

Idaho Code and IDAPA Rule Decertification Provisions

IDAHO CODE 19-5109. POWERS OF THE COUNCIL -- STANDARDS OF TRAINING, EDUCATION AND EMPLOYMENT OF PEACE OFFICERS -- CERTIFICATION -- PENALTIES.

(3) . . . The council shall decertify any officer who is convicted of any felony or offense which would be a felony if committed in this state. The council may decertify any officer who:

- (a) Is convicted of any misdemeanor;
- (b) Willfully or otherwise falsifies or omits any information to obtain any certified status; or
- (c) Violates any of the standards of conduct as established by the council's code of ethics, as adopted and amended by the council.

All proceedings taken by the council shall be conducted in accordance with [chapter 52, title 67](#), Idaho Code.

IDAPA Rules 11.11.01

090.CERTIFICATION OF PEACE, DETENTION, JUVENILE DETENTION, AND JUVENILE PROBATION OFFICERS.

091.INTRODUCTION.

01. Certificates and Awards. Certificates and awards may be presented by the Council for the purpose of recognizing or raising the level of competence of law enforcement and to foster cooperation among the Council, agencies, groups, organizations, jurisdictions, and individuals. (3-20-97)

02. Property. Certificates and awards remain the property of the Council and are only valid as long as the officer has not been decertified and is appointed as an Idaho peace, county detention, juvenile detention, juvenile probation, correction, adult probation and parole, or misdemeanor probation officer, or an Idaho Department of Juvenile Corrections Direct Care Staff member. (3-29-10)

03. Decertification. (3-30-07) **a.** The Council shall decertify any officer who is convicted, as defined in Idaho Code Section 19- 5109, of any felony or offense which would be a felony if committed in this state. The Council may decertify any officer who is convicted, as defined in Section 19-5109, Idaho Code, of any misdemeanor; willfully or otherwise falsifies or omits any

information to obtain any certified status; or violates any of the standards of conduct as established by the council's code of conduct or code of ethics, as adopted and amended by the council. Any officer charged with a felony, a non-traffic misdemeanor, or a misdemeanor that would be a felony if committed in this state, must notify the POST Executive Director within fourteen (14) business days. Failure to notify constitutes a violation of the Law Enforcement Code of Ethics and the Law Enforcement Code of Conduct. (3-29-10) **b.** Any officer decertified by the Council is not eligible for POST certification of any kind in the future. Any officer who is the subject of a POST decertification investigation is not eligible for POST certification of any kind while under investigation. (3-29-10)

IDAPA Rules 11.11.04

022. General Provisions

06. Decertification. The Council may decertify any correction or adult probation and parole officer in the same manner as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 091.03. (4-11-06)

IDAPA Rules 11.11.05

100. JUVENILE CORRECTIONS DIRECT CARE STAFF CERTIFICATION.

07. Decertification. The Council may decertify any juvenile corrections direct care staff in the same manner as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council," Subsection 091.03. (5-8-09)

IDAPA Rules 11.11.06

030. MISDEMEANOR PROBATION OFFICER CERTIFICATION.

01. Decertification. The POST Council may decertify any misdemeanor probation officer in the same manner as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council." (4-7-11)