
Rules of
Department of Public Safety
Division 75–Peace Officer Standards and
Training Program
Chapter 3–Certification of Bailiffs, Peace Officers,
and Reserve Officers

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**Title 11—DEPARTMENT OF
PUBLIC SAFETY
Division 75—Peace Officer Standards
and Training Program
Chapter 3—Certification of Bailiffs,
Peace Officers, and Reserve Officers**

11 CSR 75-3.010 Certification

PURPOSE: This rule defines and illustrates the types of certification and other awards for bailiffs, peace and reserve officers and the procedures for obtaining certification.

(1) Certification and other awards or certificates may be presented to peace officers and reserve officers by the director or his/her designated representatives for having met minimum training standards, recognizing and raising the level of competence of law enforcement officers and to foster cooperation among agencies, groups, organizations, jurisdictions and individuals.

(2) There is established a basic certificate and a reserve officer certificate to grant certification to bailiffs, peace officers and reserve officers in recognition of completion of the applicable basic training requirements and a special certificate to grant certification to bailiffs, peace and reserve officers in recognition of their prior experience, training or other education that qualifies them for a waiver of the basic training requirements.

(3) Other types of certificates may be established and awarded by the director or his/her designated representatives for the purpose of fostering professionalism, education and experience necessary to adequately perform the duties of law enforcement.

AUTHORITY: section 590.135, RSMo Supp. 1998. Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Nov. 15, 1999, effective May 30, 2000.*

**Original authority: 590.135, RSMo 1978, amended 1988, 1993, 1995.*

11 CSR 75-3.020 Eligibility for Certification

PURPOSE: This rule defines who is eligible for certification.

(1) Effective January 1, 1979, all peace officers, except those exempted by sections 590.115, 590.130 and 590.150, RSMo, shall be certified by the director or his/her designated representatives within one (1) year of employment or appointment. The provision also shall apply to every peace officer who enters a department laterally, including the chief executive officer.

(2) Effective August 28, 1994, all bailiffs must become certified by the director or his/her designated representative within one (1) year of employment or appointment. To be considered for basic or special bailiff certification, the applicant must be employed or appointed by a Missouri political subdivision, a United States citizen, a resident of Missouri, at least twenty-one (21) years of age and hold at least a high school diploma or its equivalent.

(3) To be considered for basic or special peace officer certification, the applicant must be a commissioned, full-time Missouri peace officer, employed by a duly constituted law enforcement agency of Missouri or any Missouri political subdivision, a United States citizen, a resident of Missouri, at least twenty-one (21) years of age and hold at least a high school diploma or its equivalent. These requirements will not apply to a peace officer serving as a federal military peace officer on a federal military installation.

(4) Effective August 15, 1988, all reserve officers may become certified by the director or his/her designated representatives within one (1) year of employment or appointment.

(5) To be considered for basic or special reserve officer certification, the applicant must be a part-time Missouri reserve officer, appointed by a duly constituted law enforcement agency of Missouri or any Missouri political subdivision, a United States citizen, a resident of Missouri, at least twenty-one (21) years of age and hold at least a high school diploma or its equivalent. These requirements will not apply to a reserve officer serving as a federal military reserve officer on a federal military installation.

(6) All applications for certification shall be completed on the prescribed Peace Officer Standards and Training (POST) form (see 11 CSR 75-1.010).

(7) Each applicant for bailiff certification whose current date of employment or appointment as a bailiff is prior to August 28, 1994, must complete the applicable certified basic training course or present documenta-

tion to the director as having completed prior or other training, acquired experience, or both, considered appropriate for bailiff certification as determined by the director.

(8) Each applicant for peace officer certification whose current date of employment as a peace officer is prior to December 31, 1978, must complete the applicable certified basic training course or present documentation to the director as having completed prior or other training, acquired experience, or both, considered appropriate for peace officer certification as determined by the director unless otherwise qualified for certification as set forth under 11 CSR 75-3.050.

(9) Each applicant for peace or reserve officer certification who has a current date of employment or appointment as of August 28, 1994, and is located within a county of the third class shall be required to have no more or less than one hundred twenty (120) hours of certified basic training for certification if the respective city or county adopts an order or ordinance to that effect.

(10) Each applicant for certification as a reserve officer whose current date of appointment as a reserve officer is prior to August 15, 1988, must complete the applicable certified basic training course or present documentation to the director as having completed prior or other training, acquired experience, or both, as follows:

(A) In all jurisdictions located within any first class county having a charter form of government—

1. Ten (10) years of documented continuous service as a peace or reserve officer;

2. Two hundred forty (240) hours of documented law enforcement or related training as approved by the director and upon recommendation of the POST Commission; or

3. A combination of both paragraphs (8)(A)1. and 2. as approved by the director and upon recommendation of the POST Commission; and

(B) In all other jurisdictions—

1. Ten (10) years of documented continuous service as a peace or reserve officer;

2. One hundred twenty (120) hours of documented law enforcement or related training as approved by the director and upon recommendation of the POST Commission; or

3. A combination of both paragraphs (8)(B)1. and 2. as approved by the director and upon recommendation of the POST Commission.

(11) Each applicant for certification as a reserve officer whose current date of appointment as a reserve officer is August 15, 1988,

or after, must complete the applicable certified basic training course.

(12) A certified reserve officer may transfer from one (1) jurisdiction to another as a certified reserve officer, unless or until the certified reserve officer attempts to transfer as a reserve officer from a jurisdiction requiring one hundred twenty (120) hours of basic training by statute to a jurisdiction requiring six hundred (600) hours of basic training by statute or unless or until the certified reserve officer attempts to become a full-time peace officer, at which time the individual must satisfy the applicable basic training requirements for full-time peace officers if this basic training has not yet been completed as required.

(13) Officers excluded or exempted by law from meeting the requirements of the Act may become certified at the discretion of the political subdivision provided they meet the minimum requirements for certification as prescribed by the Act and the POST rules.

(14) After January 1, 1998, Missouri peace officer certificates will be issued with one (1) of three (3) designations.

(A) Class A certification will be awarded to candidates with six hundred (600) hours of basic training or its equivalent, eight (800) hundred hours of basic training, or one thousand (1,000) hours of basic training.

(B) Class B certification will be awarded to candidates with four hundred and seventy hours (470) hours of basic training or its equivalent.

(C) Class C certification will be awarded to candidates with from one hundred and twenty (120) hours of basic training to four hundred and sixty-nine (469) hours of basic training.

AUTHORITY: sections 590.105, RSMo Supp. 1998 and 590.110, 590.130 and 590.150, RSMo 1994. Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed Aug. 30, 1991, effective Jan. 13, 1992. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Oct. 15, 1997, effective April 30, 1998. Amended: Filed Nov. 15, 1999, effective May 30, 2000.*

**Original authority: 590.105, RSMo 1978, amended 1986, 1988, 1990, 1993, 1994, 1995; 590.110, RSMo 1978, amended 1988, 1993, 1994; 590.130, RSMo 1978, amended 1988, 1993; and 590.150, RSMo 1978, amended 1988.*

11 CSR 75-3.030 Requirements for and Terms of Certification

PURPOSE: This rule defines the requirements for certification upon completion of basic or other training and the terms for maintenance of certification.

(1) Requirements for Certification.

(A) The director or his/her designated representatives shall certify and grant a basic certificate to bailiffs, peace officers, and reserve officers who have completed the applicable basic training course and have complied with all applicable Peace Officer Standards and Training (POST) rules or a special certificate to bailiffs, peace officers, and reserve officers who have acquired prior experience, completed other training or education, or a combination of these, in accordance with the Act or which the POST Commission determines to be acceptable as a substitute for the basic training requirement. The basic certificate shall specify the number of hours of basic training completed. The special certificate shall specify the experience acquired or other training or education completed in lieu of basic training.

(B) The successful completion of a basic training course shall be determined by the training facility director, based upon POST rules and subject to the review of the director or his/her designated representatives.

(C) The director or his/her designated representatives may require the passing of a qualifying examination as a condition of certification. Trainees who fail to pass the examination may apply for reexamination no less than thirty (30) days after notification of failure. Trainees also may be required to take supplementary or remedial training before being permitted to retake the examination. Trainees who fail after three (3) attempts to pass the qualifying examination shall repeat the basic training course and pass the qualifying examination in order to become certified. On or after January 1, 1998, the director or his/her designate may require that trainees graduating from a POST certified training center shall pass the Missouri Certification Examination to become certified.

(D) To qualify for basic or special certification, each applicant shall—

1. Provide evidence of having completed the applicable certified basic training course by producing a copy of a diploma or other *indicia* awarded by the training center; and

2. Pass any qualifying examinations and successfully complete any remedial or supplementary training that may be required as a condition of certification.

(E) On or after August 28, 1996, individuals graduating from a POST certified training center and meeting the certification requirements of sections 590.100–590.180, RSMo, shall be issued certification to be eligible for employment as a Missouri peace officer.

1. Starting August 28, 1996, the training center director shall insure that each individual entering a basic training course meets the POST mandated training center entry requirements. The training center director shall complete a POST Certification/Information Form (I-1T), on each student attending basic training, and attach the following:

A. The results of a criminal background check by the Missouri State Highway Patrol and from the state of residency;

B. Proof of United States citizenship;

C. A copy of high school diploma or its equivalent; and

D. Proof that the applicant is at least eighteen (18) years of age at the beginning of the basic training course.

2. Applicant must be twenty-one (21) years of age at the time certification is issued. If the period of time from training center graduation and his/her twenty-first birthday is greater than ninety (90) days then a criminal background check by the Missouri State Highway Patrol will need to be submitted to Department of Public Safety before certification will be granted.

3. If the individual has a criminal history or the training center director has information that the applicant has committed gross misconduct indicating inability to function as a peace officer, POST approval must be obtained before the applicant may attend the basic training course. Any denial of entry to a POST certified training center shall be in accordance with section 590.135, RSMo.

4. Within thirty-five (35) days prior to the completion of the basic training course the completed Certification/Information Form and supporting documentation will be sent to POST by the training center director. Late applicants shall not be issued certification until the completed Certification/Informational Form and supporting documentation is received and processed by POST. The training center director shall advise the late applicant before admission, in writing, that if the applicant has committed acts in violation of section 590.135, RSMo, s/he shall be dismissed from the academy and/or shall not be certified by POST.

5. The graduate will receive the POST Certification Certificate upon successful completion of the basic training course. The certificate will be distributed by the training

center director. The training center director shall return to POST all POST Certification Certificates of those individuals not graduating.

6. Individuals other than recruits in training centers shall apply directly to the POST Program for certification using the POST Certification Information Form 1-R (see 11 CSR 75-1.010), that is, officers seeking reciprocity from other states, federal law enforcement officers seeking Missouri certification, Missouri certified peace officers seeking a higher level of certification, or officers whose certification has expired applying for peace officer certification.

7. These officers must successfully pass the Missouri Certification Examination to become certified peace officers. Eligibility for examination shall be based on comparable preemployment education as determined by points given for hours of basic training, years of service as a full-time certified peace officer or federal law enforcement officer, advanced degrees, or hours of documented law enforcement continuing education. Ten to fifteen (10–15) points allows a candidate to take the examination and upon passing same becomes certified. Sixteen (16) points or more allows a candidate to take the examination and upon passing, the candidate would become certified for employment in first class charter counties.

8. Candidates who do not have one (1) year of continuous service as a full-time certified peace officer or federal law enforcement officer, or who have less than one hundred twenty (120) hours of basic training are not eligible for examination. Candidates who do not have one (1) year of continuous service as a full-time certified peace officer, but have had significant experience as a certified reserve officer, may appeal to the commission for eligibility of examination; however, no points shall be awarded for years of experience. Candidates trained and certified at less than three hundred (300) hours, after August 28, 1994, or four hundred and seventy (470) hours, after August 28, 1996, shall not be eligible for examination. For the purposes of this rule, the terms defined have the following meanings given to them:

A. “Basic training” means training recognized by a state council, state commission, state board, or state agency that leads to licensing or basic certification as a peace officer, or any portion of a basic recruit training course recognized by the federal government for its law enforcement officers, which falls within the core curricula areas of the Missouri four hundred seventy (470)-hour or six hundred (600)-hour basic training course;

B. “Years of experience” means the total number of years the applicant has been employed as a peace officer or federal law

enforcement officer, including at least one (1) year of continuous employment as a peace officer or federal law enforcement officer, and who has not had a peace officer certification, license, or the federal equivalent suspended or revoked;

C. “Advanced degree” means an academic degree including: associates degree, bachelors degree, masters degree and doctorate, awarded by an accredited college or university; and

D. “Continuing education” means properly documented training which occurs after employment, used to refresh, expand or supplant basic training.

9. Eligibility for examination is determined by the number of points as follows:

A. Basic training—

120 hours to 299 hours of basic training, 3 points

300 hours to 469 hours of basic training, 5 points

470 hours to 599 hours of basic training, 8 points

600 hours or more of basic training, 14 points

B. Years of experience—

1 year and 1 day to 3 years experience, 2 points

3 years and 1 day to 4 years experience, 3 points

4 years and 1 day to 5 years experience, 4 points

5 years and 1 day to 10 years experience, 5 points

10 years and 1 day to 15 years experience, 6 points

15 years and 1 day to 20 years experience, 7 points

20 years and 1 day or more experience, 8 points

C. Advanced degree—

Associates degree, 1 point

Bachelors degree, 2 points

Masters degree, 3 points

Doctorate degree, 4 points

D. Continuing education—

Achieved 16 continuing education hours for each calendar year of service, 1 point

Achieved 32 continuing education hours for each calendar year of service, 2 points.

E. Additional training—

Graduate of the Federal Bureau of Investigation (FBI) National Academy or its equivalent as determined by the director for every 100 contact/training hours, 1 point.

10. Candidates eligible for examination shall be required to pass the Missouri Certification Examination and any associated

practical exercises, as a condition for certification. Candidates who fail to pass the examination may apply for re-examination after no less than thirty (30) days from notification of failure.

11. Candidates who fail the examination three (3) times shall be required to complete an applicable certified basic training course and pass the examination to become certified.

(F) In addition to the requirements for certification set forth in subsections (1)(D) and (E), further requirements for and restrictions upon bailiffs, peace officers, and reserve officers certification are as follows:

1. A peace officer of St. Charles, St. Louis or Jackson County or of any municipality within St. Louis or Jackson County who was appointed or employed by the current department before December 31, 1978, or St. Charles County before January 1, 1993, is exempt from training and certification requirements; however, that officer may be granted certification upon the completion of an approved six hundred (600)-hour or more basic training course. St. Louis City Sheriff's Department deputies do not have powers of arrest and are both exempt from and ineligible for certification as peace officers but still must complete one hundred twenty (120) hours of basic training;

2. A peace officer of St. Charles, St. Louis or Jackson County or of any municipality within St. Charles, St. Louis or Jackson County who was appointed or employed by the current department after December 31, 1978, or St. Charles County as of January 1, 1993, must become certified by completing within one (1) year of the date of appointment or employment an approved six hundred (600)-hour or more basic training course. This does not apply to elected county sheriffs or to St. Louis City Sheriff's Department deputies. St. Louis City Sheriff's Department deputies do not have power of arrest and are ineligible for certification as peace officers but still must complete one hundred twenty (120) hours of basic training;

3. A peace officer of any county except St. Charles, St. Louis or Jackson County or of any municipality in any county other than St. Louis or Jackson County who was appointed or employed by the current department before December 31, 1978, or except St. Charles County before January 1, 1993, is exempt from training and certification requirements; however, that officer may be granted certification upon completion of an approved one hundred twenty (120)-hour or more basic training course;

4. A peace officer of any county except St. Charles or of any municipality in any county other than St. Louis or Jackson

County after December 31, 1978, or St. Charles County prior to January 1, 1993, must become certified by completing a one hundred twenty (120)-hour or more basic training course. This does not apply to elected county sheriffs;

5. A peace officer of any county except St. Louis or Jackson County or of any municipality in any county other than St. Louis or Jackson County who was appointed or employed by the current department after December 31, 1978 until August 27, 1996, must become certified by completing within one (1) year of the date of appointment or employment an approved one hundred twenty (120)-hour or more basic training course. On or after August 28, 1996, any peace officer must be certified before appointment or employment by completing an approved four hundred seventy (470)-hour or more basic training course. Peace officers of agencies exempted under section 590.105(6), RSMo must complete a one hundred twenty (120)-hour or more basic training course before appointment or employment. This does not apply to elected county sheriffs;

6. An elected county sheriff is exempt from certification requirements; however, that officer must complete within eighteen (18) months of election to office an approved one hundred twenty (120)-hour or more training program. An elected county sheriff who has met this requirement may be granted certification;

7. A peace officer with any state agency, other than the State Highway Patrol, who was appointed or employed by the current agency before December 31, 1978, is exempt from training and certification requirements; however, that officer may be granted certification upon completion of an approved three hundred (300)-hour or more basic training course, and on or after August 28, 1996, an approved four hundred seventy (470)-hour or more basic training course;

8. A peace officer of any state agency, other than the State Highway Patrol, who was appointed or employed by the current department after December 31, 1978, must become certified by completing an approved three hundred (300)-hour or more basic training course, and on or after August 28, 1996, an approved four hundred seventy (470)-hour or more basic training course. Persons employed by the Missouri Department of Conservation, and certified after January 30, 1996, must complete an approved one thousand (1000)-hour or more basic training course. On or after August 28, 1996, a person employed by the Department of Conservation shall complete the basic training course before becoming certified.

9. A peace officer who is a member of the State Highway Patrol and who was appointed or employed by the State Highway Patrol before December 31, 1978, is exempt from training and certification requirements; however, that officer may be granted certification upon the completion of the State Highway Patrol's basic recruit training course for state patrol officers;

10. A peace officer of the State Highway Patrol who was appointed or employed by the State Highway Patrol after December 31, 1978, must become certified by completing within one (1) year of the date of appointment or employment the State Highway Patrol's basic recruit training course for state patrol officers. After January 1, 1990, the approved basic recruit course shall be at least one thousand (1000) hours or more. On or after August 28, 1996, a person employed by the State Highway Patrol shall complete the approved basic recruit course before becoming certified;

11. A reserve officer of St. Charles, St. Louis or Jackson County or of any municipality in St. Charles, St. Louis or Jackson County who was appointed or employed by the current department before August 15, 1988, for Jackson and St. Louis County and before January 1, 1993, for St. Charles County is exempt from training and certification requirements; however, that officer may be granted certification upon completion of an approved six hundred (600)-hour basic training course prior to August 15, 1988, reserve officers within St. Louis and Jackson County upon evidence of having completed or acquired at least two hundred forty (240) hours of other approved training or at least ten (10) years of continuous experience as a peace or reserve officer or an equivalent combination of other approved training and experience as determined by the POST Commission;

12. A reserve officer of St. Charles, St. Louis or Jackson County or of any municipality in St. Charles, St. Louis or Jackson County who was appointed or employed by the current department after August 15, 1988, by St. Louis or Jackson County or after January 1, 1993, by St. Charles County, is exempt from training and certification requirements; however, that officer may be granted certification by completing an approved six hundred (600)-hour or more basic training course;

13. St. Louis City Sheriff's Department deputies do not have power of arrest and are both exempt from and ineligible for certification as reserve officers;

14. A reserve officer of any county except St. Louis or Jackson County or of any

municipality in any county other than St. Louis or Jackson County who was appointed or employed by the current department before August 15, 1988, is exempt from training and certification requirements; however, that officer may be granted certification upon completion of an approved one hundred twenty (120)-hour or more basic training course or upon evidence of having completed or acquired at least one hundred twenty (120) hours of other approved training or at least ten (10) years of continuous experience as a peace or reserve officer or an equivalent combination of other approved training and experience as determined by the POST Commission;

15. A reserve officer of any county except St. Charles, St. Louis or Jackson County or of any municipality in any county other than St. Charles, St. Louis or Jackson County who was appointed or employed by the current department prior to August 15, 1988, for St. Louis or Jackson County or after January 1, 1993, for St. Charles County is exempt from three hundred (300)-hour training and certification requirements; however, that officer may be granted certification upon completion of an approved basic training course;

16. A reserve officer of any county except St. Charles, St. Louis or Jackson County or of any municipality in any county other than St. Charles, St. Louis or Jackson County who was appointed or employed by the current department after August 28, 1994, is exempt from training and certification requirements; however, that officer may be granted certification by completing an approved three hundred (300)-hour or more basic training after August 28, 1994, then four hundred seventy (470) hours after August 28, 1996; and

17. A reserve officer of any state agency other than the State Highway Patrol is exempt from training and certification requirements; however, that officer may be granted certification upon completion of an approved three hundred (300)-hour or more basic training course as of August 28, 1994, then four hundred fifty (450) hours as of August 28, 1996.

(2) Terms of Certification.

(A) Once certified as a bailiff, peace officer, or reserve officer, the individual shall be considered as being in permanent and full compliance with the minimum requirements for active certification as set forth in the Act and POST rules unless or until any of the following occur:

1. A peace officer or certified reserve officer who holds either active basic certification or active special certification may

transfer laterally from one (1) agency to another unless the training requirement for the new agency is higher than that required by the previous agency in which case the certification status will be void;

2. The certification status of a reserve officer who holds either active basic certification or active special certification and leaves law enforcement will be inactive. The certification may be reactivated if the reserve officer becomes appointed or employed with another law enforcement agency, unless the training requirement with the new agency is higher than that required by the previous agency in which case the certification status will be inactive;

3. A reserve officer who held active basic certification may change position to that of a peace officer, unless the training requirement for the new agency is higher than that required by the previous agency in which case the certification will be inactive;

4. The certification status of a reserve officer who changes position to that of a peace officer and who held active special certification as a reserve officer will be void;

5. The certification status of a peace officer or reserve officer who holds active basic or active special certification will not be affected during any period of official state or federal military leave of absence;

6. The certification status of a peace officer or reserve officer who holds active basic or active special certification will not be affected during any period where the certified officer in question has left state, county or municipal law enforcement to occupy a position as a federal law enforcement officer or other federal position as long as this position carries with it the federal power of arrest; and

7. Court marshals and deputy court marshals certified pursuant to sections 590.100 to 590.180, RSMo, under the supervision and control of the supreme court, district court of appeal or a circuit court, and appointed pursuant to section 476.062, RSMo, shall be considered actively employed for such periods of appointment as a court marshal or deputy court marshal, for the purpose of maintaining peace officer certification, providing that the appointing court, or its designate, has properly notified the Peace Officer Standards and Training Program of the employment and departures of court marshals and deputy court marshals, using the appropriate forms as determined by the rule.

AUTHORITY: sections 590.120 and 590.135, RSMo Supp. 1998.* Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed Aug. 30,

1991, effective Jan. 13, 1992. Amended: Filed March 2, 1992, effective Aug. 6, 1992. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 11, 1995, effective March 30, 1996. Emergency amendment filed Dec. 2, 1996, effective Dec. 12, 1996, expired June 1, 1997. Amended: Filed Dec. 3, 1996, effective June 30, 1997. Emergency amendment filed Sept. 10, 1997, effective Sept. 20, 1997, expired March 18, 1998. Amended: Filed Sept. 10, 1997, effective March 30, 1998. Amended: Filed Oct. 15, 1997, effective April 30, 1998. Amended: Filed May 15, 1998, effective Nov. 30, 1998. Amended: Filed Nov. 15, 1999, effective May 30, 2000.

*Original authority: 590.120, RSMo 1978, amended 1988, 1993, 1995 and 590.135, RSMo 1978, amended 1988, 1993, 1995.

11 CSR 75-3.040 Law Enforcement Experience

PURPOSE: This rule defines how previous law enforcement experience may be considered in the certification process.

(1) Law enforcement experience, as used in this rule, means actual time served as a bailiff within a political subdivision or a commissioned peace officer or reserve officer with a duly constituted law enforcement agency.

(2) The acceptability of time served as a bailiff, peace officer or reserve officer shall be subject to the determination of the director or his/her designated representatives.

(3) Peace officer or reserve officers employed or appointed in jurisdictions that have not elected to come under the provisions of the Act shall be required, for purposes of certification, to adhere to the minimum applicable basic training requirements if they accept employment or appointment with any law enforcement agency in another jurisdiction that is required or has elected to come under the minimum standards as set forth in the Act and various implementing rules.

(4) Bailiffs employed or appointed prior to January 1, 1995, are considered exempt from the minimum standards and certification requirements as set forth in the Act.

(5) Peace officers employed or appointed prior to January 1, 1979, and serving continuous to date with the same or any other agency are considered exempt from the mini-

um standards and certification requirements as set forth in the Act.

(6) All reserve officers are exempt from the training and certification requirements as set forth in the Act; however, reserve officers employed or appointed prior to August 15, 1988, may become eligible for certification as reserve officers provided they produce documentation of completion of the applicable certified basic training course or other training to be supplemented by the acquisition of experience considered appropriate for reserve officer certification as set forth in 11 CSR 75-3.020.

(7) A reserve officer shall be required to adhere to applicable basic training requirements if s/he accepts employment or appointment as a full-time peace officer in any jurisdiction that is required or has elected to come under the Act.

AUTHORITY: sections 590.110, 590.130, 590.135 and 590.150, RSMo 1994.* Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed Aug. 30, 1991, effective Jan. 13, 1992. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 11, 1995, effective March 30, 1996.

*Original authority: 590.110, 590.130 and 590.135, RSMo 1988, amended 1993 and 590.150, RSMo 1978, amended 1988.

11 CSR 75-3.050 Waivers for Equivalent Training and/or Experience

PURPOSE: This rule sets forth what is considered equivalent training in the certification procedure.

(1) Waivers for Equivalent Training, Experience, or Both.

(A) As provided under 11 CSR 75-3.020, the director or his/her designated representatives may grant special certification to bailiffs, peace officers, and reserve officers as a waiver of the completion of the otherwise required basic training course upon presentation of documentary evidence that an officer has both previous experience and has satisfactorily completed equivalent training in the director's or his/her designated representatives' opinion as set forth by the Act.

(B) The director or his/her designated representatives may grant basic certification to bailiffs, peace officers, reserve officers and

federal law enforcement officers as a waiver of the completion of the otherwise required basic training course upon presentation of documentary evidence that an officer has completed basic training in another state having laws governing or regulating law enforcement training and has been granted certification in the state in which the training was received if, in the opinion of the director or his/her designated representatives, the basic training and certification requirements met by the officer in another state are equivalent to the applicable basic training and certification requirements in Missouri. Bailiffs, peace officers and reserve officers who have completed basic training and acquired certification in another state, or the federal law enforcement officer who completed an entry level core basic training at a training center, and who, on the basis of that prior basic training and certification, apply for or are granted certification in Missouri, will be subject to all the terms of this chapter and to all other applicable rules of Peace Officer Standards and Training (POST) and of the Act.

(C) The director or his/her designated representatives may require as a condition of basic or special certification the completion of supplementary or remedial training necessary to equate previous training with current standards. The director or his/her designated representatives also may require the passing of an approved qualifying written, physical performance and oral examination prepared and administered by a certified training academy which attests to the applicant's knowledge and abilities. A bailiff or officer who fails to pass the examination may apply for reexamination no less than thirty (30) days after notification of failure. A bailiff or officer who fails both attempts must complete or recomplete the applicable basic training course to be eligible to become certified.

(D) In order to qualify for a waiver of the basic training course for equivalent other training, experience, or both, as provided under 11 CSR 75-3.020 to be eligible to become certified, each applicant shall—

1. Be currently appointed or employed as a bailiff by a political subdivision or a peace officer or reserve officer by a legally constituted law enforcement agency in a jurisdiction which is required or has elected to come under the provisions of the Act, be a United States citizen, a resident of Missouri, be at least twenty-one (21) years of age and hold at least a high school diploma or its equivalent. These requirements will not apply to a peace officer or reserve officer serving as a federal military peace officer or reserve officer on a federal military installation;

2. Have previous experience as a bailiff, peace officer or reserve officer and have completed previous training equivalent to the applicable basic training as determined by the POST Commission. If the training was received in another state, it must have been approved or certified by that state and, in the opinion of the director or his/her designated representatives, be equivalent to or exceed the basic training requirements of Missouri;

3. Submit through the CEO an application for a waiver of the basic training requirements, along with copies of all school transcripts, training certificates, other documentation indicating previous experience and completion of equivalent training including a copy of a fingerprint card verified by the Missouri State Highway Patrol pertaining to the results of a criminal background check of the applicant;

4. Complete any supplementary or remedial training required by the director or his/her designated representatives as a condition of certification to equate previous training with current standards; and

5. Pass a qualifying examination, if required by the director or his/her designated representatives, as a condition of certification.

(E) The director or his/her designated representatives are authorized to enter into standing contracts or agreements with those states which by law regulate and supervise the quality of peace officer training.

AUTHORITY: section 590.110, RSMo 1994. Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Amended: Filed April 1, 1983, effective Aug. 11, 1983. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed Aug. 30, 1991, effective Jan. 13, 1992. Amended: Filed March 2, 1992, effective Aug. 6, 1992. Amended: Filed Aug. 11, 1995, effective March 30, 1996. Amended: Filed Nov. 15, 1999, effective May 30, 2000.*

**Original authority: 590.110; 1978, amended 1988, 1993, 1994.*

11 CSR 75-3.060 Bailiff, Peace Officer, and Reserve Officer Certification

PURPOSE: This rule sets forth the process of certification as a bailiff, peace officer or reserve officer.

(1) General Procedures.

(A) The Peace Officer Standards and Training (POST) Notification of Employment/Appointment (see 11 CSR 75-1.010) shall be completed by the applicant or his/her

chief executive officer (CEO) and forwarded, with any required attachments, within thirty (30) days of the appointment of any bailiff, peace officer or reserve officer. On or after August 28, 1996, upon hiring a certified peace officer or reserve officer, the CEO shall notify POST of the employment or appointment, with any required documents within thirty (30) days of the appointment of any certified peace officer or reserve officer, to the Missouri Department of Public Safety, Peace Officer Standards and Training Program, P.O. Box 749, Jefferson City, MO 65102.

(B) If the director or his/her designated representatives determine(s) that the application meets the requirements of the Act and POST rules, the director shall grant certification and shall cause the appropriate certificate to be issued to the CEO for award to the applicant.

(C) If the director or his/her designated representatives determine(s) that the application does not meet the requirements of the Act and POST rules, the director or his/her designated representatives shall specify this in writing and forward to the CEO, the reasons upon which the adverse determination is based. Notice of the director's or his/her designated representatives' determination shall be issued no later than thirty (30) days following receipt of the application, except in instances for cause shown.

AUTHORITY: sections 590.110, RSMo 1994, and 590.115 and 590.120, RSMo Supp. 1998. Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed March 2, 1992, effective Aug. 6, 1992. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 11, 1995, effective March 30, 1996. Amended: Filed Dec. 3, 1996, effective June 30, 1997. Amended: Filed Nov. 15, 1999, effective May 30, 2000.*

**Original authority: 590.110, RSMo 1978, amended 1988, 1993, 1994; 590.115, RSMo 1978, amended 1988, 1990, 1993, 1994, 1995; and 590.120, RSMo 1978, amended 1988, 1993, 1995.*

11 CSR 75-3.070 Request for Individual Qualification Evaluation—Procedures

PURPOSE: This rule defines the process for individual review of qualifications for certification eligibility purposes as a bailiff, peace officer, or reserve officer.

(1) Procedures.

(A) Individuals may request that the director or his/her designated representatives evaluate their credentials before applying for certification. Persons seeking an evaluation shall submit a written request for an evaluation of their credentials, along with attachments documenting previous training, experience, or both, to the Missouri Department of Public Safety, Peace Officer Standards and Training Program, P.O. Box 749, Jefferson City, MO 65102.

(B) The director or his/her designated representatives shall review each request for an evaluation and shall notify individuals in writing within thirty (30) days following the receipt of the request, except for instances for cause shown, that—1) the request is not justified, 2) the individual is not qualified, or 3) the information provided indicates the individual possesses the training and experience required for certification.

AUTHORITY: sections 590.110, RSMo 1994 and 590.120, RSMo Supp. 1998. Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 11, 1995, effective March 30, 1996. Amended: Filed Nov. 15, 1999, effective May 30, 2000.*

**Original authority: 590.110, RSMo 1978, amended 1988, 1993, 1994; and 590.120, RSMo 1978, amended 1988, 1993, 1995.*

11 CSR 75-3.080 Suspension and Revocation of the Certification of a Bailiff, Peace Officer, or Reserve Officer

PURPOSE: This rule defines the terms, the process and the administration of the suspension or revocation of bailiff, peace officer, and reserve officer certification.

(1) Certificates and awards shall remain the property of the Department of Public Safety's Peace Officer Standards and Training (POST) Program. The director or his/her designated representatives shall have the power to refuse to issue or to recall, suspend or revoke any diploma, certificate or other *indicia* of compliance and qualification to bailiff, peace officers and reserve officers for—1) conviction of a felony including the receiving of a suspended imposition of a sentence following a plea or finding of guilty to a felony charge, 2) conviction of a misdemeanor involving

moral turpitude, 3) falsification or a willful misrepresentation of information in an employment application or records of evidence or in testimony under oath, 4) dependence on or abuse of alcohol or drugs, 5) use or possession of or trafficking in, any illegal substance, 6) gross misconduct indicating inability to function as a peace officer, and 7) failure to comply with the continuing education requirements as promulgated by rule of the Peace Officers Standards and Training Commission.

(2) Guidelines for Suspension and Revocation of a Bailiff, Peace Officer, and Reserve Officer Certification.

(A) General Administration.

1. Definition. For the purpose of these procedures, affected parties means the complainant, the certified bailiff or officer who is subject to the complaint and the CEO and the immediate superior of the CEO in the event that the CEO is the subject of the complaint, during suspension or revocation proceedings.

2. Scope. This procedure shall stipulate the guidelines for regulating the processing and administration of complaints concerning allegations of cause for suspension or revocation as outlined by the Act. To the extent the terms of this procedure are inconsistent with any other rules or agreements, the terms of this procedure shall be controlling.

(B) Complaint Procedures.

1. Upon receipt of a written complaint from a CEO, his/her supervisor, the presiding circuit judge or other reliable source concerning the conduct of a certified bailiff or officer and requesting action by the director or his/her designee, the director or his/her designee may take one (1) of the following actions and shall inform the appropriate affected parties of the action taken—

A. Refer the complainant to another state or local agency which has jurisdiction over the subject matter of the complaint; or

B. Find no arguable cause exists for denial, suspension or revocation for violation of a rule or statute which the director is empowered to administer or enforce (A finding of either (2)(B)1.A. or B. may result in the termination of Department of Public Safety proceedings.); or

C. Find an arguable cause that may exist for denial, suspension or revocation for violation of a rule or statute which the director is empowered to administer or enforce. If so, the director or his/her designated representatives shall investigate the complaint. If the director finds that possible cause for suspension or revocation exists, s/he will submit the complaint, along with all investigative

findings to a hearing officer for review and recommendation.

2. Following the recommendation of the hearing officer, the director may deny, suspend or revoke certification. Either action may include, in addition to the recommendation of the hearing officer, a review and recommendation of the POST Commission. The terms of denial by the director are fixed and once determined in lieu of a reverse on appeal, will preclude the applicant in question from a Missouri bailiff, peace officer or reserve officer certification in accordance with Chapter 590, RSMo. The terms and length of suspension must be stipulated by the director at the time of his/her action, but may not be greater than one (1) year. The terms of revocation, if so decided by the director, are fixed and once determined, in lieu of a reversal on appeal, will preclude the bailiff or officer in question from continuing present or securing future employment as a Missouri peace officer or reserve officer certified in accordance with Chapter 590, RSMo. The appropriate affected parties shall be sent written notice of the director's action and the reasons for that decision. Further, in accordance with section 590.135, RSMo, the director shall advise the aggrieved officer in writing of the right to appeal the decision as provided in Chapter 536, RSMo.

AUTHORITY: section 590.120, RSMo Supp 1998. Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed Aug. 30, 1991, effective Jan. 13, 1992. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2, 1994, effective Nov. 30, 1994. Amended: Filed Aug. 11, 1995, effective March 30, 1996. Amended: Filed Nov. 15, 1999, effective May 30, 2000.*

**Original authority 1978, amended 1988, 1993, 1995.*