

3. POST Council Meeting Minutes Approval – March 10, 2016

POST COUNCIL MEETING

MINUTES

MARCH 10, 2016

The meeting was held at the Idaho State Police, Cafeteria Conference Room, 700 S. Stratford Dr., in Meridian, Idaho. Chairman Kevin Fuhr called the meeting to order at 9:00 A.M.

Council Members Present:

Jan Bennetts, Prosecuting Attorney, Ada County
Dan Chadwick, Executive Director, Idaho Association of Counties
Kevin Fuhr, Chief of Police, Rathdrum Police Department
Shaun Gough, Sheriff, Gooding County
Seth Grigg, Executive Director, Association of Idaho Cities
Sharon Harrigfeld, Director, Idaho Department of Juvenile Corrections
Kevin Kempf, Director, Idaho Department of Correction
Jeff Lavey, Chief of Police, Meridian Police Department
Lorin Nielsen, Sheriff, Bannock County
Paul Panther, Chief, Criminal Law Division, Office of the Attorney General
Ralph Powell, Colonel/Director, Idaho State Police
Wayne Rausch, Sheriff, Latah County
Shane Turman, Chief of Police, Rexburg Police Department
Greg Wooten, Enforcement Bureau Chief, Idaho Department of Fish & Game

Council Members Absent:

Doug Hart, SSRA, Federal Bureau of Investigation

Guests Present:

Stephanie Altig, Deputy Attorney General, Idaho State Police
Gary Charland, Training & Development Manager, Idaho Dept. of Correction
Trish Christy, Management Assistant, Idaho Peace Officer Standards & Training
Ann Cronin, Project Manager, Idaho Peace Officer Standards & Training
Gordon Dye, Training Sergeant, Idaho State Police
Lori Hicks, Financial Specialist, Idaho Peace Officer Standards & Training
Christina Iverson, Statewide Alternatives Sentencing Manager, Idaho Supreme Court
Dustin Leverett, Videographer, Idaho Peace Officer Standards & Training
Victor McCraw, Division Administrator, Idaho Peace Officer Standards & Training
Sharla Means, Human Resources Manager, Idaho Dept. of Correction
Sandee Meyer, Executive Director, Idaho Prosecuting Attorneys Association
Rory Olsen, Deputy Division Administrator, Idaho Peace Officer Standards & Training

Rachel Rausch, Wife of Wayne Rausch
Josh Tewalt, Administration, Idaho Dept. of Correction
Joe Whilden, Basic Training Manager, Idaho Peace Officer Standards & Training
Marsi Woody, Financial Executive Officer, Idaho State Police

1. **Pledge of Allegiance**
2. **Introductions of Council Members and Guests**
3. **POST Council Meeting Minutes Approval – December 10, 2015**

Kevin Kempf made a motion to approve the minutes as submitted. Jan Bennetts seconded, and the motion carried unanimously.

4. **POST Division Administrator's Update**

Victor McCraw stated the Notices of Employment, Change in Status, and Separation forms are now automated and can be submitted online. Once all the bugs are worked out, POST will notify all agencies of the date paper copies will no longer be accepted. The automated Academy Application should be deployed in about six weeks, which should drastically reduce processing time. Once the bugs are worked out of that program, formal notification will be made of the date paper copies will no longer be accepted. Last Wednesday, a detention deputy from the Ada County Sheriff's Office ran the mile-and-a-half in seven minutes fifteen seconds, breaking the old academy record of seven minutes eighteen seconds. Bobby Gantt has been hired as the Curriculum and Certification Coordinator. Dustin Leverett is the new videographer, and has gotten started on several programs, including the Canine Encounter Training which will be incorporated into basic training in the Patrol Procedures class. Hopefully an online stand-alone canine program will also be developed in collaboration with Arizona POST. With Dustin's experience and in collaboration with other POSTs, some very high quality training will be put together. An academy coordinator was dismissed, but his position hasn't been filled due to POST's financial situation. Academy Coordinator Brian Keen has accepted a position with Ada County and will start March 28th. Academy Coordinator Kerry LaFramboise will retire in May. Probably only one of the three openings will be filled. The graduation protocol has changed, which generated a lot of concern and questions from folks. Once they see the new protocol, their questions are answered. POST just needs to know the name of the agency representative who will be attending the graduation, and if possible, how long they've been with the agency. That allows POST to announce them if they come up to assist with the presentation of certificates to the graduates. The main purpose for the change is to focus on the graduates themselves and the audience, who have come to see their loved ones graduate. They were underserved by the previous graduation protocol. The audience didn't see much of whom they came to see and the graduates weren't necessarily front and center. The agency representatives who've traveled across the state for the graduation are also front and center.

Kevin Kempf stated prior to seeing it, he had some concerns. After participating in the last Probation & Parole Academy graduation, he found it to be the best format he's seen. It was smooth, and it looked great.

Sharon Harrigfeld stated the county juvenile detention administrators were able to participate in the Juvenile Detention Academy graduation, and she heard great accolades afterwards as well.

Lorin Nielsen stated the way the message was sent out to the agency heads caused it to be confusing. The students were asked to call their agency heads and request this and that. One concern he heard was the potential singling out of an officer when no agency representative attends the graduation.

Wayne Rausch stated he received the e-mail notification, but not the explanation. His concern was alleviated when he was told he could send anybody he wanted, and they would be the one getting a very brief introduction and would participate in the ceremony.

Chairman Fuhr stated it's similar to what NIC does, and it's a great thing. The agency representative can be the agency head, a captain, lieutenant, sergeant, or whomever. That person is called up to present the certificate to the graduate, and the family gets to take a picture.

Kevin Kempf stated it seems little tweaks are made with each academy. He suggested that as much as possible, such changes be discussed at a POST Council meeting, and then the Council members can communicate any approved changes to their people.

Victor McCraw stated agency representatives are seated in the audience near the front on the right side of the stage. He calls them up individually by saying, "Now presenting certificates for the X Police Department is Chief X." Instead of silence while Chief X walks up to the stage, he says, "Chief X has been involved in law enforcement in Idaho for X years, and has been the chief for X." By that time, Chief X is on stage and he starts calling Chief X's graduates up. That eliminates members of the audience wondering who the person on stage is. Basic information is all that is needed on the agency representative, but more information can be provided if the agency wishes. The Juvenile Detention graduation was almost like a family event. Family members currently involved in law enforcement in Idaho are also involved in the ceremony. By bringing the graduates and the audience more into the ceremony, POST has gotten where they need to be. Director Kempf is correct in saying several tweaks were made and different things tried in an effort to determine what would work and what wouldn't.

5. Standards Subcommittee Report

a. One Certification Standard for All Disciplines

Dan Chadwick stated the issue of a single certification standard for all disciplines was approved two years ago, but was not implemented at the request of the Idaho Department of Correction. The Standards Subcommittee reconsidered the matter, and Kevin Kempf expressed his support of the single standard. The subcommittee requested the POST staff draft the proposed IDAPA Rules and bring them back to the next subcommittee meeting for review, so the subcommittee should have a recommendation for the Council at the June meeting.

b. Agreements to Serve

Dan Chadwick stated the subcommittee talked about the enforcement of the Agreements to Serve, which led to a much larger conversation about the adequate funding of POST and whether the services being provided by POST are the appropriate ones. Approximately \$800,000 is owed for the contract agreements, but there isn't a good process in place to collect on them. The subcommittee's recommendation is that a special POST Council meeting be held in the very near future to talk about the funding of POST on an on-going basis, the enforcement of the contract agreements, how POST meets its obligations to all of its customers, and the setting of priorities. The Council has some long-term strategic planning to do, and nothing else should be on the agenda for that special meeting.

Shane Turman stated POST is in a bad situation financially. A legislative change has to be made to get POST some firm funding so law enforcement training in the state of Idaho can be sustained.

Chairman Fuhr stated perhaps a small subcommittee could come up with some financing options that could be brought back to the Council. A member of JFAC or DFM could be brought in to help the Council figure out where they can tap into some funds. The Council could also try to get some legislators on their side before they make the argument.

Kevin Kempf stated there's been some pretty contentious conversations regarding funding. His preference is to initially tackle the issue as a full POST Council so everyone sees and hears the same things. The first step is to assess current needs and determine whether the resources are going where they should according to statute and appropriation bills. The Council members have to get shoulder to shoulder with each other, and currently they're not. They have to identify the issues and figure out what they are going to do about them together.

Jeff Lavey stated long-term funding changes have to be approved by the Legislature, which puts them a year out at least. Victor McCraw is in a world of hurt for the next year, and shouldn't have to bear that burden alone. The Council needs to figure out what they are going to do to help him survive for the next year. Vacant positions are not being filled, but that means someone else is doing the job of two or three people.

Shane Turman suggested the June POST Council meeting be scheduled for two days with the first day being regular Council business and the second day being devoted solely to the funding issue. Perhaps the Legislature could attend and hear what the issues are so they are on board.

Chairman Fuhr stated the two issues are long-range planning and financing. The financing issue has to be addressed quickly so POST stays afloat, but can then transition into the long-range planning.

Dan Chadwick stated the Council has some relationship problems, and those have to be resolved before anything else can be addressed. A meeting should be held to clear the air, get everyone on the same page, and then the funding conversation can begin.

Ralph Powell stated the first meeting will be critical, and will start at 30,000 feet. After that, a subcommittee will be absolutely necessary to come up with reasonable suggestions, to include some legislative direction on what funding sources will pass JFAC and what won't. Time is of the essence. The POST staff should still be moving forward on the Council's previous direction to research collection agencies and come up with a proposal for collecting the contract agreement funds.

Chairman Fuhr suggested a Special Council meeting be held in the next month so they have their ducks in a row before the next legislative session starts.

Dan Chadwick stated they have a September 1 deadline, as whatever they come up with has to go through Colonel Powell into the Governor's Office for review and approval.

Ralph Powell stated ISP typically targets July to draft decision units.

The Council agreed to meet the first or second week of April.

Josh Tewalt stated he used to work at the Division of Financial Management. Governor Otter tends to support user-pay concepts, so dedicated fees and funding sources should be explored. The Governor's Office and DFM should be given a heads up prior to anything being taken to the Legislature. Anytime a new funding proposal is brought forward, the question is asked, "What have you done to live within?," so the Council should be prepared to identify the new, innovative, and better ways to do things that they have looked at.

Ralph Powell recommended Adam Jarvis be included in the subcommittee, as he is the DFM analyst for Correction, ISP, and IDJC.

Dan Chadwick stated part of the subcommittee's direction to the POST staff on the two-year agreements was to create a checklist for how to deal with them.

Chairman Fuhr stated it's crucial for the Council to look at long-range planning every couple of years in order to keep it up-to-date and insure they're all headed down the same path.

c. Moving Traffic Offenses

Dan Chadwick stated the subcommittee considered the question whether the IDAPA Rule should be amended to include non-moving violations with moving traffic offenses. The subcommittee determined the rule should be left in place as is.

d. Definition of "Peace Officer"

Dan Chadwick stated the subcommittee's recommendation is to not even address the definition of peace officer at this point. Paul Panther and Jan Bennetts will assign persons from their offices to work on an annotated set of POST IDAPA Rules with the case law that has been used to define peace officer. Once that is created and reviewed, a determination will be made whether something needs to be done with the definition.

Jan Bennetts stated her concern was the precedent that's already out there for things like search and seizure law. The statute already defines what a peace officer is. Prosecutors use that definition in their arguments to the court on such things as motions to suppress, so there's already some case law. The courts have used the statutory definition to make decisions on facts as applied to the law. If the statutory definition is changed, all of the precedent that has been established with the current definition will be erased, which will impact what everyone's doing across the state in fourth amendment law. She and Paul Panther agreed to appoint people from their offices to do some definitional work and case law research in order to come up with an annotation.

e. POST Procedures Review: Academy Rules and Regulations & Discipline Matrix

Dan Chadwick stated the subcommittee recommends approval of the following proposed procedure and discipline matrix:

Idaho POST Academy Rules and Regulations
(Signed Acknowledgement Required)

In order to maintain a safe, productive and professional training environment, you must be familiar with the expectations placed on each academy student. All rules and regulations apply to any venue used in the course of POST academy training. If you have any questions regarding the POST rules and regulations in this manual please discuss them with a POST staff member using the appropriate chain of command.

I. GENERAL RULES

All students must read and acknowledge their understanding of, and willingness to comply with, these rules and regulations. Violations of Idaho POST Academy rules are subject to discipline up to and including dismissal from the academy. Students must abide by all the rules and regulations of the academy listed in the following sections.

A. ACADEMY ATTENDANCE: Class attendance is a duty assignment from your agency.

- a. Students must report promptly for duty at the designated time and location. Tardiness is not tolerated and results in disciplinary action. Students will not leave academy grounds or other assigned duty posts without permission from the training staff. Leaving the academy grounds without proper authorization is considered an absence from duty and may result in immediate dismissal from the academy.
- b. Students who know in advance that they must be absent from duty must submit a written request on a Leave Request form obtained from the Officer in Charge

(OIC) at least two days prior to the absence. Students may not leave POST without approval from POST staff. In an emergency, the student must immediately inform the assigned academy coordinator of the emergency, and submit a leave request in writing as soon as possible.

- c. Students must complete all academy objectives, classes and course material in order to graduate from the academy. A student may not be absent from more than 16 hours of academy instruction. All missed instructional time must be made up by the student. If the student misses skills based training (e.g. Defensive Tactics, EVOC, Firearms, Scenarios, etc.) the student's agency must ensure that the student receives the missed training as approved by POST.

B. **DEMEANOR:** Students must at all times show respect for the United States, the State of Idaho, and Idaho POST and must demonstrate proper decorum and demeanor during all academy activities. Failure to do so results in disciplinary action up to dismissal from the academy.

C. **ELECTRONIC DEVICES AND INTERNET USAGE:**

- a. No cellular phones, smart phones, smart watches, MP3 players or similar devices may be carried during any POST training. Exceptions may be granted by POST staff.
- b. Electronic devices allowed in the classroom by students include laptop computers and tablet type devices. These devices may be used in the classroom for academy purposes only. Internet use is unauthorized, and wireless capabilities must be disabled at all times during academy hours, unless authorized by the Academy Coordinator. Student use of an electronic device is a privilege which may be revoked.

D. **GENERAL LIABILITY:** The State of Idaho, Idaho State Police, Idaho POST Council, and any cooperating agencies cannot be held responsible for any loss of or damage to a trainee's property as a result of fire, theft, or other causes.

E. **INJURIES AND ILLNESSES:**

- a. Students must immediately advise POST staff of any accident, injury, aggravation of prior injury, or illness occurring during any academy activity or while on ISP/POST property. All injuries and illnesses must be recorded on an Injury/Illness Report form obtained from the OIC, and must be given to the academy coordinator as soon as possible. Costs of injury from accidents incurred during authorized academy activities may be covered by Workers Compensation

and should be referred to the student's agency. Costs of injuries that a student incurs during personal time are not covered by Workers Compensation.

- b. Costs of illness or injury not covered by Workers Compensation are the responsibility of the student or his/her agency. Students too ill or injured to attend academy training may be required to obtain medical clearance for academy activities. Students with a transmittable illness or condition may not attend training due to the risk of infecting other students. This may result in dismissal from the academy as referenced in section I. GENERAL RULES, item A. Academy Attendance.

II. FIREARMS, AMMUNITION, AND OTHER WEAPONS

A. ACADEMIES WITH WEAPONS TRAINING:

- a. Students may bring to the academy only those weapons which will be carried on duty and/or fired during firearms training. On-campus students' firearms must be unloaded, empty of magazines and surrendered to academy staff upon orientation/check-in. Firearms and ammunition for off-campus students are secured in an approved storage area.
- b. Students may not bring any other weapons onto the POST campus while attending the basic academy without prior authorization. Students possessing unauthorized weapons are subject to immediate dismissal from the academy.
- c. Firearms, ammunition, and other weapons are issued by an academy staff member for approved activities. Firearms are immediately returned to the approved storage area upon completion of approved activities.

- B. PROHIBITED POSSESSION OF WEAPONS: Possession of weapons and ammunition by any POST basic academy student on POST/state property other than outlined in subsection A of this section is prohibited and may result in immediate dismissal.

III. UNIFORMS AND PERSONAL APPEARANCE

The POST Academy, like most public safety agencies, is a uniformed organization. The appearance of the uniform and the manner in which it is worn are significant indicators of individual pride, unit discipline, professionalism and esprit-de-corps. Students are expected to maintain their uniforms and personal appearance in a meticulous manner at all time.

A. HYGIENE AND JEWELRY:

- a. Students must at all times maintain the highest standards of personal hygiene. All students must shower daily. Students may not wear perfume or cologne during training hours.
- b. Wrist watches, Medical-Alert bracelets, wedding rings and religious medallions worn in a manner that will not be seen, are the only jewelry authorized during academy hours. Body piercings must be removed during academy hours.
- c. Male students must conform to the following minimum standards:
 1. Hair must clean, neat, combed, and meet the student's agency policy.
 2. Fad/motivational haircuts (Mohawks, etc.) are not authorized regardless of the student's agency policy.
 3. Beards and sideburns must meet the student's agency policy standard.
- d. Female students must conform to the following minimum standards:
 1. Hair must be clean, neat, combed, and meet the student's agency policy. Barrettes of a natural color or transparent may be also worn. The length or bulk of hair must not interfere with training or the wearing of headgear, nor create a safety hazard as determined by the academy coordinator.
 2. Minimal conservative face and eye makeup may be worn.

B. INSPECTIONS: Students must be prepared for personal inspection and inspection of uniforms, equipment, and rooms (when applicable) at all times during the academy.

C. PERSONAL CLOTHING:

- a. Personal clothing worn while on campus/state property must be in good condition, clean and free of illustrations, slogans or logos that are obscene, offensive, sexually suggestive, profane or discriminatory towards persons on the basis of race, color, national origin or ancestry, religion or creed, age, sex or disability.
- b. Student's undergarments, socks and other personal items must be freshly laundered.
- c. Shirts worn under the uniform must be of a solid color.
- d. Students may not wear non-prescription sunglasses in formations or during indoor training unless documented by medical necessity and/or specifically authorized by an academy coordinator.

- e. Hats may not be worn in any building, in formation, or during graduation ceremonies.

D. UNIFORMS: Students wear different uniforms depending on the type of activity:

- a. Soft Uniform: The soft uniform consists of a tactical style cargo pant, name shirt, ballistic vest when applicable and duty belt with blue gun when required. No bright colored tactical style cargo pant may be worn. Footwear will be the agency approved normal duty footwear.
- b. Physical Fitness Uniform:
 - 1. Water PT Uniform: Academy students must bring a swimsuit to use during water PT. Water PT uniforms must be clean, serviceable, and modest. Over shirts are permitted, but must be made of dry wicking material. Shorts or shirts made of cotton material, string bikinis, thongs, tight fitting speedos or cut-offs are not permitted. This uniform restriction includes personal time use of the training tank.
 - 2. Tactical PT Uniform: When participating in tactical PT the student must wear the approved soft uniform. Footwear is designated by the academy coordinator and will be either soft uniform designated footwear or athletic shoes.
 - 3. Functional PT Uniform: During functional PT, academy students must wear the POST approved name shirt, running shorts, name sweatshirt/sweatpants (when applicable), and athletic shoes. Running tights may be worn under the running shorts and can only be the color of black, blue, or navy blue.
 - 4. Appropriate underclothes must be worn during physical conditioning. These consist of the following:
 - c. Men – athletic support briefs. No boxer shorts.
 - d. Women – sports bra and female underclothing.

IV. FACILITY RULES

Facility rules provide consistent guidelines to ensure student safety and facilitate a successful learning environment. Repeated or significant violations of facility rules may result in dismissal from the academy.

- A. ANIMALS AND PETS: Students are not permitted to have any animal on campus without prior authorization.

B. CAMPUS RESTRICTIONS:

- a. **Open Campus Academies:** students must be on campus during times designated by academy staff. Students may leave campus at the conclusion of the academy day. Students on campus after 10:00 p.m. must abide by the quiet hours.
- b. **Closed Campus Academies:** Should POST conduct closed campus academies, students may not leave campus without prior authorization from academy staff between 11:00 p.m. Sunday and conclusion of the last class for the week. Students leaving campus for the weekend must return no later than 11:00 p.m. Sunday.

C. DAMAGE TO PROPERTY: Any damage to POST or Idaho State Police property may be charged to the student(s) responsible.

D. ELECTRICAL APPLIANCES: The dormitory rooms are wired to accommodate only electric clocks, radios, razors, lamps, computers, blow dryers, etc. Any other electrical appliances must be approved by academy staff.

E. FOOD AND DRINKS IN CLASSROOMS: All drinks in classrooms must be in a metal/plastic container with a lid that securely fastens. Snacks may be allowed in the classroom as approved by academy coordinators.

F. FOOD IN DORMITORY ROOMS: Food items in student rooms must be kept in a sealable container.

G. PARKING: Student vehicles must be parked in designated parking areas. Due to limited parking, students are encouraged to carpool.

H. POSTING SIGNS: Posting of any items on campus without authorization from POST staff is prohibited.

I. QUIET HOURS: Quiet hours are from 10:00 p.m. to 5:30 a.m.

J. ROOM INSPECTIONS: Students must maintain clean and orderly rooms at all times. Random room inspections are conducted throughout the course of an academy session.

K. SANITATION: Mattress covers or pads are provided. Under no circumstances may anyone sleep directly on the mattress cover or pad. Clean sheets are provided and exchanged weekly.

L. STUDENT ROOMS:

- a. Members of the opposite sex are not allowed in each other's rooms.
- b. No unauthorized personnel are allowed on campus or in any student rooms.

M. TOBACCO USE: Tobacco use is prohibited except in designated smoking areas. This includes chewing tobacco, electronic or vapor cigarettes, etc. even if containing no tobacco.

V. STANDARDS FOR CONDUCT AND BEHAVIOR

A. ADDRESSING STAFF AND INSTRUCTORS: Students must address staff, instructors, and others by appropriate title and last name.

B. AGENCY NOTIFICATION: Agency heads or designees may be notified of any activity of their employee(s).

C. ALCOHOL AND CONTROLLED SUBSTANCES:

a. Possession and use of illegal controlled substances are violations of state and federal law. Students possessing or using illegal controlled substances will be reported to the appropriate law enforcement agency for criminal investigation.

b. Alcoholic beverages may not be consumed or possessed on any academy/state facility.

c. Use of alcoholic beverages or legal controlled substances which impairs the student's ability to perform required duties while at the academy will result in investigation and disciplinary action.

d. Students displaying any signs of alcohol use must submit to breath-testing at the request of POST staff or an instructor.

D. CONDUCT AND BEHAVIOR: Students are expected to abide by the Constitutions of the United States and Idaho, Idaho Code, the Law Enforcement Code of Ethics/Standards of Conduct. Students must not discredit the profession, the academy or their agency through their behavior.

E. DISRUPTING CLASS: Students must not engage in any behavior that results in a disruption of the learning or training environment.

F. GAMBLING: Gambling of any kind is illegal. Reports of gambling will be investigated and may be referred to the appropriate law enforcement agency.

G. INTEGRITY:

a. Lying: students must truthfully answer training staff inquiries about their actions or the actions of others. Misrepresentation, mischaracterization, evasiveness, deception, factual manipulation, omissions, misleading contradiction, distortions, embellishment, misstatements of facts, misquotation of facts, minimization or

justification of inappropriate actions is not tolerated and may result in immediate dismissal.

- b. Academic Dishonesty: any behavior, intended to promote or enhance a student's academic standing within the POST Academy by dishonest means is not tolerated and may result in immediate dismissal.
 - c. Plagiarism: the use of words, ideas, concepts, or work of another without proper acknowledgement is not tolerated and may result in immediate dismissal.
- H. PRESCRIPTION MEDICATION: Students must not use prescription medication except as prescribed, administered or provided by a licensed physician, their authorized agent, or practitioner allowed to do so by Idaho statute. Students must not use any legal drugs to the extent that their ability to safely and effectively complete each day's scheduled training activities is compromised.
- I. PROFANITY: Students must not use language that is disrespectful or considered to be profane.
- J. REPORT OF RULES VIOLATIONS: Students must not conceal any violations of academy rules, agency policy, state or federal law, whether their own or those of other students, instructors or police personnel. Any student involved in any violation, on or off-duty, must immediately notify the academy coordinator. A written report must be submitted as soon as possible. Failure to report violations may result in disciplinary action including dismissal.
- K. SAFETY:
- a. Students must maintain awareness and be watchful for their own safety and the safety of others. Any act or failure to act by a student that places self or others at risk is not tolerated.
- L. SECURITY: Students may not become involved in any activity that may compromise the security of the Idaho State Police or the Idaho POST Academy buildings or facilities. No student may allow unauthorized persons access to the facilities or grounds.
- M. SEXUAL HARASSMENT AND ILLEGAL DISCRIMINATION: Sexual harassment and illegal discrimination are violations of state and federal law. Perceived instances of either behavior must be reported. All reported instances of sexual harassment or illegal discrimination are investigated.
- N. STUDENT/CONTRACTOR/STAFF RELATIONSHIPS:
- a. Associations with academy staff must be professional in nature at all times. Students and staff must not engage in inappropriate social contact.

- b. No physical contact of an intimate nature, sexual relationship or perception of a sexual relationship is permitted between academy students, or between academy students and instructors, scenario graders, or actors.

ACKNOWLEDGEMENT OF UNDERSTANDING

You must read and acknowledge your understanding of, and willingness to comply with the rules and regulations in this document. Bring this signed acknowledgement with you to turn in on the first day of your academy.

I acknowledge that I have received a copy, read, and understand the Idaho POST Academy Rules and Regulations.

Printed Name

Signature

Academy and Session Number

Date

POST Identification Number

The Division Administrator of the POST Academy from time to time, as circumstances dictate, may authorize exceptions to these rules. Academy staff must familiarize students with any new requirements or rules. The POST Administrator is the final interpreter of POST rules and regulations. It is POST's intention that the rules and regulations found within this manual be reasonable.

Idaho POST Academy Discipline Matrix

This document provides Idaho POST Staff a guideline to the discipline of academy students. This matrix is only a guideline; training staff has the ability to forgo the lesson categories if the violation is so egregious that it is merited.

Category	Academy Rules Violation	Action Taken
Category I	Violations for the following: 1. Attendance 2. Electronic Device 3. Uniform/Personal Clothing 4. Hygiene and Jewelry	Verbal Warning. Writing Assignment. Individual Physical Training.

	<ul style="list-style-type: none"> 5. Facility Rules 6. Addressing Staff and Instructors 7. Disrupting Class 8. Safety 9. Security 10. Profanity 11. Report of Rules Violations 12. Conduct and Behavior 	<p>Group Physical Training.</p> <p>***3 or more violations of this category will result in category II***</p>
Category II	<p>Violation for the following:</p> <ul style="list-style-type: none"> 1. Discourtesy <p>Repeated or significant violations of the following:</p> <ul style="list-style-type: none"> 1. Attendance 2. Electronic Devices 3. Uniform/Personal Clothing 4. Hygiene and Jewelry 5. Facility Rules 6. Addressing Staff and Instructors 7. Disrupting Class 8. Safety 9. Security 10. Profanity 11. Report of Rules Violations 12. Conduct and Behavior 	Individual Counseling.
Category III	<p>Violation of the following:</p> <ul style="list-style-type: none"> 1. Prescription Medications 2. Firearms violation <p>Repeated or significant violations of the following:</p> <ul style="list-style-type: none"> 1. Discourtesy 2. Attendance 3. Electronic Devices 4. Uniform/Personal Clothing 5. Hygiene and Jewelry 6. Facility Rules 7. Addressing Staff and Instructors 8. Disrupting Class 9. Safety 10. Security 11. Profanity 12. Report of Rules Violations 13. Conduct and Behavior 	<p>Demerit Issued and Agency Notified.</p> <p>Individual Motivational Training and Agency Notified.</p> <p>All actions in this category need Training Manager approval.</p>

<p>Category IV</p>	<p>Violation of the following:</p> <ol style="list-style-type: none"> 1. Alcohol and Controlled Substances 2. Integrity 3. Plagiarism 4. Sexual Harassment 5. Conduct and Behavior 6. Prescription Medications 7. Gambling 8. Firearms violation <p>Repeated or significant violations of the following:</p> <ol style="list-style-type: none"> 1. Prescription Medications 2. Firearms violation 3. Discourtesy 4. Attendance 5. Electronic Devices 6. Uniform/Personal Clothing 7. Hygiene and Jewelry 8. Facility Rules 9. Addressing Staff and Instructors 10. Disrupting Class 11. Safety 12. Security 13. Profanity 14. Report of Rules Violations 15. Conduct and Behavior 	<p>Dismissal from the Academy and Agency Notified.</p> <p>Dismissal from the academy needs to be approved by Training Manager and either Deputy Division Administrator or Division Administrator.</p>
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Sharon Harrigfeld made a motion to approve the Academy Rules and Regulations & Discipline Matrix. Shane Turman seconded, and the motion carried unanimously.

6. Minimum Standards: Drug Use

Wayne Rausch stated the POST Council’s IDAPA Rules in reference to marijuana use are causing agencies to be crunched for good candidates. The Sheriffs Association voted unanimously to support reducing the mandatory rejection for marijuana use from three years to two years, and then leaving it up to the agency head’s discretion after that. The Chiefs Association didn’t support that recommendation. He requested the chiefs on the Council support the language and take it back to the Chiefs Association for reconsideration.

Lorin Nielsen stated he was in support of lowering POST’s minimum standard because agency heads can maintain higher standards if they want.

Ralph Powell stated an agency can have higher standards than POST, but not lower.

Wayne Rausch made a motion that the POST staff draft proposed language to change IDAPA Rule 11.11.01.055.01.a to one year and 11.11.01.055.01.c. to three years, and that the proposed language then be taken to the Chiefs and Sheriffs Associations for their buy-in. Lorin Nielsen seconded the motion.

Jeff Lavey stated a clear message needs to get out that these are minimum standards, and that the agencies have the discretion to have higher standards, but not lower.

Chairman Fuhr stated he would relay the information at both Chiefs Association meetings this year to insure everyone's up to speed.

The motion carried unanimously.

7. Proposed Legislation In Reference to Council's Discretion

Chairman Fuhr stated Senator Burgoyne drafted some proposed statutory changes in reference to the Council's discretion on applicants, waivers, background standards, and other things. As POST Council chairman, he sent a reply listing some concerns, and Senator Burgoyne responded. It doesn't appear that the legislation will go anywhere this session. He recommended that a couple of Council members sit down with Senator Burgoyne once the legislative session ends to talk about the issues and see if some sort of resolution can be reached prior to next year's session.

Kevin Kempf stated he's meeting with Senator Burgoyne tomorrow, and would talk to him about it and see if he could get a little more flavor.

Chairman Fuhr stated he asked the Senator if there was a specific issue that prompted the proposed legislation, but it didn't sound like there was. Senator Burgoyne offered to meet with him, but the timing didn't work out. If some Council members had time for such a meeting this summer, something could probably be worked out.

Sharon Harrigfeld stated it seemed the impetus for this came up when Victor McCraw presented POST's IDAPA Rule dockets, as Senator Burgoyne started talking about wanting to reduce the discretion of the Council.

Victor McCraw stated it appears the proposed legislation would reduce the ten-year window for misdemeanors to five, but it's worded in such a way as to also allow felonies. The council could reject an applicant, but would have to document the reason in writing, and that documentation would have to be retained on file permanently. The discretion of the Council would be significantly reduced.

Chairman Fuhr stated it's important the Council sits down and chats with Senator Burgoyne.

8. Training Subcommittee Report

a. Part-Time Juvenile Detention Academy Curriculum

Lorin Nielsen stated the subcommittee voted unanimously to recommend POST Council approval of the following:

<u>Class</u>	<u>Hours</u>
Juvenile Justice Overview	1
Prison Rape Elimination Act (PREA)	3
Communications	6
Suicide Prevention	6
Adolescent Brain Basics / Substance Use Issues	8
Legal and Liability (online)	4
Appropriate Use of Force	16
Certification Exam Part-Time JDO	<u>.5</u>
Total Hours	44.5

Course Title: Overview of Juvenile Justice
Course Hours: 1
Course Description: An overview of the Juvenile Justice and Delinquency Prevention Act and the Juvenile Corrections Act
Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

01. Accurately explain the history and evolution of the juvenile justice system
02. Accurately identify the Four Core Protections of the JJDP Act
03. Correctly explain sight and sound separation as it related to status offenders
04. Define the Youth Rehabilitation Act and who was responsible for juveniles during that time
05. Explain and define the Juvenile Corrections Act
06. Accurately explain the Legislative Intent of the JCA
07. Explain the jurisdiction of the Juvenile Court
08. Accurately define charges committed by a juvenile that result in an automatic waiver to the adult system

Course Title: PREA
Course Hours: 3
Course Description: An overview of the 2013 Prison Rape Elimination Act (PREA) and what it means for juvenile justice facilities
Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

01. Briefly describe the history of PREA and the nine (9) purposes of the Act
02. Explain the purpose of prohibition of sexual abuse in secure facilities
03. Demonstrate the purpose of a Zero Tolerance Policy
04. Demonstrate a detention officer's responsibility to assist in preventing, detecting, and responding to sexual abuse in a secure facility

05. Explain a resident's right to be free from sexual abuse, harassment, and the right to be free from retaliation for reporting sexual abuse/harassment
06. Demonstrate knowledge of the dynamics of sexual abuse in a secure setting
07. Demonstrate steps in detecting and responding to signs of sexual abuse
08. Explain common reactions of victims of sexual abuse
09. Explain the consequences of inappropriate relationships with residents
10. Define terminology of lesbian, gay, bisexual, transgender, and intersex youth
11. Demonstrate effective communication with residents, including LGBTI youth
12. Identify relevant laws regarding the age of consent
13. Explain and discuss the ramifications of Idaho Code 18-6110

Course Title: Verbal Communication
 Course Hours: 6
 Course Description: Provide the student with communication skills to enhance their effectiveness in performing their job duties
 Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

01. Accurately identify five (5) out of seven (7) factors that affect listening
02. Correctly list five (5) types of nonverbal behavior
03. Accurately identify six (6) out of 12 roadblocks to effective communication
04. Identify four (4) tools to assist in effective communication
05. Identify six (6) signs of aggression
06. Accurately identify three (3) de-escalation techniques
07. Through class activities demonstrate diffusion strategies used to communicate effectively
08. Through class activities, demonstrate the use of empathy, paraphrasing, reflection, and summarization, as it related to communication

Course Title: Suicide Prevention
 Course Hours: 6
 Course Description: A historical and current factual study of juveniles who contemplate and display suicidal behavior, or attempt suicide while in a secure setting

Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

01. Identify why youth in custody are at risk for suicide and be able to identify those who may be at the "highest" risk
02. Identify ways to more effectively implement suicide prevention programs based on national standards and best practices
03. Accurately identify suicide screening and assessment and why both are important and the essential role detention staff plays in both
04. Accurately list suicide hazards and potential ways to mitigate them
05. Identify the role of the Qualified Mental Health Professional (QMHP) with regard to suicide prevention and how detention staff can effectively assist the QMHP
06. List specific ways the behavior of detention staff and their relationships with youth can positively or negatively impact suicidal youth

- 07. Accurately describe the steps needed when preparing and responding to an active suicide attempt
- 08. Identify current trends of juvenile suicides locally and nationally

Course Title: Adolescent Brain Basics: A Review of Mental and Physical Health and Substance Use Issues with Adolescents
 Course Hours: 8
 Course Description: A look into the brain development of adolescents as it relates to adolescent behavior, mental health, and substance use issues
 Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

- 01. Accurately explain the basics of the brain; including physical, emotional and thinking
- 02. Accurately describe teenage brain development
- 03. Describe normal adolescent risk taking and impulsive behavior
- 04. Describe the prevalence of mental health disorders in the juvenile justice system
- 05. Accurately identify substance abuse disorders and their onset
- 06. Identify possible signs of mental health and substance use disorders
- 07. Explain the impact of childhood trauma on youth development, behavior, and delinquency
- 08. Identify why it is important that youth in the juvenile justice system have access to treatment
- 09. Identify effective ways to manage youth behavior in the juvenile justice system
- 10. Identify self-care options for employees working with the juvenile justice population

Course Title: Legal and Liability
 Course Hours: 4
 Course Description: An overview of the legal and liability issues pertaining to juvenile detention officers
 Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

- 01. Define and understand the basic rights of incarcerated youth
- 02. Understand the basics of due process
- 03. Identify the basics of Idaho's court system
- 04. Define and understand the Idaho Tort Claims Act
- 05. Understand personal liability risks, qualified immunity and §1983 of the Civil Rights Act of 1871
- 06. Understand the Civil Rights of Institutionalized Persons Act
- 07. Understand the basics of the Garrity Rule
- 08. Become familiar with the basics of the Idaho Public Records Act and discoverable communications
- 09. Understand the obligations for mandatory reporting under Idaho's Child Protection Act
- 10. Understand the importance of professional boundaries and the liability risks for not maintaining them

Course Title: Appropriate Use of Physical Force
 Course Hours: 16
 Course Description: To provide students with appropriate methods of using physical control after all attempts of verbal de-escalation have failed, and

when safety of staff or in-custody juveniles are put at risk.
Students will also be taught the need for physical force in order to prevent suicide and escape

Performance Objectives: Upon completion of this unit of instruction, the student will be able to:

01. Define the State standards relating to Use of Force
02. Accurately demonstrate and perform Control #1 defense position in response to wrist grab
03. Accurately demonstrate and perform Control #1 defense position in response to lapel grab
04. Accurately demonstrate and perform Control #1 defense position in response to punch
05. Accurately demonstrate and perform Control #1 defense position in response to overhead strike
06. Accurately demonstrate and perform Control #1 defense position in response to side strike
07. Accurately demonstrate and perform Control #1 defense position in response to attack from behind
08. Accurately demonstrate and perform Control #2 defense position in response to wrist grab
09. Accurately demonstrate and perform Control #2 defense position in response to lapel grab
10. Accurately demonstrate and perform Control #2 defense position in response to punch
11. Accurately demonstrate and perform Control #2 defense position in response to overhead strike
12. Accurately demonstrate and perform Control #2 defense position in response to side strike
13. Accurately demonstrate and perform Control #2 defense position in response to attack from behind
14. Accurately demonstrate and perform Control #3 defense position in response to wrist grab
15. Accurately demonstrate and perform Control #3 defense position in response to lapel grab
16. Accurately demonstrate and perform Control #3 defense position in response to punch
17. Accurately demonstrate and perform Control #3 defense position in response to overhead strike
18. Accurately demonstrate and perform Control #3 defense position in response to side strike
19. Accurately demonstrate and perform Control #3 defense position in response to attack from behind

b. POST Basic Detention Academy: Proposed Objective Changes for Restraints, Transports, and Pat Down Searches

Lorin Nielsen stated the subcommittee voted unanimously to recommend POST Council approval of the following:

- 04.07.01 List what types of restraints are used for ~~combative inmates and for transporting~~ inmates with special medical needs or transports and how to apply them
- 04.07.02 Identify the steps necessary for careful preparation of an inmate transport to minimize risk
- 04.07.03 Explain how to safely transport inmates
- 04.07.04 Identify the safety measures required upon delivery of the inmate
- 04.07.05 Explain how to transport high risk inmates
- 04.07.06 Explain the techniques used for ~~a thorough and safe pat down search~~ special transports to include medical visits, airline transports, and court ordered visits

c. POST Basic Detention Academy: Medical Aspects in Detention Class

Lorin Nielsen stated the subcommittee voted to have POST reconfigure the eight hours to scenario-based training, and that the issue of dispensing medication be taken back to the Sheriffs Association so they could research potential vendors and provide feedback as to how it should be handled.

d. POST Basic Academy: Firearms Training

i. Vests

Lorin Nielsen stated all of POST's vests have expired. Due to cost, the subcommittee voted to require every student to bring a vest with them if attending firearms training at POST.

ii. Ammunition

Lorin Nielsen stated the issue of ammunition was discussed, and the subcommittee agreed to defer the issue to the full POST Council. He doesn't issue a firearm to any of his officers until they've been certified on it. Due to POST's funding situation, many ideas were floated, including the elimination of firearms training at POST. That would reduce the academy by an entire week.

Chairman Fuhr stated he was afraid some agencies wouldn't be served if firearms was eliminated from basic training, especially smaller agencies that don't have firearms instructors available.

Greg Wooten stated the Council had previously discussed making firearms an entry-level qualification like fitness, so those who qualified on their weapon would be allowed to stay at the academy. That would reduce the number of rounds and the number of firearms training days.

Ralph Powell stated firearms qualification is a requirement for certification, so the wording would have to be changed.

Victor McCraw stated the training could be done at the agency, but the actual certification of meeting the standard for firearms proficiency would have to be done under the supervision of a POST Regional Training Coordinator or a master firearms instructor.

Chairman Fuhr stated the IDAPA Rule requires firearms qualification to be administered by a POST Training Specialist, so that would need to be amended to allow it to be done by a master firearms instructor.

Victor McCraw stated POST's estimated ammunition costs are between \$90,000 and \$100,000 annually.

Shane Turman stated the need for firearms training at POST is very important. He wouldn't be opposed to supplying his officers with the required number of rounds. As far as bullet-proof vests, every agency should be supplying those for their officers.

Lorin Nielsen stated with certified firearms instructors and master firearms instructors throughout the state, it wouldn't be that difficult for a small agency to avail themselves of the necessary training and certification. Detention officers aren't necessarily issued vests, so that's a pretty heavy burden to put on agencies. It's probably better to conduct firearms training and certification locally, thereby eliminating a lot of time and expense for POST. Once a person graduates from POST, they don't return to POST throughout their career to recertify on firearms.

Ralph Powell stated POST provides a week of very good, intensely supervised, focused firearms training that won't be duplicated at the local level. Some of the smaller agencies will be short-changed if it is eliminated. The expense for the vest and ammunition should be borne by the agency.

Chairman Fuhr stated three different options have been proposed. First is train officers in their agencies prior to sending them to POST, second is send them to POST with ammunition and vests, and third was mentioned in the subcommittee meeting, and that is agencies pay POST for the ammunition.

Shaun Gough stated he doesn't issue vests to his detention officers. They are extremely expensive. All the Council is doing is shifting costs from POST to the agencies. As a smaller agency, it will cost him a lot more money. Several years ago, agencies had to send 600 rounds with their officers attending POST.

Chairman Fuhr stated he had issues with anyone being on any range without a vest. POST Council needs to require vests on the range for any POST firearms training. It's a liability issue.

Victor McCraw stated vests are currently required on the range.

Shane Turman stated he has four certified firearms instructors and can help small agencies in his area. However, he doesn't have the manpower to do a week of in-depth, intense firearms training. His instructors put on day to day-and-a-half trainings four to seven times a year.

Victor McCraw stated POST isn't just trying to transfer costs. Every vest POST has is expired, and they can't afford to replace them. Sending students to the range in expired vests is not an option, which means POST cannot do firearms training at all unless vests are supplied by the agencies. According to training methodology for skills-based training, perishable skills are best learned in short periods of time over a longer period of time. POST's one week of firearms training is great for introductory, get-up-to-speed quickly purposes.

Lorin Nielsen stated he would like to have a survey done to see where agency heads stand on this issue. He issues stab vests to his seventy detention officers, but it would be almost impossible and a deal breaker if he had to buy ballistic vests for them.

Jeff Lavey stated this problem goes to the root of something else, and that is what is the purpose of POST and what are we trying to achieve. The most important training needs that cannot be gotten from experts elsewhere are the legal training, scenarios, and some of those things. As the Council discusses their purpose and desired outcomes over the next year, they need to determine whether firearms fits into that. Oftentimes the only EVOC training an officer receives is during basic training. It's concerning to think that an officer might qualify by shooting a paper target and never get any quality training. Training is a major problem nationwide. It's the first thing that larger departments stop doing when budgets are tight. He would support sending some ammunition to POST, but maybe not necessarily all of the rounds needed.

Shane Turman stated agencies should purchase the ammunition themselves rather than buying it from POST.

Jeff Lavey stated the firearms issue cannot be answered by the POST Council. It needs to be taken to the respective associations so input can be gathered from all agency heads.

Ralph Powell stated that feedback is appreciated, but it should not come in the form of a vote. It is the POST Council's responsibility to determine what will be best for POST. As an employer, it's his job to protect his investment by providing his trooper's ammunition and vest, even if he has to borrow a vest from someone who's on vacation.

Chairman Fuhr stated a sheriff's office could have a checkout vest or two for detention deputies attending POST.

Victor McCraw stated firearms is skills-based training that's accomplished throughout the state under the direction of master instructors, so is probably the most standardized training provided. Every student in the current Detention Academy has a vest. However, several academies will be starting prior to the Council making a decision, so the POST staff need to know how to handle students without vests.

Kevin Kempf asked if there would be liability for an agency if their employee got shot and didn't have a vest.

Stephanie Altig replied worker's comp would cover it. When someone is injured on the job, that's their sole remedy.

Chairman Fuhr stated in looking at the Officer Down memorial page, a significant number of officers are killed every year in training-related incidents. Officers carry guns, so vests are a huge part of what we do. Agencies need to provide protection for their officers. If a student wasn't wearing a vest and was shot at the range, POST Council would be answering why they allowed someone to train with a firearm without the protection that would have saved them.

Jeff Lavey stated the policy at the ranges in this area is you will have a vest on while you're shooting. Of equal importance is that's the vest the officer will be wearing while on duty, and they need to learn to shoot with it on. A vest is roughly \$600, which is cheaper than any bullet hole in the body. Not wearing a vest on the range should not be an option.

Wayne Rausch stated one of the biggest concerns with a vest is does it fit properly. His agency buys vests for everyone, and they are specifically tailor-fitted for each person. POST should not supply vests because they wouldn't be designed for the specific person, and therefore wouldn't fit properly. If there are gaps on the sides, you're not providing any more protection than if they weren't wearing one at all.

Lorin Nielsen stated he could support agencies providing the ammunition.

Victor McCraw stated POST has enough ammunition for the rest of the fiscal year. The POST staff need to know whether to deliver firearms training to students who don't have vests. If they deny access to the range to a student whose agency can't afford a vest, that will become an issue because that student won't be eligible for certification.

Shane Turman made a motion to require students to have a bullet-proof vest if their academy requires them to train at the firearms range. Ralph Powell seconded, and the motion carried with Lorin Nielsen opposed.

Ralph Powell made a motion that the employing agencies provide the necessary ammunition for students attending academies that require firearms training. Wayne Rausch seconded the motion.

Ralph Powell made an amended motion that effective with the next academy, the employing agencies provide the necessary ammunition for students attending academies that require firearms training. Wayne Rausch seconded the amended motion.

Shaun Gough stated before he could vote on the motion, he needed to know how many rounds would be needed.

Jeff Lavey stated he was concerned about implementing it with the next academy, which starts in three weeks. They need to give agencies a heads up because adding several hundred rounds of ammunition to a \$600 vest will be a significant cost for them, and their budgets don't start until October. He suggested that students arriving without a vest be given the option of wearing one of POST's expired vests.

Chairman Fuhr stated he would be adamantly opposed to that, as POST would be taking on the liability if they provided a known expired vest. If an employing agency issues their officer an expired vest, then that falls on them, not on POST.

Jeff Lavey stated then POST should get out of the firearms business and let the agencies do it themselves.

Kevin Kempf stated this is a classic example of why the POST Council has to assess exactly where POST's money is going. The money may be going somewhere that the Council doesn't want it to go.

Dan Chadwick asked whether statutory, non-voting POST Council members could make motions and participate in all other ways.

Jeff Lavey responded according to Robert's Rules of Order, they could not make motions. **He made a motion to table the ammunition issue. Jan Bennetts seconded, and the motion carried with nine in favor and three opposed.**

Dan Chadwick stated the Special POST Council meeting in April when they talk about funding would be a great opportunity for the Council to assess exactly where POST's money is going. He suggested the Council have some procedural training at some point. Robert's Rules might not be the official procedural rules for the conduct of POST Council business. POST Council's official record has to be done by the book. He requested the Victor McCraw figure out what the Council should be doing in terms of their process.

Victor McCraw stated POST would research what the mandates are for open meetings, and in the absence of direction, check what POST Council has done historically.

Jan Bennetts stated if it is Robert's Rules, the chairman can appoint a parliamentarian, which might be helpful.

e. IDAPA Rules Update

Lorin Nielsen stated Victor McCraw updated the subcommittee on how the IDAPA Rule changes previously approved by the Council were progressing through the Legislature.

f. POST Procedures Update

Lorin Nielsen stated Rory Olsen updated the subcommittee on how the new academy testing procedure was going.

g. Proposed Academy Schedule for 2017

Lorin Nielsen stated the subcommittee voted to present the following proposed 2017 academy calendar to the Council for final approval:

Patrol #188	January 8 – March 17, 2017 (G)
Correction #62	January 9 – February 3, 2017 (F)
Juvenile Detention #35	February 12 – March 3, 2017 (H)
Probation & Parole #23	February 27 – March 31, 2017 (B)
Detention #72	March 13 – April 21, 2017 (F)
Patrol #189	April 9 – June 16, 2017 (G)
Correction #63	April 17 – May 12, 2017 (A)
Correction #64	June 5 – June 30, 2017 (F)
Dispatch #63	June 18 – June 30, 2017 (B)
Detention #73	July 10 – August 18, 2017 (G)
Correction #65	August 7 – September 1, 2017 (F)

Juvenile Probation #17
Patrol #190
Misdemeanor Probation #10
Juvenile Detention #36
Detention #74
Correction #66

July 16 – August 4, 2017 (H)
August 27 – November 3, 2017 (G)
August 30 – September 22, 2017 (D)
September 10 – September 29, 2017 (H)
September 25 – November 3, 2017 (F)
October 23 – November 17, 2017 (A)

Victor McCraw stated Director Kempf was unable to attend the Training Subcommittee meeting, so the proposed calendar was brought to the Council so any concerns from IDOC could be addressed. The proposed 2017 calendar includes five Correction Academies and one Probation & Parole Academy.

Kevin Kempf stated he was very concerned, and would like time to explore that further with POST. Only one Probation & Parole Academy a year is a significant issue for IDOC. If other agencies just have one academy a year, he would like to talk to them about how they handle that.

Victor McCraw stated the POST Council addressed the issue of one Probation & Parole Academy versus two in December 2014. At that time the Council directed POST and IDOC to get together and determine what a reasonable, acceptable minimum number of students per class would be. Currently two Probation & Parole Academies are held annually with a capacity for fifty students in each, so a total capacity of one hundred per year. There has never been fifty students trained in one year. A required minimum number of students per class needs to be identified. The Council has a standing approval for four Correction Academies a year, so Council permission is needed to run more than four. The 2017 proposed calendar includes five Correction Academies.

Chairman Fuhr stated POST and IDOC would meet and work it out.

Lorin Nielsen made a motion to approve the recommendations of the Training Subcommittee. Shane Turman seconded, and the motion carried unanimously.

9. Pilot Program Update: ISP & Boise PD Academies

Rory Olsen stated the Idaho State Police are right on track, if not ahead of schedule. They've turned in all of their stuff and it's already been approved. They are now writing their test questions. POST has had a couple of meetings with Boise PD, and plans to try to set up another meeting in the near future to go over their progress, see where they're at, and answer any questions or concerns they might have.

10. Misdemeanor Probation Officer Field Training Manual

Lorin Nielsen made a motion to approve the Misdemeanor Probation Officer Field Training Manual as submitted. Shaun Gough seconded, and the motion carried unanimously.

11. POST Budget Review

Lori Hicks stated POST's FY 2016 total budget approved by the Legislature is \$4,501,000. Of that spending authority, approximately \$4,100,000 is for POST's dedicated funds, approximately \$257,000 is targeted for federal grants and grant programs, and then there's some spending authority for miscellaneous categories. Expenditures for the first seven months of the fiscal year, from July 1, 2015 through January 31, 2016, totaled approximately \$2,200,000, or about 53% of the dedicated fund budget. As of the end of January, POST had outstanding encumbrances of just over \$56,000, most of which was for facility maintenance. Projected estimated expenditures for the rest of the fiscal year total a little under \$1,487,000. If expenditures are as projected, it is estimated POST will end the fiscal year with excess budgeted spending authority of about \$392,000 in dedicated funds. POST started the fiscal year with a combined cash balance of approximately \$728,000. Of that, nearly \$337,000 was from misdemeanor probation fees and \$391,000 was from dedicated funds. Total projected revenue for FY 2016 is \$3,600,000 from all sources. Projected expenditures are about \$3,800,000. If those projections are accurate, POST will have a year-end cash balance of about \$144,000, not including misdemeanor probation fees, which is about \$150,000 short of the targeted year-end cash balance of \$300,000. Through the end of January, revenue received from the \$15 fee totaled \$1,553,000, which is about \$67,000 or 4% down from last year. Revenue received from 14% of 10% of the general fund totaled about \$361,000, which is down over \$18,000 or almost 5% from last year. Revenue received from misdemeanor probation fees totaled about \$39,200, which is down \$200 or less than ½ of 1%. From all revenue sources, POST has received approximately \$85,000 less than last year, so total revenues are down about 4%.

Ralph Powell asked if POST was spending money anywhere they shouldn't be.

Lori Hicks responded they were not.

Ralph Powell asked if POST was splurging anywhere, or if there was any answer to why they're in the financial situation they're in other than the revenues are not coming in.

Lori Hicks stated POST is being as conservative as they possibly can. They are watching their pennies and timing their expenditures. They are foregoing replacing capital that they have in the budget. Any projected capital expenditures are at the very end of the year because they're waiting to see what the cash balance looks like before they commit to those. POST went to open-campus academies to save on meal costs. They're very cognizant of the problem and are doing everything they can.

Sharon Harrigfeld stated the crime rate is going down, which means they are doing their job. POST Council should not be dependent upon the crime rate going up to be able to fund the organization. There's something wrong with that philosophy. They should be elated the crime rate is going down. They are a victim of their success.

Chairman Fuhr stated agency heads cannot tell their officers to write more tickets because POST is broke.

Dan Chadwick stated getting legislators involved in the discussion at some point is critical because that is the context of the conversation the POST Council has to have with them in order to solve the problem.

Chairman Fuhr stated legislators should be told that in order for POST Council to get more funding they have to tell their officers to go out and write more tickets to their constituents, and that's not going to look so good.

12. IDOC Funding for POST

Kevin Kempf stated over the past several years, there has been some pretty good conflict between the Department of Correction and POST. Many times IDOC's former director returned from POST pretty upset about being at the bottom of the priority list. This past year, it's been talked about both verbally and in writing that the Department of Correction doesn't bring any funding to the table and is a drain on POST resources. It's been said POST has not been, is not currently, and foreseeably will not be funded adequately in the future to maintain the current number of Correction and Probation & Parole Academies. 95% of the trainers at the Correction and Probation & Parole Academies are IDOC staff, pulled off a shift to teach at POST. During the legislative session, he was told by an important legislator and a couple of others that once the session was out, they needed to talk about transferring some money from IDOC to POST. It seems the Council members are going in different directions. It's not true that IDOC doesn't bring anything to the table. Appropriation bills are in place dedicating money specifically to the training of Department of Correction employees.

Josh Tewalt stated in 2005, Senate Bill 1137 put IDOC under the POST umbrella. That caused a significant increase in POST's workload, so Senate Bill 1054 created revenue streams to support it. The \$6 POST fee was increased to \$10, and the 10% of 10% of general fund moneys was increased to 14% of 10%. Senate Bill 1236 appropriated \$1,219,700 in spending authority for ten positions, all for the purpose of supporting a new correction academy. It was anticipated that amount would be raised by the fee increases. Roughly 27% of the POST fee allocation and a little over 28% of the 14% of 10% allocation were added because IDOC came under POST's umbrella. In July 2015, those additional revenue streams generated \$78,183. IDOC doesn't write citations, but a funding mechanism was put in statute for the purpose of supporting the Correction and Probation & Parole Academies. Citation revenues are down, and that impacts everyone.

Kevin Kempf stated this is why relationships matter. The appropriation bills are crystal clear. IDOC brought \$78,000 to POST in July 2015 alone, which is enough to maintain the current number of Correction and Probation & Parole Academies. Due to the road they were on, the poor partnership with POST, IDOC was ready to take their appropriation bills, their ten positions, and leave POST. POST Council needs to start wagging the dog. They cannot let the POST staff wag them. The ammunition and vest situation is a perfect example. The POST Council has to look at what the money is being spent on. Why did POST just hire a photographer? As a POST Council member, he would like a say in what positions are hired and for what purpose. The Council needs to set the priorities. The past couple of months have magnified the importance of getting more involved and not being adversarial with POST. IDOC

doesn't want to leave. Their association with POST has significantly professionalized their department. They find a lot of value in their staff coming to POST, shoulders high, chin up, feeling very good about themselves. He doesn't want his staff cowering down to any Patrol or Detention Academy due to a real or perceived priority list or because POST feels like IDOC doesn't bring anything to the table. Why isn't the Council talking about why Boise PD is doing their own thing and others are looking to? It's worth the conversation because they might discover it can be done better, less rigid, or something. They should have some in-depth conversations about those types of things. The Council should be driving this thing, making sure it's going in the direction that works really well for all agencies.

Shane Turman stated he's been on the Council three years, and this is the first he's heard of this adversarial relationship.

Kevin Kempf stated it comes from a lot of different things over several years, but it's fixable. Due to decisions that have been made, IDOC feels like they have taken a back seat to others at POST. IDOC staff got kicked out of the dorm in the middle of an academy because a Patrol Academy was checking in. IDOC spends about \$60,000 a year on hotels.

Chairman Fuhr stated the April meeting will be a productive meeting working on relationship building, communication, good partnerships, and moving forward united.

Dan Chadwick stated they will fail if they don't have good relationships within the Council and with the agencies they serve. Even if it's a DOC/POST thing, it's the Council's problem to resolve.

Jan Bennetts stated she was confident the Council would be able to come up with a solution if they talk about it.

Wayne Rausch stated one of the things that doesn't help foster good relationships is when the State is more than willing to spend \$65 to \$75 a day to send prisoners out of state, but when sheriffs in Idaho say they need more money, they're not making anything at all, and it's not working for them, they are told, "Yeah, but you're in state so we're not even going to bring it to the table. Don't even ask us for more money."

Paul Panther stated the same discussion about DOC has been had about the IPAA. It would be helpful if the Council could get some information on how much it costs to train correction officers as opposed to peace officers as opposed to prosecutors, etc.

Sharon Harrigfeld stated juvenile justice is not even on the POST banner. They are pretty much self-supporting. They pay for their staff, and they pay as they go for all staff that attend POST. When the Council determines how much each of the different academies cost, they need to determine what the funding stream is for each of those academies. Juvenile justice doesn't take any money out of POST. The juvenile justice system benefits from the professionalism of being POST-certified. They also benefit from and enjoy working with Victor McCraw, who is an incredible administrator. The current situation has nothing to do with any of that. The criminal justice system benefits from the professionalism brought to them through POST certification.

13. Fees for Use of POST Facilities and Equipment

Victor McCraw stated prior to his arrival in November 2014, a provision was put in place for POST to receive partial cost recovery for the use of its facilities and equipment. Maintenance of the facilities over time is a concern. Resurfacing the driving track is extremely expensive. POST recently started issuing invoices, and almost immediately he received e-mails from the various agency heads. They wondered why they were being charged for the use of POST facilities, and stated that if POST charged them, they would charge POST for any services or resources they provided to POST. The projected revenue to POST for charging for facilities and equipment is \$10,000 a year, and he doesn't think \$10,000 is worth the ill will generated. He requested direction from the Council, and upon receipt of that direction, a procedure would be put in place.

Jeff Lavey stated he would abstain from any vote on this issue, but he didn't think agencies that provide services to POST should be charged. The partnership works for both parties.

Lorin Nielsen stated he has to rent a driving track and use his own cars. If local agencies are using POST for their regular departmental training, they should pay for it unless they're in a two-way partnership of helping each other out.

Kevin Kempf made a motion to no longer charge agencies for the use of POST facilities.

Chairman Fuhr asked Kevin Kempf if he meant all agencies or just local agencies, and also whether out-of-state, federal, and non-POST agencies should be charged.

Kevin Kempf responded all agencies across the board. It's not enough money to risk ruining a relationship.

Dan Chadwick suggested tabling the issue until the April meeting since it's a funding and relationship issue.

Jeff Lavey stated Victor McCraw was great in coming up with options. The POST staff are confused about how to handle facility requests, so the Council needs to provide direction so they know exactly what is expected of them. However, it probably does need to be discussed more in-depth.

Dan Chadwick stated the POST staff need to know relationships matter. From what Kevin Kempf said, it sounds like IDOC was probably getting some comments from staff about what IDOC does or doesn't bring to the table. That's an indication it goes deeper than just the relationship with Victor McCraw. To his credit, Victor McCraw has been trying to capture what the culture is like, what the Council does, and what the Council's needs are. The Council has an obligation to give him direction on how important the relationships are so he can build the process within POST. Whatever the Council does, they give to Victor McCraw and his staff to carry out in whatever manner he deems appropriate.

Kevin Kempf withdrew his motion.

Sharon Harrigfeld stated the POST staff need direction now, as the facility requests continue to come in. She asked Victor McCraw what would be easiest for POST.

Victor McCraw stated that's exactly what his comment was going to be. POST needs direction today.

Ralph Powell stated he denied a request from the National Guard to use the training tank. They were going to jump in with all their clothes on, which would have been a very direct and significant impact with what would have had to be done with the filtration system. **He made a motion that agencies that use POST for basic training be allowed to use the POST facilities free of charge, requests from other entities be considered on a case-by-case basis, and that the POST Division Administrator have some discretion to deal with any requests that might significantly impact POST's resources. Sharon Harrigfeld seconded, and the motion carried with Jeff Lavey abstaining from the vote.**

14. Future POST Council Meetings

Chairman Fuhr stated future POST Council meetings are scheduled for June 2nd, September 1st, and December 1st. In addition, a special meeting will be held in April. If a Budget Subcommittee is appointed at the April meeting, there might also be some additional meetings for those selected to be on that subcommittee.

Shaun Gough stated the December meeting might need to be rescheduled if it conflicts with the New Sheriffs School.

15. Future POST Hearing Board Meetings

Chairman Fuhr stated future POST Hearing Board meetings are scheduled for April 7, 2016; August 4, 2016; and November 3, 2016.

Shaun Gough made a motion to adjourn. Lorin Nielsen seconded, and the motion carried unanimously.

The meeting adjourned at 1:39 P.M.

Respectfully submitted,



Victor R. McCraw
Division Administrator
Idaho Peace Officer Standards & Training

VRM:pac