

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

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

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

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

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

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

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

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

- (6) Academy Director. The individual appointed or approved by the Commission to administer the operation of an approved academy.
- (7) Subject. A specific course of instruction within the curriculum required by the Commission.
- (8) Applicant. An individual seeking admittance to an approved academy as a trainee and/or, certification as a law enforcement officer.
- (9) Trainee. An individual undergoing training at an approved academy.
- (10) Law Enforcement Agency. Means and includes the State Department of Public Safety, the Alabama Department of Corrections, the police department of each incorporated city or town, the department of each sheriff of the state, including all deputy sheriffs, the enforcement division of the State Department of Conservation and each public agency in the state charged with the enforcement of any laws and the officers or employees of which have power as such officials or employees to make arrests. Such term does not include the National Guard or any military organization.
- (11) Law Enforcement Officer. Means and includes a police officer, deputy sheriff, deputy constable, and other officials who have authority as such official to make arrests. Such term includes Alabama State troopers or members of the State Department of Public Safety.

Author: Peace Officers Standards and Training Commission

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

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed April 4, 1997; effective May 9, 1997.

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

Author:

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

History: Effective date: September 29, 1983. **Amended:** Filed April 4, 1997; effective May 9, 1997.

650-X-1-.03 Composition And Selection Of Commission. The Commission is composed of seven members, each of whom must be a qualified elector of the State who is over the age of 19 years. The State Fraternal Order of Police shall designate one member of the commission to serve for a term of four years; the Alabama Peace Officers Association shall designate one member to serve for a term of four years; the Law Enforcement Planning Association shall designate one member to serve for a term of four years; and the Governor shall designate four members to serve for terms of four years.
Author: Peace Officers Standards and Training Commission
Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.
History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** February 14, 2013.

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

650-X-1-.08 Meetings.

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

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

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

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

Author: Peace Officers Standards and Training Commission

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

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed September 12, 2000; effective October 17, 2000.

650-X-1-.11 Records.

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

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

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

650-X-1.12 Employment Of Agents, Etc. The Commission may employ investigators, inspectors, attorneys and any other agents and employees and assistants as may from time to time be necessary, and may use any other means necessary to bring about and maintain a rigid administration and enforcement of the Code and these rules.

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

650-X-1.13 Grants And Appropriations. The Commission is authorized to accept grants from the Federal government, its departments and agencies as well as grants and appropriations by the State, any county or municipality, or any individual, corporation or fund.

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

650-X-1.14 Declaratory Rulings.

(1) The Commission may issue declaratory rulings to any person substantially affected by a Rule with respect to the validity of the Rule, or with respect to the

applicability to any person, property, or state of facts of any rule or statute enforceable by the Commission, or with respect to the meaning and scope of any order of the Commission. Such rulings shall be issued provided:

- (a) The petitioner shows that he/she is substantially affected by the rule in question,
 - (b) Sufficient facts are supplied in the request to permit the Commission to make a valid determination, and
 - (c) The request arises from an actual question or controversy.
- (2) A request for a declaratory ruling must be in writing and must specifically state that it is a "request for a declaratory ruling."
- (3) Such rulings will be made in accordance with the Alabama Administrative Procedure Act §11.

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983.

650-X-1.15 Functions And Duties Of The Commission. The Commission shall have the following functions and duties together with all powers necessary or convenient for the performance thereof:

- (1) To study, obtain data, statistics, and information and to make reports concerning the recruitment, selection and training of law enforcement officers in the state and to make improvements in methods of recruitment, selection, and training of law enforcement officers;
- (2) To review from time to time the standards described in Section 36-21-46 for applicants for and appointees as law enforcement officers;
- (3) To consider, hold public hearings on, adopt and promulgate standards relating to the physical, mental and moral fitness of any applicant for or appointee as a law enforcement officer as do not lower the standards in Section 36-21-46 or as otherwise permitted by Section 36-21-46;
- (4) To study, consider, and make reports from time to time concerning the work and the curriculum and courses offered by law enforcement training schools in the State and to make recommendations for improving the schools, curriculum, and courses;
- (5) To encourage the establishment of law enforcement training schools and courses on law enforcement in existing institutions of learning;

- (6) To gather statistics and data relative to standards and training and make the same available to governmental entities upon request;
- (7) To revoke its approval or certification of any person appointed or certified pursuant to this article for failure to meet the continuing training or education requirements set forth in the rules of the commission or for failure to meet the requirements of Section 36-21-46;
- (8) To make investigation to determine whether the requirements of this article and the rules, regulations and standards of the Commission issued pursuant to this article are being observed and followed;
- (9) To enforce this article and the rules, regulations, and standards issued by the commission with appropriate civil and criminal actions by the Attorney General, district attorneys or other appropriate officials;
- (10) To enter into cooperative agreements with federal, state and local law enforcement agencies for effective training; and
- (11) To obtain the services and advice of experts in the field of law enforcement for the purpose of aiding the Commission in its studies, considerations, reports and recommendations, and the adoption of standards, rules and regulations.

Author: Alabama Peace Officers Standards and Training Commission

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

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed April 4, 1997; effective May 9, 1997.

650-X-1-.16 Responsibilities Of Each Law Enforcement Agency.

- (1) Each law enforcement agency shall have the responsible of seeing that all required forms and necessary information are properly submitted to the Commission in a timely manner.
- (2) Each law enforcement agency shall have the responsible of assuring that each of its employees who are law enforcement officers, receive the training required by the Code of Ala. 1975, Title 36-21-40 through Title 36-21-52 or by the rules of the Commission.
- (3) Each law enforcement agency shall cooperate with the Commission and its Executive Secretary in carrying out the provisions and responsibilities of the Code of Ala. 1975, Title 36-21-40 through Title 36-21-52 and the rules and regulations of the Commission.

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

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

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

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

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §§36-21-40 thru 36-21-52.

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed February 4, 1999; effective March 11, 1999. **Amended:** Filed August 11, 1999; effective September 15, 1999.

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

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

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650-X-2-.01 Training.

For the purpose of this Chapter the term Law Enforcement Officer includes Correctional Officers employed by the Alabama Department of Corrections.

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

(a) Full-time employment is defined as 40 hours per week or an average of 40 hours per week during the monthly or bi-weekly pay periods of most agencies.

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

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

(3) An applicant may be provisionally appointed for a period of six months (180 days), after which time the appointment is null and void. No individual may be employed or appointed for

an additional period until that individual is certified as a law enforcement officer by the commission.

(a) Provisional appointment requires:

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

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

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

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

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

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

7. The provisional appointment of any applicant who does not complete the required course of training within six (180 days) months from the date of his/her initial employment/appointment is null and void.

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

Author: R. Alan Benefield, Executive Secretary

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

History: Effective September 29, 1983. **Amended:** Filed April 4, 1997; effective May 9, 1997. **Amended:** Filed February 4, 1999; effective March 11, 1999. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017.

650-X-2-.02 Age.

The applicant shall not be less than 19 years old.

Author: R. Alan Benefield, Executive Secretary

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

History: Effective date: September 29, 1983. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017.

650-X-2-.03 Education Requirement.

The applicant shall meet the following education requirements:

(1) Possess a valid high school diploma, OR, possess a valid General Educational Development (GED) certificate (On-line, correspondence, or mail order GED certificates are not acceptable) AND possess a valid certification of having passed the Basic Ability Test (BAT) for Law Enforcement Officers or Correctional Officers as approved by the Commission. OR,

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

(3) The Basic Ability Test is required of all applicants except those applicants who are already APOSTC certified and who are required to complete Refresher training for reinstatement of their Certification, or those applicants who meet the requirements set forth in preceding paragraph (2).

(4) The applicant shall not engage in conduct that subverts or attempts to subvert the Basic Ability Test process or violate the standards of the Basic Ability Test administration.

(a) The applicant shall not violate the application identification process. Conduct that violates the process is identified as, but not limited to, the following:

1. Falsifying or misrepresenting information required for taking the Basic Ability Test.
2. Impersonating an applicant.
3. Having an impersonator take the Basic Ability Test on one's behalf.
4. Any action on the part of the applicant, agency, or appointing authority which impugns the integrity of the testing process including the reporting of the test results to the Commission.

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

(c) When the Commission finds that a violation of Section (4) of this rule has occurred, the Commission shall impose one or more of the following sanctions:

1. Declare the applicant has failed the Basic Ability Test;
2. Declare the applicant ineligible to apply for employment or appointment as a law enforcement officer or correctional officer for a period of five years;
3. Deny certification by the Commission;
4. Take action to revoke any currently held certification obtained as a result of falsification or fraud.

Author: R. Alan Benefield, Executive Secretary
Statutory Authority: Code of Ala. 1975, §§36-21-40 et seq.
History: Effective date: September 29, 1983. **Amended:** Filed June 12, 2000; effective July 17, 2000. **Amended:** Filed November 3, 2006; effective December 8, 2006. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017.

650-X-2-.04 Physical Examinations And Psychological Evaluations.

(1) Physical Examinations. Each applicant shall submit to a complete physical examination conducted by a licensed Medical Doctor (M.D.), a licensed Doctor of Osteopathic Medicine (D.O.), or by a Certified Registered Nurse Practitioner (CRNP) or a Physician's Assistant (P.A.) who is licensed and duly authorized by state statute to conduct said physical examinations. The appointing authority shall designate one of the above-named health care professionals to conduct the physical examination. The health care professional conducting the examination shall certify to the Commission on APOST Form Number 3A that the applicant is physically fit and in good health to participate in the rigorous training conducted at a law enforcement academy and is physically fit to perform the duties of a law enforcement officer.

(2) Psychological Evaluations. Each applicant shall submit to a comprehensive psychological evaluation by a Licensed Behavioral Health Professional with experience in conducting Psychological Testing and Evaluations. The Behavioral Health Professional shall have experience working with the law enforcement community. The report of the examining professional shall state whether the applicant is recommended or not recommended for employment/appointment as a law enforcement officer. The examining professional shall complete and submit to the Commission APOST Form Number 3B.

Should the report of the examining professional provide a recommendation other than "Recommended for employment/appointment as a law enforcement officer," and the employing agency submits to the Commission an Application for Certification of the individual notwithstanding said recommendation, then the employing agency must provide documented, supplemental information to the Commission to support and validate the fitness of the applicant applying to be certified as a law enforcement officer. The applicant's APOST Form 3B, the report of the examining professional, and any supporting documents submitted by the agency head will then be reviewed by the Commission's

"Committee on Character and Psychological Evaluation Review". The Committee will evaluate the reports and other documents to determine the acceptability of the applicant. If the application is rejected by the Committee, the Executive Secretary will notify the employing agency that the applicant is ineligible for appointment and the applicant's provisional appointment as a law enforcement officer is deemed terminated.

(a) The psychological evaluation administered to law enforcement officers must meet the approval of the Commission.

(b) An applicant who fails to receive an acceptable assessment of his/her psychological evaluation from the Committee is not eligible for employment/appointment for a period of one (1) year and must first be reviewed and cleared by the Committee on Character and Psychological Evaluation Review prior to any future appointment as a law enforcement officer. The applicant is not exempt from Rule 650-X-2-.01.

Author: R. Alan Benefield, Executive Secretary

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

History: Effective date: September 29, 1983. **Repealed and**

Replaced: Filed May 8, 1995; effective June 12, 1995. **Amended:**

Filed April 4, 1997; effective May 9, 1997. **Amended:** Filed

August 8, 2014; effective September 12, 2014. **Amended:** Filed

August 8, 2017; effective September 22, 2017. **Repealed and New**

Rule: Published February 26, 2021; effective April 12, 2021.

Amended: Published September 30, 2021; effective November 14,

2021. **Amended:** Published June 30, 2025; effective August 14, 2025.

650-X-2-.05 Character.

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

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

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

(b) An applicant having been convicted, pleaded guilty or nolo contendere to any felony pursuant to state or federal law is not eligible for certification, employment, appointment, or approval as a law enforcement officer,

notwithstanding suspension of sentence, pre-trial diversion or withholding of adjudication.

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

(d) An applicant shall disclose and produce to the Commission, any expunged record of any arrest, regardless of the disposition of the case. For the purpose of certification and regulation of law enforcement and correctional officers the Commission shall have access to any expunged records sealed or archived. An otherwise eligible applicant who has received an expungement of any felony or of any misdemeanor offense involving force violence or moral turpitude is required to submit to a review for eligibility by the Committee on Character and Psychological Evaluations Review prior to appointment as a law enforcement officer.

(3) An applicant or certified law enforcement or correctional officer who, as a defendant in any criminal or civil case enters into a plea or other agreement approved by the Court presiding over any said criminal or civil matter, to surrender his/her APOSTC certification or to never work again in law enforcement or corrections shall not be eligible for certification, re-certification, employment, appointment, or approval as a law enforcement or correctional officer. The Commission will revoke the certification of any person so situated. For the purposes of this Rule, approval by the presiding Court shall include express approval in an order or docket entry or implied approval evidenced by the dismissal of said criminal or civil case conditioned on such agreement. The existence of a pardon on said criminal conviction shall not have any effect on the eligibility of a person so situated to be certified, re-certified, employed, appointed, or approved as a law enforcement or correctional officer, except a subsequent court order by the Court presiding over said criminal or civil case declaring said agreement void ab initio.

(4) Conviction of a misdemeanor pursuant to any municipal, state or federal law shall not automatically disqualify a person as a law enforcement officer. Such a conviction may be considered as a factor among several in evaluating fitness as a law enforcement officer, which factors shall include but not be limited to the nature and gravity of the offense or offenses, the time that has

passed since the conviction and/or completion of the sentence and the nature of the job held or sought and such other factors as to affect the applicant's character. In the case of a misdemeanor conviction, involving a guilty plea or plea of nolo contendere, involving force, violence, moral turpitude, perjury, or false statements, notwithstanding suspension of sentence or withholding of adjudication, results of psychological testing shall also be considered as a factor in considering the applicant's fitness as a law enforcement officer.

(5) Adjudication as a juvenile shall not be considered as a conviction for the purpose of these Rules. Provided however, an applicant adjudged a youthful offender under Section 15-19-6(a) of the Ala. Code, shall report such youthful offender adjudication to the Commission. The applicant shall be required to appear before the Commission for a character review hearing to consider the underlying facts and circumstances before said application is approved by the Commission.

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

(7) Any person who is required to register as a convicted sex offender in accordance with Title 15, Chapter 20A, Code of Ala. 1975, as amended, shall not be employed or certified as a law enforcement officer.

(8) The arrest of any certified law enforcement officer, provisionally appointed law enforcement officer, or applicant, for any felony or misdemeanor offense shall be immediately reported to the Commission by the employing agency, arresting agency, and the law enforcement officer. The final disposition, including a copy of the case action summary, shall be immediately provided to the Commission by the employing agency, arresting agency, and the law enforcement officer regardless of finding. Any applicant for employment and/or appointment as a law enforcement officer, whether previously certified or non-certified, who has criminal charges pending before any court, is subject to court-ordered probation or is the subject of a protection from abuse order issued by a court of competent jurisdiction, shall not be employed or appointed as a law enforcement officer until any/all criminal charges are adjudicated and the individual is released by the court from any probation orders and/or protection orders. Upon adjudication and/or release as specified herein, a Character Review may be required to determine eligibility for employment/appointment.

(a) The certification and/or appointment of any law enforcement officer who is the subject of an ex parte protection from abuse (PFA) Order, issued in accordance with Ala. Code Section 30-5-1, et seq., and who has appeared before the Court for a hearing as required by Section 30-5-6 on the ex parte PFA Order, or who has failed to appear for the hearing after receiving proper notice of the hearing, shall be suspended pending a final hearing before the Court in the PFA proceeding. The officer's certification is deemed suspended, and the officer is not authorized to work in any capacity as a law enforcement officer until such time as the PFA is lifted by the Court, AND, the Officer has appeared for a character review hearing before the Commission. The Commission, upon proper petition of the Officer, will conduct a Character Review Hearing to determine the Officers' fitness for duty. In making the fitness-for-duty determination the Commission will require a Psychological Evaluation conducted by a Clinical Psychologist or other person licensed to conduct mental health fitness for duty evaluations of law enforcement officers. Such evaluation will be conducted by a professional selected by the Commission and at the expense of the officer requesting reinstatement of his/her law enforcement certification. When the law enforcement officer files a petition for hearing before the Commission, the Executive Secretary will arrange for a mental health fitness for duty evaluation of the Officer.

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

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

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

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

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Ala. 1975, §§36-21-40 et seq., Act No. 2014-292.

History: Effective date: September 29, 1983. **Repealed and Replaced:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed February 4, 1999; effective March 11, 1999. **Amended:** Filed May 15, 2002; effective June 19, 2002. **Amended:** Filed November 3, 2006; effective December 8, 2006. **Amended:** Filed May 12, 2009; effective June 16, 2009. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017. **Amended:** Published August 31, 2020; effective October 15, 2020. Rule: Published February 26, 2021; effective April 12, 2021. **Amended:** Published September 30, 2021; effective November 14, 2021. **Amended:** Published June 30, 2025; effective August 14, 2025.

650-X-2-.06 Applicants To Be Citizens and Fluent in the English Language.

The applicant must be a citizen of The United States and must be fluent in the English Language so that he/she is able to speak, read, write, understand, and comprehend the English Language.

Author: R. Alan Benefield, Executive Secretary

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

History: Effective date: September 29, 1983. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017. **Amended:** Published June 30, 2025; effective August 14, 2025.

650-X-2-.07 Discharge From Armed Services.

If an applicant has been a member of the armed forces of The United States, each and every discharge must be under honorable conditions, and appropriate documentation provided.

Author: R. Alan Benefield, Executive Secretary

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

History: Effective date: September 29, 1983. **Amended:** Filed February 4, 1999; effective March 11, 1999. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017.

650-X-2-.08 Driver License.

The applicant must have and maintain a valid Driver License.

Author: R. Alan Benefield, Executive Secretary

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

History: Effective September 29, 1283. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017. **Amended:** Published June 30, 2025; effective August 14, 2025.

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

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

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

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

(b) Each applicant shall comply with the requirements of Rule 650-X-2-.04 Physical Examinations and Psychological Evaluations and shall submit APOST Forms Number 3A and 3B.

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

(d) Each applicant shall submit documents which reflect that the applicant meets all requirements of the Commission.

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

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

Author: R. Alan Benefield, Executive Secretary

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

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed April 4, 1997; effective May 9, 1997. **Amended:** Filed August 8, 2014; effective September 12, 2014. **Amended:** Filed August 8, 2017; effective September 22, 2017. Rule: Published February 26, 2021; effective

April 12, 2021. **Amended:** Published June 30, 2025; effective August 14, 2025.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE****CHAPTER 650-X-3
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650-X-3-.01 Academy Certification.

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

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

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

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

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

(c) Proposed method of funding.

(d) Anticipated yearly budget of proposed academy.

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

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

Author: Peace Officers Standards and Training Commission

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

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed April 4, 1997; effective May 9, 1997.

650-X-3.02 Course Of Study (Law Enforcement Officer).

- (1) Introduction to Law Enforcement
- (2) General Topics
- (3) Equipment
- (4) Criminal Investigations
- (5) Criminal Procedures and Laws of Evidence
- (6) Juvenile Procedures
- (7) Courts
- (8) Patrol Techniques
- (9) Traffic Operations
- (10) Offensive and Defensive Tactics
- (11) Community/News Media Relations
- (12) Firearms Training
- (13) Examinations

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-21-46, 36-24-45.

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995.

650-X-3.03 Academy Employees. The employees of each law enforcement academy shall be governed by personnel rules and regulations of the academy.

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-21-45, 36-24-45.

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995.

650-X-3-.04 Instructors.**(1) Certification and In-Service Course Instructors**

(a) All instructors participating in a Certification Course (Basic, Refresher, or Lateral) and/or a specialized or in-service training course at an approved Academy must be certified by the Commission. Certification categories include General, Specific, Legal, Driving, and Firearms. Instructor certifications are valid for three (3) years from date of issue.

(2) Firearms Instructors

(a) All firearms instructors submitting officer qualifications to the Commission or participating in a Commission Certification Course must possess a valid certification as a firearms instructor in a Commission approved discipline (FBI, NRA, FLETC), and

(b) Complete one Commission-approved firearms instructor continuing education course every three years. Approved courses include FBI Firearms Instructor Update Course and APOSTC Firearms Instructor Development Course (FIDC).

Author: R. Alan Benefield, Executive Secretary

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

History: Effective date: September 29, 1983. **Amended:** Filed April 4, 1997; effective May 9, 1997. **Amended:** Filed August 11, 1999; effective September 15, 1999.

Amended: Filed January 25, 2019. **Amended:** Filed April 8, 2019.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-4
CERTIFICATION OF LAW ENFORCEMENT OFFICERS
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RULE 650-X-4-.01 Certification Training Requirements.

(1) The trainee must successfully complete the Commission approved basic training curriculum at an approved academy.

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

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

(a) Pass with an overall academic score average of not less than 70% on written exams,

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

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

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

(e) Pass the Commission approved Firearms Manipulation Skills Test before live fire firearms training. Any trainee who fails to pass the Firearms Manipulation Skills Test will be dismissed from the academy class.

(f) Pass the Commission approved firearms training and qualify two (2) of three (3) attempts on the firearms course. A minimum score of seventy (70) is required to pass each attempt

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

enforcement officer for two (2) years.

2. Any trainee who passes one (1) of the three (3) attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to re-take the Commission approved firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month (180 days) provisional appointment time). If the trainee fails to pass firearms training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two (2) years.

(g) Pass the Commission approved Defensive Tactics Proficiency Test. Any trainee who fails to pass the Defensive Tactics Proficiency Test will be dismissed from the academy class.

(h) Pass the Commission approved Law Enforcement Emergency Vehicle Operation Training and meet the minimum passing standards on one (1) of three (3) qualification attempts on the cumulative driver skills course. This course is designed on a pass / fail format.

1. Any trainee who fails to meet the minimum passing standards of the cumulative driver skills course on one (1) of the three (3) attempts, will be allowed, at the written request of the employing Agency, to attend the next available academy to re-take the Law Enforcement Emergency Vehicle Operations Training course (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month (180 days) provisional appointment time). If the trainee fails to pass driver training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two (2) years.

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

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

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

Author: R. Alan Benefield, Executive Secretary

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

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997. Amended: February 4, 1999. Amended: January 1, 2006. Repealed and Replaced: August 14, 2020. Amended: October 15, 2022

RULE 650-X-4.02 Employment Requirements. The applicant must be gainfully employed as a law enforcement officer by a law enforcement agency at the time of his/her application to the academy. Prior to certification, the applicant shall complete the required course of training established by the commission. An applicant may be provisionally appointed for a period of six months (180 days). No individual may be employed for an additional period until that individual is certified by the commission.

Author: R. Alan Benefield, Executive Secretary

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

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997. Repealed and Replaced: August 14, 2020.

RULE 650-X-4-.03 Failure to Complete Training. Should a trainee fail academically, physically, the Firearms Manipulation Skills Test, the Defensive Tactics Proficiency Test, or is absent for more than 5% of academy training in violation of Rule 650-X-4-.01(4), the hiring agency may request that the trainee be allowed to attend another session, provided the trainee is within his/her provisional appointment time period. An applicant whose provisional appointment time has not expired is eligible for one (1) additional attempt to complete the training academy, subject to the employing agency's request. If an applicant fails the academy twice, the applicant is ineligible to attend an academy for a period of two (2) years from the date of failure of the second academy attempt. If, after two (2) years, the applicant is again employed as a law enforcement officer, a new application package is required. This does not exempt the applicant from Rule 650-X-2-.01.

Author: R. Alan Benefield, Executive Secretary

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

Effective Date: September 29, 1983. Amended June 12, 1995. Amended: February 4, 1999. Amended: October 15, 2022

RULE 650-X-4-.04 Withdrawal from Academy Class. A trainee who withdraws from the academy when failing any part of the curriculum is deemed to have failed the academy training course.

Author: R. Alan Benefield, Executive Secretary

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

Effective Date: September 29, 1983. Repealed and Replaced: August 14, 2020.

RULE 650-X-4-.05 Disciplinary Dismissal or Withdrawal from an Academy Class.

A trainee who is dismissed or withdraws from any academy class due to alleged criminal acts, violation of Academy Rules and Regulations or violations of Commission Rules is barred from certification and may not be appointed or employed as a law enforcement officer or correctional officer. The provisional appointment of a trainee who is dismissed in accordance with this Rule is deemed terminated upon the date of his/her dismissal from the academy.

Author: R. Alan Benefield, Executive Secretary

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

Effective Date: September 29, 1983. Amended: October 15, 2022

RULE 650-X-4-.06 Waiver for Lateral Entry Equivalency Training.

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

(a) If a law enforcement agency has a properly established and bona-fide law enforcement reserve program, and if a duly appointed reserve officer is qualified and commissioned with the power of arrest, then the Chief Law Enforcement Officer may submit a letter of request to the Commission requesting the reserve officer be considered for Waiver of Lateral Entry Equivalency training. Reserve

law enforcement officers who are approved for this training will be admitted to the refresher training program on a space-available status only and may not occupy a position in the class if participation prevents a gainfully employed law enforcement officer from attending.

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

(2) Definitions:

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

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

(3) The Commission will evaluate the documentation of equivalent training presented by the department to determine if comparative compliance is achieved and whether the applicant is eligible for a Waiver of Lateral Entry Equivalency Training.

(4) If equivalency training is approved, the applicant will qualify to attend the Law Enforcement Officer Refresher/Lateral Entry training Course to equate previous training with current standards.

(5) Equivalency of training evaluation for an applicant Certified or licensed as a law enforcement officer in another State.

(a) An applicant who is certified as a law enforcement officer by the Peace Officers Standards and Training Commission of another State, whose Certification in that state is valid, in good standing, and meets all other requirements for lateral entry equivalency training as outlined in these Rules, is deemed eligible for Waiver of Lateral Entry Equivalency Training. Provided however, that following his/her certification or licensing in said state, the applicant was gainfully employed as a full time law enforcement officer by a law enforcement agency in said state. In addition, the applicant must have been continuously employed for more than one (1) year following certification, and the applicant must not have a break in service from full-time employment as a law enforcement officer of more than two (2) years in said state.

(6) Equivalency of training evaluation for an applicant coming from service with a Federal law enforcement agency or U.S. Military Police shall be conducted under the Points System. For the purpose of determining equivalency of training under the points system, the terms listed below shall

have the following meaning and values:

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

(b) Education: An earned academic degree awarded by a post-secondary institution accredited by the Southern Association of Colleges and Schools (SACS) or its equivalent.

(7) Equivalency of training is achieved under the Points System evaluation when the applicant qualifies with ten (10) or more points based on the following schedule:

Years of full-time Law Enforcement Experience:

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

Basic Police Training

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

Education – accredited Post-secondary

(Credit allowed for one Degree. Correspondence courses not eligible)

Associate Degree	1
Bachelor Degree	2
Masters Degree or above	3

(a) Military Police Applicant. Be a graduate of a formal Military Police "Law Enforcement" Basic Police Training Course. Must have been performing duties in a law enforcement function the last four (4) years prior to separation and must not have a break in service in excess of two (2) years following military separation.

(b) Federal Law Enforcement Applicant. Be a graduate of a formal Federal Law

Enforcement Basic Police Training Course. Must have been performing duties in a law enforcement function the last four (4) years prior to separation from Federal Service and must not have a break in service in excess of two (2) years following Federal Service separation.

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

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

(9) Refresher/Lateral Entry Course. Those applicants who have received an acceptable evaluation of their experience, education, and training are required to attend the Commission Approved Refresher/Lateral Entry training course to be conducted at an assigned regional academy. The course curriculum will be developed and updated as needed by the curriculum committee and approved by the Commission. No credit will be given for a partially completed training course. Trainees shall not be absent more than 5% of the required training hours. The following mandated subjects must be passed. Any trainee who fails to pass (a), (b), (c), or (d) shall be required to attend the full basic Academy.

- (a) Pass with an overall academic average of not less than 70%.
- (b) Pass the legal issues exam with a score of not less than 70%.
- (c) Pass the physical agility test.
- (d) Pass the Commission approved Firearms Manipulation Skills Test before live fire firearms training. Any trainee who fails to pass the Firearms Manipulation Skills Test will be dismissed from the academy class
- (e) Pass the Commission approved Law Enforcement Emergency Vehicle Operation Training and meet the minimum passing standards on one (1) of three (3) qualification attempts on the cumulative driver skills course. This course is designed on a pass / fail format.

1. Any trainee who fails to meet the minimum passing standards of the cumulative driver skills course on one (1) of the three (3) attempts, will be allowed, at the written request of the employing Agency, to attend the next available academy to re-take the Law Enforcement Emergency Vehicle Operations Training course (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month (180 days) provisional appointment time). If the trainee fails to pass driver training at this point, the trainee is deemed to

have failed the Academy and is barred from employment and certification as a law enforcement officer for two (2) years.

(f) Pass two (2) of three (3) attempts on the firearms course. A minimum score of seventy (70) is required to pass each attempt.

1. If a trainee does not pass ANY of the three (3) qualification attempts then the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two (2) years.

2. Any trainee who passes one (1) of the three (3) attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to take the Commission approved firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month (180 days) provisional appointment time). If the trainee fails to pass firearms training at this point, the trainee is deemed to have failed the Academy and is barred from employment and certification as a law enforcement officer for two (2) years.

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

(10) Procedures:

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

(b) All Commission application forms including, but not limited to, the electronic application and paper documents are required. Certified true copies of the records of previous law enforcement training, including the academy training curriculum used in providing the basic law enforcement training to the applicant. Any other records or documents as may be required by the Commission.

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

Author: R. Alan Benefield, Executive Secretary

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

Effective Date: September 29, 1983. Amended: June 12, 1995. Amended: May 9, 1997. Amended: May 5, 1999. Amended: September 5, 2000. Amended: September 13, 2000. Amended: July 18, 2001. Amended: January 1, 2006. Amended: June 28, 2007. Repealed and Replaced: August 14, 2020. Amended: October 15, 2022.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-5
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650-X-5-.01 Complaints. Complaints alleging any violations of the law of Alabama, training, or rules of this Commission concerning law enforcement selection, may be lodged by any person with the Executive Secretary.

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, §§36-24-45.

History: Effective date: September 29, 1983.

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

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, §§36-24-45.

History: Effective date: September 29, 1983.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-6
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650-X-6-.01 Procedure For Hearing Contested Cases.

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

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

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

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

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

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

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-21-45, 36-24-45.

History: Effective date: September 29, 1983. **Repealed and Replaced:** Filed May 8, 1995; effective June 12, 1995.

650-X-6.02 Revocation Of Certification.

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

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

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

Author: Alabama Peace Officers Standards and Training Commission

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

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995. **New Rule:** Filed April 4, 1997; effective May 9, 1997.

650-X-6.03 What Should Be Included In The Request For A Hearing. Repealed (6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

650-X-6.04 Pre-Hearing Discovery. Repealed (6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

650-X-6.05 Contested Hearings Or Appeals. Repealed (6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

650-X-6.06 Revocation Of Certificates. Repealed (6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

650-X-6.07 Cost. Repealed (6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

650-X-6.08 Conflict And Bias. Repealed (6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

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

**CHAPTER 650-X-7
PERSONS WHO CEASE ACTIVE DUTIES AS LAW ENFORCEMENT
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650-X-7-.01 Grandfather Status.

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

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

(a) Leave of absence without pay.

(b) Injured in the line of duty.

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983. **Amended:** Filed October 8, 1999; effective November 12, 1999.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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650-X-8-.01	<u>Cabinet Members Appointed By The Governor Of The State Of Alabama.</u> (Repealed 9/29/83).
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Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-8-.02	The Commissioner Of The Department Of Corrections And His Deputies. (Repealed 9/29/83).
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Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-8-.03	Elected Officials, Police Commissioners, And Sheriffs. (Repealed 9/29/83).
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Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed November 3, 2006; effective December 8, 2006.

650-X-8-.04	Building Inspectors, Meter Maids And License Inspectors, Without Powers Of Arrest. (Repealed 9/29/83).
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Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed November 3, 2006; effective December 8, 2006.

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
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**CHAPTER 650-X-9
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650-X-9-.01 Petition for Adoption of Rules.

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

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

Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-9-.02 Notice.

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

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

Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-9.03 Public Hearings. The Commission shall permit all interested persons reasonable opportunity to submit data, views or arguments submitted in writing must be received by the Executive Secretary at least five days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear before the Commission to present data, views or arguments orally must submit a request to appear before the Commission to the Executive Secretary, and such request must be received by the Executive Secretary at least five days before the scheduled public hearing.

Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-9.04 The Commission shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Commission, if conflicting views are submitted on the proposed rule, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling any considerations urged against its adoption.

Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-9.05 Emergency Rules. In the event the Commission finds that an immediate danger to the public health, safety or welfare requires adoption of a rule upon fewer than 35 days' notice or that action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than 35 days' notice, the Commission may adopt an emergency rule under the provisions of the Administrative Procedure Act §5(2).

Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

650-X-9.06 Compliance with Administrative Procedure Act. All rules adopted by the Commission shall otherwise substantively and procedurally comply with the provisions of the Alabama Administrative Procedure Act.

Author:

Statutory Authority: Code of Ala. 1975, §36-21-41, §36-24-45.

History: Effective date: September 29, 1983.

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

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650-X-10-.03 Reserve Or Auxiliary Classification (Repealed 6/12/95)

650-X-10-.01 Definition. "Reserve law enforcement officers" are defined as set forth in the Code of Ala. 1975, Title 11-43-210(a) and their functions shall be confined to those functions as set forth in the Code of Ala. 1975, Title 11-43-210(c).

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

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §§11-43-210, 36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995.

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

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

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

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-21-45, 36-24-45.

History: Effective date: September 29, 1983. **Amended:** Filed May 8, 1995; effective June 12, 1995.

650-X-10-.03 Reserve or Auxiliary Classification. (Repealed 6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45.

History: Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995.

NOTE: 650-X-10-.02 Qualifications and Requirements. (Repealed 6/12/95)

Author:

Statutory Authority: Code of Ala. 1975, §§36-21-41, 36-24-45. **History:** Effective date: September 29, 1983. **Repealed:** Filed May 8, 1995; effective June 12, 1995. (Replaced by rule 650-X-10-.04)

**ALABAMA PEACE OFFICERS STANDARDS AND TRAINING COMMISSION
ADMINISTRATIVE CODE****CHAPTER 650-X-11
CERTIFICATION OF CORRECTIONAL OFFICERS****TABLE OF CONTENTS**

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650-X-11-.02	Employment Requirements
650-X-11-.03	Correctional Officers (Course Of Study)
650-X-11-.04	Correctional Officer Waiver For Lateral Entry Equivalency Training

650-X-11-.01 Education Requirements.

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

(2) The trainee must satisfactorily complete the correctional officer training course within the time set forth in the statutory requirement of the Code of Ala. 1975, Title 36-21-46.

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

- (a) An overall score of not less than 70% on written exams,
- (b) Pass the first aid exam with a score of not less than 70% (Any re-test, if necessary, shall be administered within 72 hours.),
- (c) Pass the legal issues exam with a score of not less than 70% (Any re-test, if necessary, shall be administered within 72 hours.),
- (d) Pass the physical agility/ability test (Any re-test, if necessary, shall be administered within 48 to 72 hours.),
- (e) Pass 43 hours of handgun firearms training and qualify two of three attempts on the handgun firearms course. A minimum score of seventy (70) is required to pass each attempt.

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

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

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

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

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

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

Author: Peace Officers Standards and Training Commission

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

History: **New Rule:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed February 3, 2006; effective March 10, 2006.

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, Title 14-3-14, 4-3-9(c).

History: New Rule: Filed May 8, 1995; effective June 12, 1995.

650-X-11-.03 **Correctional Officers (Course Of Study).**

(1) Administrative/Personnel Time

(2) Ethics and Professionalism

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

Author: Peace Officers Standards and Training Commission

Statutory Authority: Code of Ala. 1975, Title 36-21-40 through Title 36-21-51.

History: New Rule: Filed May 8, 1995; effective June 12, 1995.

650-X-11-.04

Correctional Officer Waiver For Lateral Entry Equivalency Training.

(1) The Commission may waive the completion of any course required by Rule 650-X-11-.01 of the regulations upon presentation of documentary evidence by the Department of Corrections that a gainfully employed (full-time or part-time) officer has received equivalent training in another jurisdiction or through federal, or department of defense correctional experience.

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

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

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

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

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

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

Years of full-time Correctional Experience:	
Less than one (1)	0
One (1) to five (5) years	5
Five years, 1 day, to 10 years	6
Ten years, 1 day, to 15 years	7
Fifteen years, 1 day, to 20 years	8
Twenty years and one day or more	9
Basic Correctional Training	
less than 280 hours	0
280 hours - 319 hours	1
320 hours - 479 hours	2
480 hours - 639 hours	3
640 hours – 800 hours	4
801 hours – 959 hours	5
960 hours or more	6
Post-secondary Degrees	
Associate Degree	1
Bachelor Degree	2
Masters Degree or above	3
(correspondence courses not accepted)	

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

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

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

(c) Federal Corrections Applicant. Be a graduate of a formal Federal Correctional Basic Training Course. Applicants must have been performing duties in a correctional function the last four years prior to separation from Federal Service and must

not have a break in service in excess of two (2) years following Federal Service separation.

- (d) The following applicants will not be considered for eligibility:
 - 1. Applicants who do not meet APOSTC standards for certification.
 - 2. Applicants who have been “Grandfathered” or “exempted” from training.
 - 3. Applicants whose certification has been suspended or revoked.
 - 4. Applicants who have a primary Security Guard occupational code.

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

- (a) An overall academic average of not less than 70%
- (b) Pass the Legal Issues Exam with a score of not less than 70%
- (c) Pass the physical agility test
- (d) Pass two of three attempts on the handgun firearms course. A minimum score of seventy (70) is required to pass each attempt.
 - 1. If a trainee does not pass ANY of the three (3) handgun qualification attempts then the trainee is deemed to have failed the Academy and is barred from employment and certification as a correctional officer for two years.
 - 2. Any trainee who passes one of the three attempts, but fails to pass twice, will be allowed, at the written request of the employing Agency, to attend the next available academy to take the forty three (43) hours of handgun firearms training and qualification (provided the trainee passes all other phases of the academy session and does not exceed the statutory six (6) month provisional appointment time). If the trainee fails to pass handgun firearms training at this point, the trainee is deemed to have failed the Academy and it barred from employment and certification as a correctional officer for two years.

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

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

(7) Definitions:

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

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

(8) Procedures:

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

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

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

Author: Alabama Peace Officers Standards and Training Commission

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

History: New Rule: Filed October 9, 1997; effective November 13, 1997. **Amended:** Filed February 5, 2003; effective March 12, 2003. **Amended:** Filed February 3, 2006; effective March 10, 2006.

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

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

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650-X-12-.03	Firearms Re-qualification
650-X-12-.04	Firearms Qualification By Retired Certified Law Enforcement Officers (Repealed 10/21/17)

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

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

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

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

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

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Ala. 1975, §§36-21-40 et seq. **History: New Rule:** Filed May 8, 1995; effective June 12, 1995. **Amended:** Filed February 4, 1999; effective March 11, 1999.

Amended: Filed September 6, 2017; effective October 21, 2017.

650-X-12-.02 Continuing Education.

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

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

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

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

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

(a) Any certified law enforcement officer who is a member of the Alabama National Guard or U.S. Military Reserve and who is ordered to active duty because of a declared state of national emergency shall be exempt from continuing education requirements while he or she is serving on active military duty, provided the certified law enforcement officer's continuing education is current and not delinquent at the time he or she is called to active military service, and further provided that the order to active duty is for a period exceeding six (6) continuous months.

(b) The Chief Law Enforcement Officer of the employing agency must file a written request to the Executive Secretary stating that the officer is currently employed and has been ordered to active military duty for a period of time exceeding six (6) continuous months because of a declared state of national emergency. A copy of the officer's military orders shall be included with the request.

(c) This exemption shall not extend beyond twenty-four (24) months. The officer is required to complete the exempted hours of training during the first calendar year of his/her return to law enforcement officer status.

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

(4) After a two (2) year, but less than ten (10) year, absence from employment as a law enforcement officer in this state, a previously certified law enforcement officer in this state shall be required to apply for renewal of his/her certification which will require successful completion of a Commission approved academy recertification course. A previously certified law enforcement officer in this state, who has not been employed as a law enforcement officer for two years, but less than ten (10) years in this state, may be provisionally appointed for six months by the employing agency upon their submitting a notice to the commission as required by Rule 650-X-1-.16(5) and an application for training as set out in Rule 650-X-2-.09, requesting to attend the next available academy recertification course. All provisional appointment restrictions apply to this applicant until completion of the academy re-certification course.

(a) The provisional appointment of any law enforcement officer shall be null and void at the end of six months (180 days) after appointment unless that person has completed the academy re-certification course. Said person shall then be required to attend the regular basic law enforcement training course.

(5) After a ten (10) year absence from employment, appointment or approval as a law enforcement officer in this state, a previously certified law enforcement officer's certification is deemed void and he/she may only be employed, appointed, or approved as a provisionally appointed non-certified applicant.

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

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

- (a) Be approved by the agency head in advance, and
 - (b) Be directly related to law enforcement, and
 - (c) Occur in a classroom setting, and
 - (d) Have a training coordinator or department official present, and
 - (e) The student achieve a minimum passing score of 70% or above on a post-viewing examination.
- (8) Continuing education shall be reported to the Commission by each agency head in the manner prescribed by the Commission.
- (9) Permanent training records verifying course of study, including syllabus listing instructor(s), institution sponsoring name, date and time of training and proof of officer attendance shall be maintained by the law enforcement agency. All training records shall be available to inspection and verification by the Commission.
- (10) The certification of any law enforcement officer, not otherwise exempt, shall be suspended if the law enforcement officer's continuing education becomes delinquent twenty-four (24) or more hours. The law enforcement officer shall then be required to complete the Alabama Peace Officers Standards and Training Commission academy re-certification training program before having his/her certification reinstated. The Executive Secretary shall notify the law enforcement officer and the chief law enforcement officer of the employing agency, thirty (30) days before the effective date of said suspension.
- (a) The certification of any law enforcement officer shall be automatically suspended if the law enforcement officer's employment is terminated and he/she is in violation of this section at the time of termination.
- (11) Any law enforcement officer who fails or refuses to comply with the provisions of this section or who falsely reports training shall be subject to having his/her certification revoked by the Alabama Peace Officers Standards and Training Commission.
- (12) Law enforcement officers who have honorably retired from law enforcement in this state, and who qualify under Title 36-21-9, Code of Ala. 1975, with 20 years or more of service, are exempt from Section (3), (4), and (5) of this rule.

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

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Ala. 1975, §§36-21-40 et seq. **History:** **New Rule:** Filed February 4, 1999; effective March 11, 1999. **Amended:** Filed January 12, 2000; effective February 16, 2000. **Amended:** Filed September 12, 2000; effective October 17, 2000. **Amended:** Filed December 12, 2000; effective January 16, 2001. **Amended:** Filed January 15, 2002; effective February 19, 2002. **Amended:** Filed September 6, 2017; effective October 21, 2017.

650-X-12-.03 **Firearms Re-qualification.** The Alabama Peace Officers Standards and Training Commission requires that all law enforcement officers as defined in the Code of Ala. 1975, §36-21-40, subsection 4, who have been certified by APOSTC, shall successfully pass an approved firearms course annually.

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

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

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

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

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Ala. 1975, §§36-21-40 et seq. **History:** **New Rule:** Filed April 4, 1997; effective May 9, 1997. **Amended:** Filed September 6, 2017; effective October 21, 2017.

Ed. Note: Rule 650-X-12-.03 was previously rule 650-X-4-.08 as per certification filed April 4, 2005; effective May 9, 2005.

650-X-12-.04 Firearms Qualification By Retired Certified Law Enforcement Officers. (REPEALED)

Author: R. Alan Benefield, Executive Secretary

Statutory Authority: Code of Ala. 1975, §36-21-40, §36-21-51. **History: New Rule:** Filed April 4, 2005; effective May 9, 2005. **Amended:** Filed May 12, 2009; effective June 16, 2009.

Repealed: Filed September 6, 2017; effective October 21, 2017.