

1 Board of Peace Officers Standards and Training

2

3 Adopted Rules Governing Part-time Officers and Constables

4 Selection, Training, and Testing Requirements

5

6 Rules as Adopted

7 6700.1100 LICENSING OF PART-TIME PEACE OFFICERS.

8 Subpart 1. to 10. [Unchanged.]

9 Subp. 11. Applicability. This rule applies only to  
10 part-time peace officers appointed before August 1, 1985.

11 Subp. 12. Inapplicability. This part does not apply to  
12 peace officers who are employed on a part-time basis.

13 REPEALER. Minnesota Rules, part 6700.1100 is repealed August 1,  
14 1987.

15 6700.1200 CONSTABLES.

16 Subpart 1. to 9. [Unchanged.]

17 Subp. 10. Applicability. This rule applies only to  
18 constables appointed before August 1, 1985.

19 REPEALER. Minnesota Rules, part 6700.1200 is repealed August 1,  
20 1987.

21 6700.1101 PART-TIME PEACE OFFICERS.

22 Subpart 1. Scope and purpose. In view of the  
23 legislature's stated policy on part-time peace officers in  
24 Minnesota Statutes, section 626.8461, and the board's respect  
25 for the varied services of these supplemental and supervised  
26 part-time employees, the board deems that it is most appropriate  
27 for the chief law enforcement officer to be responsible for the  
28 training and continuing education of the part-time peace  
29 officers working in the chief law enforcement officer's agency.  
30 Although the board mandates continuing education for peace  
31 officers and constables, the board feels that it is incumbent  
32 upon each chief law enforcement officer to assess and meet the  
33 training needs of these part-time peace officers inasmuch as  
34 such assessment and training realistically can be best  
35 accomplished at the local level. This rule shall apply only to

1 part-time peace officers appointed on or after August 1, 1985.

2 Subp. 2. Minimum selection and training standards. An  
3 applicant for a part-time peace officer license shall meet the  
4 following minimum selection and training standards set forth in  
5 Minnesota Statutes, section 626.8463, prior to being appointed.  
6 The chief law enforcement officer must certify that the  
7 applicant has completed these standards and maintained  
8 appropriate documentation pursuant to subpart 3.

9 A. The applicant must not have been convicted of a  
10 felony in this state or in any other state or federal  
11 jurisdiction or of any offense in any other state or federal  
12 jurisdiction which would have been a felony if committed in  
13 Minnesota. The applicant shall be fingerprinted for the purpose  
14 of disclosure of any felony convictions. Fingerprint cards  
15 shall be forwarded to the appropriate divisions of the Bureau of  
16 Criminal Apprehension and the Federal Bureau of Investigation.  
17 The chief law enforcement officer shall immediately notify the  
18 board if a felony conviction is discovered.

19 B. A licensed physician or surgeon shall make a  
20 thorough medical examination of the applicant to determine  
21 whether the applicant is free from any physical condition which  
22 would adversely affect the performance of part-time peace  
23 officer duties.

24 C. An evaluation shall be made by a licensed  
25 psychologist to determine that the applicant is free from any  
26 emotional or mental condition which might adversely affect  
27 performance of part-time peace officer duties.

28 D. The applicant for a part-time peace officer  
29 license shall successfully complete a first aid course and a  
30 firearms training course.

31 E. The applicant shall pass the part-time peace  
32 officer licensing examination. An applicant is eligible to take  
33 the part-time peace officer licensing examination only after the  
34 provisions of items A to D have been met and the board has  
35 received a written application to take the examination signed by  
36 the chief law enforcement officer and the appropriate fee. This

1<sup>st</sup> application shall also serve to certify compliance with the  
2 provisions of this subpart. If the applicant is not licensed  
3 within one year of taking the examination, the applicant shall  
4 retake it.

5 Subp. 3. Documentation. The chief law enforcement officer  
6 shall maintain the documentation necessary to show compliance  
7 with subpart 2, items A to D. The documentation is subject to  
8 periodic review by the board and shall be made available to the  
9 board upon its request.

10 Subp. 4. Notification of appointment of part-time peace  
11 officer. The chief law enforcement officer shall notify the  
12 board in writing before the first day of employment of an  
13 individual who has been appointed to the position of part-time  
14 peace officer. Notification shall be made on a form provided by  
15 the board and shall include the appointee's full name, sex, date  
16 of birth, and the effective date of appointment. If the  
17 appointee is not currently licensed, the appointee shall apply  
18 for a license pursuant to the provisions of subpart 5.

19 Subp. 5. License application procedure. If the appointee  
20 is not already a licensed part-time peace officer, but has met  
21 all selection, training, and testing criteria outlined in  
22 subpart 2, the appointee shall apply to be licensed before the  
23 first day of employment. Application shall be made on a form  
24 provided by the board, and both the applicant and the chief law  
25 enforcement officer shall affirm that the applicant is eligible  
26 to be licensed. The applicant shall also submit the licensing  
27 fee as prescribed in subpart 6.

28 Subp. 6. Issuance of part-time peace officer license. The  
29 executive director shall issue a part-time peace officer license  
30 to an individual who has met the requirements stated in subpart  
31 2, submitted a written application for licensure, and paid the  
32 appropriate licensing fee. The period of initial licensure is  
33 determined by the initial letter of the licensee's surname, the  
34 date of expiration being determined by the provisions of part  
35 6700.1000, subpart 1. The appropriate licensing fee is \$7.50 if  
36 the license is valid for at least 30 months but less than 36

1 months; \$5 if the license is valid for at least 18 months but  
2 less than 30 months; and \$2.50 if the license is valid for at  
3 least six months but less than 18 months. No fee is required if  
4 the applicant is to be licensed for less than six months.

5 Subp. 7. Inactive status of part-time peace officer  
6 license. The chief law enforcement officer shall notify the  
7 board within ten days of all voluntary or involuntary  
8 terminations of part-time peace officers. The notification  
9 shall include the name of licensee, licensee's forwarding  
10 address, unless the licensee requests that this information not  
11 be divulged, and date of termination.

12 An individual possessing a part-time peace officer license  
13 may maintain the license in inactive status provided that he or  
14 she meets the requirements of part 6700.1000, subpart 3.

15 An individual who is appointed to the position of a  
16 part-time peace officer within one year of the date when the  
17 individual's license was placed on inactive status is not  
18 required to comply with selection standards outlined in subpart  
19 2, items A to C.

20 An individual who is appointed as a part-time peace officer  
21 more than one year after the date the individual's license was  
22 placed on an inactive status is required to comply with  
23 selection standards outlined in subpart 2, items A to C, prior  
24 to his or her first day of employment.

25 Subp. 8. Inapplicability. This part does not apply to  
26 peace officers who are employed on a part-time basis.

27 6700.1201 CONSTABLES.

28 Subpart 1. Applicability. This rule shall apply only to  
29 constables appointed on or after August 1, 1985.

30 Subp. 2. Minimum selection and training standards. An  
31 applicant for a constable license shall meet the following  
32 minimum selection and training standards set forth in Minnesota  
33 Statutes, sections 367.41 and 626.8463, prior to being  
34 appointed. The chief law enforcement officer must certify that  
35 the applicant has completed these standards and maintained  
36 appropriate documentation pursuant to subpart 3.

1 A. The applicant must not have been convicted of a  
2 felony in this state or in any other state or federal  
3 jurisdiction or of any offense in any other state or federal  
4 jurisdiction which would have been a felony if committed in  
5 Minnesota. The applicant shall be fingerprinted for the purpose  
6 of disclosure of any felony convictions. Fingerprint cards  
7 shall be forwarded to the appropriate divisions of the Bureau of  
8 Criminal Apprehension and the Federal Bureau of Investigation.  
9 The chief law enforcement officer shall immediately notify the  
10 board if a felony conviction is discovered.

11 B. A licensed physician or surgeon shall make a  
12 thorough medical examination of the applicant to determine  
13 whether the applicant is free from any physical condition which  
14 would adversely affect the performance of constable duties.

15 C. An evaluation shall be made by a licensed  
16 psychologist to determine that the applicant is free from any  
17 emotional or mental condition which might adversely affect  
18 performance of constable duties.

19 D. The applicant shall successfully complete a first  
20 aid course and a firearms training course.

21 E. The applicant shall pass the constable licensing  
22 examination. An applicant is eligible to take the constable  
23 licensing examination only after the provisions of items A to D  
24 have been met and the board has received a written application  
25 to take the examination signed by the chief law enforcement  
26 officer and the appropriate fee. This application shall also  
27 serve to certify compliance with the provisions of this  
28 subpart. If the applicant is not licensed within one year of  
29 taking the examination, the applicant shall retake it.

30 Subp. 3. Documentation. The chief law enforcement officer  
31 shall maintain the documentation necessary to show compliance  
32 with subpart 2, items A to D. The documentation is subject to  
33 periodic review by the board and shall be made available to the  
34 board upon its request.

35 Subp. 4. Notification of appointment of constable. The  
36 chief law enforcement officer shall notify the board in writing

1 before the first day of employment of an individual who has been  
2 appointed to the position of constable. Notification shall be  
3 made on a form provided by the board and shall include the  
4 appointee's full name, sex, date of birth, and the effective  
5 date of appointment. If the appointee is not currently  
6 licensed, the appointee shall apply for a license pursuant to  
7 the provisions of subpart 5.

8 Subp. 5. License application procedure. If the appointee  
9 is not already a licensed constable, but has met all selection,  
10 training, and testing criteria outlined in subpart 2, the  
11 appointee shall apply to be licensed before the first day of  
12 employment. Application shall be made on a form provided by the  
13 board, and both the applicant and the chief law enforcement  
14 officer shall affirm that the applicant is eligible to be  
15 licensed. The applicant shall also submit the licensing fee as  
16 prescribed in subpart 6.

17 Subp. 6. Issuance of constable license. The executive  
18 director shall issue a constable license to an individual who  
19 has met the requirements stated in subpart 2, submitted a  
20 written application for licensure, and paid the appropriate  
21 licensing fee. The period of initial licensure is determined by  
22 the initial letter of the licensee's surname, the date of  
23 expiration being determined by the provisions of part 6700.1000,  
24 subpart 1. The appropriate licensing fee is \$7.50 if the  
25 license is valid for at least 30 months but less than 36 months;  
26 \$5 if the license is valid for at least 18 months but less than  
27 30 months; and \$2.50 if the license is valid for at least six  
28 months but less than 18 months. No fee is required if the  
29 applicant is to be licensed for less than six months.

30 Subp. 7. Inactive status of constable license. The chief  
31 law enforcement officer shall notify the board within ten days  
32 of all voluntary or involuntary terminations of constables. The  
33 notification shall include the name of licensee, licensee's  
34 forwarding address, unless the licensee requests that this  
35 information not be divulged, and date of termination.

36 An individual possessing a constable license may maintain

1 the license in inactive status provided that he or she meets the  
2 requirements of part 6700.1000, subpart 3.

3 An individual who is appointed to the position of a  
4 constable within one year of the date when the individual's  
5 license was placed on inactive status is not required to comply  
6 with selection standards outlined in subpart 2, items A to C.

7 An individual who is appointed as a constable more than one  
8 year after the date the individual's license was placed on an  
9 inactive status is required to comply with selection standards  
10 outlined in subpart 2, items A to C, prior to his or her first  
11 day of employment.

12 Subp. 8. Inapplicability. This part does not apply to  
13 peace officers who are appointed to a constable position.