2 and 3; Manual for Courts Martial; U.S. Codes; U.S. Constitution	X			9/24/2009	MJB	JJL	B	B	-	-
	36.3. Advisement of rights							-	-	-	-
*	36.3.1. When to advise TR: AFI 31-101; AFMAN 31-201, Vol. 2 and 3; Manual for Courts Martial; J.S. Codes; U.S. Constitution	X			9/24/2009	MJB	JJL	B	-	-	-
*	36.3.2. Advisement provisions for active duty, civilian, Air National Guard and USAF Reservists TR: AFI 31-101; AFMAN 31-201, Vol. 2 and 3; Manual for Courts Martial; U.S. Codes; J.S. Constitution				9/24/2009	MJB	JJL	A	-	-	-
*	36.3.3. Advise persons of their rights via AF Form 1168 TR: AFI 31-101; AFMAN 31-201, Vol. 2 and 3; Manual for Courts Martial; U.S. Codes; J.S. Constitution	X			9/24/2009	MJB	JJL	2b	-	-	-
	39. Surveillance and detection							-	-	-	-

Wartime Tasks	1. Tasks, Knowledge And Technical References	2. Core Tasks		3. Certification for OJT				4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
		A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
*	39.4. Perform listening post (LP) and observation post duties (OP) TR: AFH 31-302; FM 3-21.08; FM 3-19.4	X		9/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
	39.5. Use night vision equipment TR: TM 11-5855-306-10; T.O. 12S10-2PVS7-11; FM 3-21.08	X			9/24/2009	MJB	JJL	-	b	-	-
	40. Entry control and circulation							-	-	-	-
	40.1. Installation entry control							-	-	-	-
*	40.1.2. Random anti-terrorism measures (RAMS) TR: AFI 10-245				9/24/2009	MJB	JJL	B	-	-	-
*	40.1.4. Home-station/deployed installation entry control duties TR: AFMAN 31-201, Vol. 3	X			9/24/2009	MJB	JJL	B	-	-	-
	40.4. Restricted area entry control							-	-	-	-
*	40.4.1. Perform restricted area entry duties TR: AFI 31-101; DoD S-5210.41M; AFMAN 31-108				9/24/2009	MJB	JJL	1a	b	-	-
*	40.4.2. Close boundary sentry (CBS) duty TR: DoD S-5210.41M; AFMAN 31-108; AFI 31-101				9/24/2009	MJB	JJL	A	-	-	-
	41. Incident scenes							-	-	-	-
	41.1. Conduct preliminary investigations of incidents or complaints TR: AFI 31-206; AFMAN 31-201, Vol 2, 3, & 4; FM 19-20; AFI 31-101				9/24/2009	MJB	JJL	-	-	-	b
	41.2. Conduct follow-up investigations of incidents or complaints TR: AFI 31-206; FM 19-20				9/24/2009	MJB	JJL	-	-	-	b
*	41.3. Secure crime and major accident, disaster and incident scenes TR: AFMAN 31-201, Vol 2, 3 & 4; AFTTP (I) 3-2.37; MCRP 3-02E; AFI 31-206	X			9/24/2009	MJB	JJL	b	b	-	c
	42. Application of force							-	-	-	-
*	42.1. Concepts and principles of use of force TR: AFI 31-207; AFMAN 31-222	X			9/24/2009	MJB	JJL	B	C	-	-
	42.3. Less than deadly force							-	-	-	-
*	42.3.2. Challenge individuals TR: AFMAN 31-222	X			9/24/2009	MJB	JJL	2b	c	-	-
	42.3.3. Inter/Intra-personal skills TR: AFMAN 31-222				9/24/2009	MJB	JJL	-	-	-	-
*	42.3.4. Employ physical apprehension and restraint techniques (PART) TR: AFMAN 31-222	X			9/24/2009	MJB	JJL	2b	c	-	-
*	42.3.5. Demonstrate weapons retention TR: AFMAN 31-222	X			9/24/2009	MJB	JJL	2b	-	-	-
*	42.3.6. Perform handcuffing TR: AFMAN 31-222	X			9/24/2009	MJB	JJL	2b	c	-	-
	42.5. Deadly force							-	-	-	-
*	42.5.1. Demonstrate the ability to apply deadly force techniques TR: AFI 31-207; AFMAN 31-222	X			9/24/2009	MJB	JJL	3c	c	-	-
	42.5.2. Weapons							-	-	-	-
*	42.5.2.1. Practice/enforce weapons safety TR: AFI 31-207; AFMAN 31-229	X			9/24/2009	MJB	JJL	3c	-	-	-
	42.5.2.2. M9 Pistol							-	-	-	-
*	42.5.2.2.1. Operator maintenance TR: T.O. 11W3-3-5-1	X			9/24/2009	MJB	JJL	A	B	-	-

Wartime Tasks	1. Tasks, Knowledge And Technical References	2. Core Tasks		3. Certification for OJT				4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
		A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
*	42.5.2.2.2. Characteristics TR: T.O. 11W3-3-5-1	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.2.3. Nomenclature TR: T.O. 11W3-3-5-1	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.2.4. Operations and functions TR: T.O. 11W3-3-5-1; AFMAN 31-229	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.2.5. Malfunctions and stoppages TR: T.O. 11W3-3-5-1	X		3/24/2011	9/27/2011	MJB	wRb	A	B	-	-
*	42.5.2.2.6. Ammunition types and uses TR: T.O. 11W3-3-5-1	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.2.7. Qualify with the M9 pistol TR: AFI 36-2226; AFMAN 36-2227, Vol. 1 (See Note 2)	X			9/24/2009	MJB	JJL	3b	-	-	-
	42.5.2.3. M4 Carbine (See Note 3)							-	-	-	-
*	42.5.2.3.1. Operator maintenance TR: T.O. 11W3-5-5-41	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.3.2. Characteristics TR: T.O. 11W3-5-5-41	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.3.3. Nomenclature TR: T.O. 11W3-5-5-41	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.3.4. Operations and functions TR: T.O. 11W3-5-5-41	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.3.5. Malfunctions and stoppages TR: T.O. 11W3-5-5-41	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.3.6. Install associated equipment TR: (See Note 7)	X			9/24/2009	MJB	JJL	1a	b	-	-
*	42.5.2.3.7. Ammunition types and uses TR: T.O. 11W3-5-5-41	X			9/24/2009	MJB	JJL	A	B	-	-
*	42.5.2.3.8. Qualify with the M4 carbine TR: AFI 36-2226; AFMAN 36-2227, Vol 1 (See Note 2)	X			9/24/2009	MJB	JJL	3b	-	-	-
*	44. Prepare a weapons range card TR: AFI 36-2226; AFMAN 36-2227, Vol. 2 (See Note 6)	X		3/24/2011	9/27/2011	MJB	wRb	2b	b	-	-
	48. Tactics, techniques, and procedures							-	-	-	-
	46.1. Searches							-	-	-	-
*	46.1.1. Conduct individual searches TR: AFMAN 31-222; AFI 31-201	X			9/24/2009	MJB	JJL	2b	c	-	-
*	46.1.2. Search a building TR: AFMAN 31-201, Vol. 3	X			9/24/2009	MJB	JJL	2b	c	-	-
*	46.1.3. Search an area TR: AFMAN 31-201, Vol. 3	X			9/24/2009	MJB	JJL	2b	c	-	-
*	46.1.4. Search a vehicle TR: AFMAN 31-201, Vol. 3	X			9/24/2009	MJB	JJL	2b	c	-	-
	46.1.5. Search for evidence TR: FM 19-20; AFI 31-201				9/24/2009	MJB	JJL	-	-	-	b
	46.2. Crisis intervention							-	-	-	-
*	46.2.1. Child abuse TR: AFMAN 31-201, Vol. 4; FM 3-19.1		X		9/24/2009	MJB	JJL	A	-	-	B
*	46.2.2. Rape TR: FM 3-19.1; Manual for Courts Martial		X		9/24/2009	MJB	JJL	A	-	-	B
*	46.2.3. Assault TR: FM 3-19.1; Manual for Courts Martial; AFI 31-206; AFMAN 31-201, Vol 4		X		9/24/2009	MJB	JJL	A	-	-	B
*	46.2.4. Conduct interviews TR: AFMAN 31-201, Vol. 2; AFI 31-206; FM 3-19.1	X			9/24/2009	MJB	JJL	1a	b	-	b

Wardtime Tasks	1. Tasks, Knowledge And Technical References	2. Core Tasks		3. Certification for OJT				4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
		A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
*	46.2.6. Respond and defuse domestic situations TR: AFMAN 31-201, Vol 4		X		9/24/2009	MJB	JJL	1a	b	-	b
	46.3. Patrolling							-	-	-	-
	46.3.1. Installation patrol							-	-	-	-
	46.3.1.2. Direct traffic TR: FM 19-25	X			9/24/2009	MJB	JJL	-	b	-	-
	46.3.1.3. Respond to vehicle accidents TR: AFI 31-204; FM 19-25				9/24/2009	MJB	JJL	-	b	-	-
	46.3.1.6. Perform field sobriety tests TR: AFI 31-204				9/24/2009	MJB	JJL	-	b	-	-
*	46.3.1.7. Perform traffic stops TR: AFI 31-204; FM 19-25	X			9/24/2009	MJB	JJL	1a	b	-	-
*	46.3.1.8. Respond to cantonment area alarms TR: AFI 31-101				9/24/2009	MJB	JJL	2b	-	-	b
*	46.3.1.9. Respond to restricted area alarms TR: AFMAN 31-201, Vol. 3; DoD S-5210.41M; S)AFMAN 31-108; AFI 31-101; AFI 31-207				9/24/2009	MJB	JJL	2b	-	-	b
	46.3.1.10. Conduct building checks TR: AFMAN 31-201, Vol 3	X			8/24/2009	MJB	JJL	-	-	-	-
*	46.3.1.11. Community policing TR: AFI 31-101; AFI 31-201				9/24/2009	MJB	JJL	A	B	-	-
*	46.3.1.12. Conduct a field interview TR: AFMAN 31-201, Vol 7; AFI 31-206				9/24/2009	MJB	JJL	1a	-	-	-
*	46.3.1.13. Victim/Witness Assistance Program TR: AFMAN 31-201, Vol. 7; AFI 31-206; FM 19-20; DA PAM 10-1; AFI 51-201	X			9/24/2009	MJB	JJL	A	-	-	B
	46.3.2. Contingency patrol							-	-	-	-
	46.3.2.1. Lead a combat patrol TR: FM 3-21.8; FM 19-4		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
*	46.3.2.5. Participate in a combat patrol TR: FM 3-21.10; FM 19-4	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
	46.3.2.6. Lead a reconnaissance patrol TR: FM 3-21.8; FM 19-4		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
*	46.3.2.7. Participate in a recon patrol TR: FM 3-21.8; FM 19-4	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
	46.4. Movement							-	-	-	-
*	46.4.3. Move as a member of a fire team TR: FM 3-21.8							2b	b	-	-
	46.4.4. Lead fire team movements TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	-	b	-	-
*	46.4.5. Participate as a member in a tactical squad movement TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
	46.4.6. Lead tactical squad movements TR: FM 3-21.8		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
*	46.4.7. Cross a danger area TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
*	46.4.8. React to contact TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	-
	46.4.10. React to ambush							-	-	-	-
*	46.4.10.1. Far TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	46.4.10.2. Near TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
	46.4.11. Lead a hasty ambush TR: FM 3-21.8		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
*	46.4.12. Participate in a hasty ambush TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-

Wardtime Tasks		2. Core Tasks		3. Certification for OJT				4. Proficiency Codes Used To Indicate Training/Information Provided (See Note)			
	1. Tasks, Knowledge And Technical References	A	B	A	B	C	D	A 3 Skill Level	B 5 Skill Level	C 7 Skill Level	
		5 Level	7 Level	Tng Start	Tng Complete	Trainee Initials	Trainer Initials	(1) Course	(2) CDC		
	46.4.13. Lead a deliberate ambush TR: FM 3-21.8		X	3/24/2011	9/27/2011	MJB	wRb	-	-	-	b
*	46.4.15. Break contact TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
	46.4.17. Participate in retrograde operations TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	-	b	-	b
*	46.4.18. Consolidate and reorganize TR: AFH 31-302; FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	1a	b	-	-
*	46.4.19. Battlefield control measures (phase lines, rally points, sectors, etc) TR: FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	A	B	-	-
*	46.4.20. Perform tactical deployment from vehicles TR: CALL 04-27; CALL; 04-24	X		3/24/2011	9/27/2011	MJB	wRb	2b	b	-	-
	47. Urban operations							-	-	-	-
*	47.2. Perform movement techniques during urban operations TR: FM 3-06.11	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	b
*	47.3. Enter and clear a building in an urban area TR: FM 3-06.11; FM 3-21.8	X		3/24/2011	9/27/2011	MJB	wRb	2b	-	-	b
	48. Weapons emplacement							-	-	-	-
*	48.1. Interlocking fields of fire/observation TR: FM 3-21.8; AFH 31-302; FM 21-75	X		3/24/2011	9/27/2011	MJB	wRb	B	-	-	-
	48.2. Select crew-served weapons positions TR: FM 3-21.8; FM 3-22.68	X		3/24/2011	9/27/2011	MJB	wRb	-	a	-	b
*	48.3. Use fire control measures TR: FM 3-21.8; FM 21-75	X		3/24/2011	9/27/2011	MJB	wRb	1a	-	b	b
	52. Defensive sectors							-	-	-	-
	52.3. Overlays, charts & forms TR: AFH 31-302		X	3/24/2011	9/27/2011	MJB	wRb	-	A	-	B

Policy Drafts

Release of Information Policy

I PURPOSE

The guideline recognizes that the intent of effective public relations is to develop a flow of information to the public and media. This should be accomplished without depriving any person the right to examine documents or observe the deliberations of public bodies or agencies of state government or infringing on any persons right of privacy.

II POLICY

The following guidelines will assist POST staff in providing clear and uniform response to inquiries received.

- A. Documents or materials produced by POST that do not contain investigative materials or protected personal information may be release to the public upon request. This includes but is not limited to training transcripts, certification information, current employment information, approved meeting minutes, audio records of meetings and meeting agendas.
- B. Requests for information concerning allegations of misconduct by a public safety officer, open investigations, the status of suspension or revocation proceedings and minutes or recording of closed executive sessions will be addresses on a case by case basic by the Executive Director after consultation with legal counsel.

III GENERAL INFORMATION - Right to Know and Right of Privacy Laws

Montana's Constitution clearly provides for the public's right to know **and** the individual's right to privacy. The attempt to strike a balance between these competing provisions has given rise to continuing legal interpretation and litigation.

Right to Know – Article II, section 9 of the Montana Constitution provides that:

“No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure.”

Right of Privacy -Article II, section 10 provides that:

“The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest.”

It is seldom possible to provide a hard-and-fast rule that balances these competing rights in every situation. The custodians of criminal justice information must decide on a case-by-case basis whether criminal justice information requested can be publicly disseminated.

Criminal Justice Information Act

The Montana legislature enacted the Criminal Justice Information Act in 1979. The Act divides all criminal justice information into two categories: public and confidential criminal justice information.

Public Criminal Justice Information

Public criminal justice information, defined in 44-5-103(13) of the Montana Code Annotated, includes:

- information made public by law
- court records and proceedings
- convictions, deferred sentences and deferred prosecutions
- post conviction proceedings and status
- information originated by a criminal justice agency, including
 - initial offense reports (as defined in ARM 23.12.201)
 - initial arrest records (as defined in ARM 23.12.201)
 - bail records
 - daily jail occupancy rosters
- information considered necessary by a criminal justice agency to secure public assistance in the apprehension of a suspect
- statistical information (data derived from records in which individuals are not identified or identification is deleted)

There are no restrictions on the dissemination of information that is specified as public.

- It should be available from the department or agency that is the source of the original documents and authorized to maintain the documents.
- The documents must be available for inspection, subject to the restrictions set forth in Montana law, during the agency's normal business hours.
- The agency may charge a reasonable fee for providing copies.

Confidential Criminal Justice Information

Confidential criminal justice, defined in 44-5-103(3) of the Montana Code Annotated, includes:

- criminal investigative information
- criminal intelligence information
- fingerprints and photographs
- criminal justice information or records made confidential by law

- any other criminal justice information not clearly defined as public criminal justice information

Much of the information law enforcement generates in the course of a criminal investigation falls under “criminal investigative information” and is therefore confidential.

Confidentiality of Victim Information

The confidentiality of victim information is governed by 44-5-311 of the Montana Code Annotated.

Victim Information: If a victim requests confidentiality, an agency may withhold information including the address, telephone number or place of employment of the victim or a member of his or her family.

Sex Assault Victims: An agency may not disseminate to the public any information directly or indirectly identifying a victim of sexual assault, sexual intercourse without consent, indecent exposure or incest.

These provisions do not allow withholding of information that is:

- the location of the crime scene
- necessary for law enforcement purposes
- authorized for disclosure by a district court upon a showing of good cause

- Confidentiality of Victim Information – Opinion 50-6
- Criminal Information Dissemination – Opinion 42-119
- Public Criminal Justice Information – 23.12.201-204, Administrative Rules of Montana

Montana Supreme Court Rulings

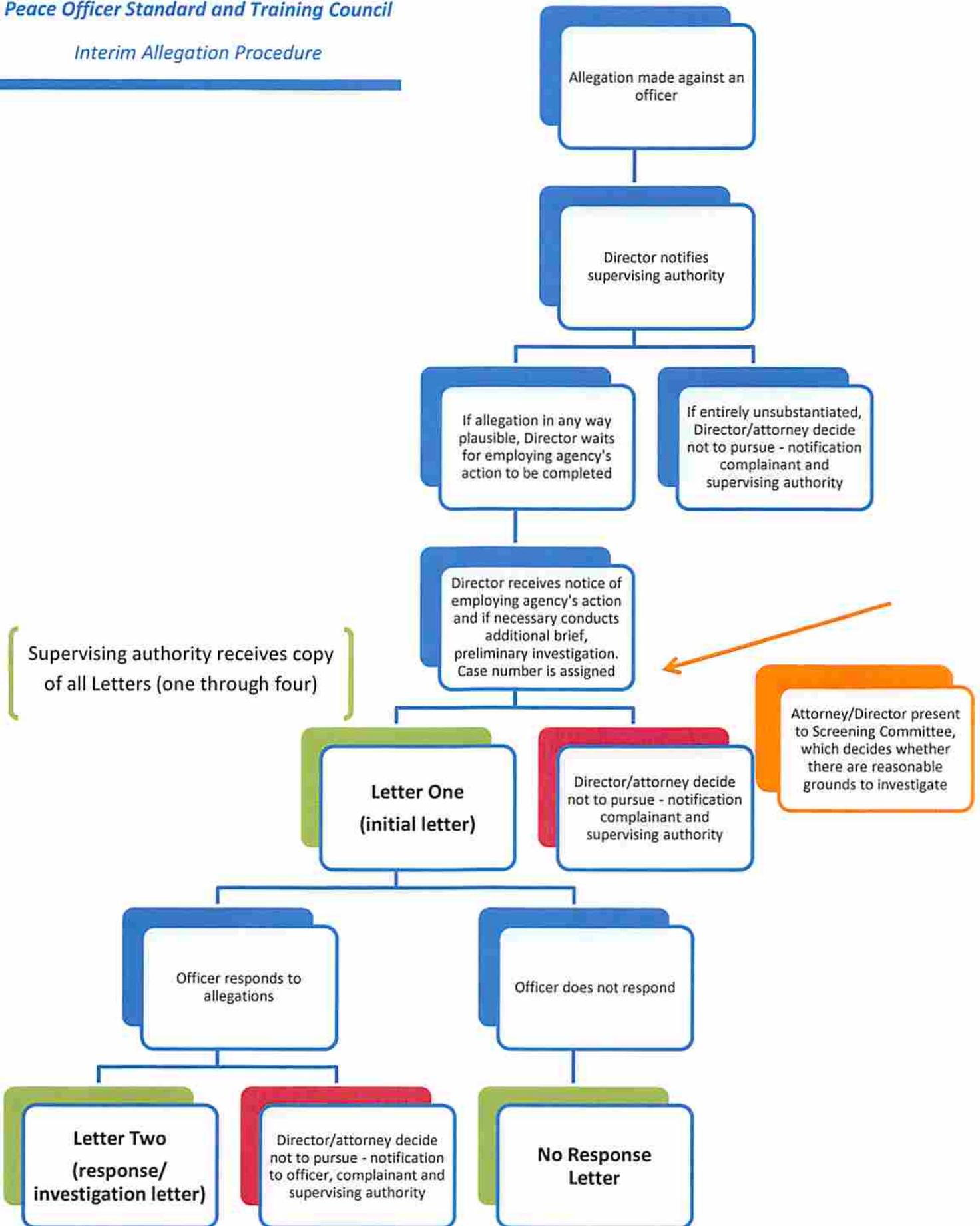
- Jefferson Co. v. Montana Standard and Sevalstad
- City of Billings Police Dept. v. Owen
- Cut Bank Public Schools v. Pioneer Press
- Yellowstone Co. v. Billings Gazette
- Havre Daily News v. City of Havre
- T.L.S v. Montana Advocacy Program

Supreme Court Rules

- Privacy & Public Access to Court Records in Montana

Peace Officer Standard and Training Council

Interim Allegation Procedure



Attorney/Director present to Screening Committee, which decides an appropriate offer to make.

(after letter two)
Director/staff/attorney investigate allegation

Contested case attorney can seek district court orders on CCJI/personnel records/medical records as needed during the investigation stage.

If investigation yields insufficient evidence
Director/attorney decide not to pursue - notification to officer, complainant and supervising authority

**Letter Three
(offer letter)**

Officer responds and stipulation reached in writing

Officer responds but no informal agreement is reached

Officer does not respond

Director hires a hearing examiner

**Letter Four
(revocation/
suspension letter)**

**Letter Four
(revocation/suspension letter) with
hearing examiner
information**

MAPA hearing is held
(revocation/suspension may be stayed)

Hearing examiner gives recommendations to Council and Council acts

Officer Misconduct Allegation and Investigation Procedure

Purpose: To establish a procedure for the uniform receipt and investigation of allegations of misconduct by Montana public safety officers, to protect citizens from misconduct by public safety officers, and to protect public safety officers who conduct themselves appropriately.

Classification: All allegations of misconduct are subject to Montana and Federal Right to Know and Right to Privacy laws. Information regarding allegations of misconduct will be released under the direction of legal counsel. No information regarding pending allegations is to be released to Council members, except those members who participate in the Case Status Committee, until such release is allowed by the Montana Administrative Procedures Act (MAPA).

If an officer who is accused of misconduct retains an attorney at any time during this procedure, communications regarding the allegations will be directed to the officer's attorney unless a release signed by both the officer and the officer's attorney is received.

Making an Allegation:

1. An employing agency may make an allegation directly to the executive director or designee. All other allegations must be made to the employing agency first, unless the executive director determines that it would be inappropriate to do so.
2. Allegations which are not made by the employing agency will initially be communicated to the employing agency unless the executive director determines that it would be inappropriate to do so. The executive director or designee will request a written response to the allegation from the employing agency.
3. Upon receipt of the employing agency's allegation or response to allegation, the allegation will be placed on the agenda to be presented to the Case Status Committee at the next committee meeting. The Case Status Committee members will be provided copies of the allegation and agency response, if any. The Case Status Committee will make a recommendation to the executive director regarding how to proceed with the allegation. They may recommend the executive director request more information, close the file,

or move forward to Letter 1, or other recommendations as each case may warrant.

4. If more information is requested, the executive director or designee will request and obtain available information and provide it to the committee at its next meeting. If a case is closed, the executive director will contact the complainant in a timely manner and inform the complainant of that decision.
5. If Letter 1 is to be sent, the allegation will be assigned a case number by POST staff and Letter 1 will be sent by the executive director in a timely manner. Letter 1 will include a description of the allegations against the officer, citation to the specific ARMs that the officer may have violated, and will give the officer thirty days in which to respond. Letter 1 will be sent certified with a return receipt and the thirty days will run from the date upon which the letter is signed for. However, if the certified letter is returned unclaimed, Letter 1 will be sent via regular, first class mail, and the officer will be given thirty-three days from the date of the letter within which to respond. The officer may request an extension of time in writing, which will be granted or denied at the executive director's discretion. All letters to the officer (1 through 4, No-Response, and Notice of Agency Action) will be copied to the employing agency and/or former employing agency if the officer no longer works there.
6. If the officer does not respond to Letter 1, the executive director will send a No-Response Letter to the officer, informing the officer that he or she has thirty days to respond, or his or her certificate(s) will be suspended. If the officer does not respond to the No-Response Letter, the executive director will send a letter with a Notice of Agency Action to the officer. The officer's certificate(s) will be suspended for 90 days. The officer's certificate(s) will then be revoked if the officer does not respond requesting a contested case hearing during the 90-day suspension.
7. If the officer does respond to Letter 1, the executive director or designee will review the response and make a determination of what additional information, if any, may be needed. Legal counsel may be consulted regarding what information may be necessary. Once a determination is made regarding what information is necessary, if any, the executive director will send Letter 2 to the officer, requesting the appropriate releases and giving the officer thirty days to respond. Letter 2 will be sent certified with a return receipt and the thirty days will run from the date upon which the

letter is signed for. However, if the certified letter is returned unclaimed, Letter 2 will be sent via regular, first class mail, and the officer will be given thirty-three days from the date of the letter within which to respond.

8. Once all information requested is received, it will be disseminated to the Case Status Committee for review prior to the next committee meeting. The Case Status Committee will make a recommendation to either close the case or make an offer to the officer. If the case will be closed, a letter advising the officer of that will be sent, and the executive director will call or write a separate letter to the employing agency reflecting the decision. If an offer will be made, the committee will make a recommendation regarding what the offer should be. The executive director will then send Letter 3 to the officer containing an offer. The officer will be given thirty days to respond by either accepting the offer, rejecting it and making a counteroffer, or rejecting it with no counteroffer. Letter 3 will be sent to the officer certified with a return receipt and the thirty days will run from the date upon which the letter is signed for. However, if the certified letter is returned unclaimed, Letter 3 will be sent via regular, first class mail, and the officer will be given thirty-three days from the date of the letter within which to respond.
9. If the officer responds to Letter 3, that response will be provided to the Case Status Committee for review prior to the next committee meeting. If the officer accepts the offer, the committee will be informed. If the officer makes a counteroffer, the committee will make a recommendation about whether to accept the counteroffer or not. If the officer simply rejects the offer, the committee will make a recommendation as to what sanction should be applied with Letter 4. If a counteroffer is accepted, a stipulation will be sent to the officer. If it is not, the committee will make a recommendation as to what sanction should be applied with Letter 4.
10. If a Letter 4 is to be sent, the executive director will hire a hearing examiner and prepare Letter 4 and a Notice of Agency Action with the assistance of staff and legal counsel. Letter 4 and the Notice of Agency Action will inform the officer that he or she has thirty days to request a hearing. The original Notice of Agency Action will be sent to the hearing examiner for filing, along with a copy of Letter 4. A copy of Letter 4 and the Notice of Agency Action will be sent to the employing agency. The original letter and a copy of the Notice of Agency Action will be sent to the officer certified with a return receipt. The thirty days will run from the date upon which the letter is signed for. Any sanction applied in the Notice of Agency Action

will begin upon the executive director's signature. If the certified letter is returned unclaimed, Letter 4 and the Notice of Agency Action will be sent via regular, first class mail, and the officer will be given thirty-three days from the date of the letter within which to request a hearing.

The executive director or designee may present any allegation to the Case Status Committee at any time during the complaint procedure.

Upon receipt of the officer's request for hearing, MAPA and the ARMs will govern further procedure.

Committees Generally

POST COUNCIL COMMITTEES

Business Plan Committee

Tony Harbaugh
John Strandell
Jesse Slaughter
Tia Robbin

Integrity and Professional Standards Committee

Kimberly Burdick
Laurel Bulson
Tony Harbaugh
Levi Talkington
E.J. Clark
Clair Swain
Mike Mehn
Dorothy Gremaux
Jerry Williams
Sarah Clerget

Curriculum Review Committee

Laurel Bulson
Kimberly Burdick
Jim Thomas
Rich McLane
Dave Garcia

Policy Committee

None

Case Status Committee

John Strandell
Tony Harbaugh
Laurel Bulson
Sarah Clerget

Coroner Committee

Tony Harbaugh
John Strandell
Jim Cashell
Bill Jones
Terry Bullis
Lee Lebreche
Kristine Larsen

ARM Committee

Tony Harbaugh

John Strandell

Kimberly Burdick

Jim Cashell