

# Law Enforcement Licensing



AN OVERVIEW & UPDATE WITH THE POLICE TRAINING COMMISSION

# PTC Staff

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# General License Information

- ▶ The licensing law took effect on **January 1, 2024**.
- ▶ Approximately 40,000 officers received licenses on that date.
- ▶ Acadis administrators should continue to review rosters for accuracy and update them as officers are hired or retire.

## General License Information – Cont'd

- ▶ All sworn law enforcement officers must be licensed.
  - ▶ This includes Class I, Class II, and Class III officers.
- ▶ A license is valid for **three years**.
- ▶ The rosters show the license expiration date for each officer.
- ▶ The license is due for renewal upon the expiration date.

# General License Information – Fees

- ▶ There is a one-time \$500.00 fee for new officers due upon academy graduation prior to the issuance of an initial license.
  - ▶ Applicable unless applicant is a SLEOI or SLEOIII, or unless the fee has previously been paid.
- ▶ Class II officers will incur a \$100.00 fee
  - ▶ If a Class II is waived to PO, there is a \$400.00 fee due.

# LE Agency Compliance with Licensing

- ▶ Each agency appoints a chief law enforcement executive
  - ▶ Persons may be assigned to the actual licensing function
  - ▶ The chief is responsible for compliance. Action may be taken against the chief's license but only for willful non-compliance
- ▶ **Note:** The IA process is still with the local agency. Other than determining eligibility for a license, the PTC does not control hiring or IA.

# Record-Keeping Requirements

- ▶ The records for each officer must be maintained
- ▶ Records of applicants must be maintained for at least 5 years
- ▶ Records must be available for inspection and review
- ▶ Hiring and terminations must be reported to the PTC
- ▶ Acadis administrators can update the records
- ▶ On-line reporting took the place of NONA forms

# Qualifications for LE Employment

- ▶ An applicant must be:
  - ▶ 18 years of age
  - ▶ US Citizen
  - ▶ High school graduate or GED
  - ▶ Valid driver's license
  - ▶ If a veteran, cannot have a dishonorable discharge

# Qualifications for LE Employment – Cont'd

- ▶ An applicant must submit a completed application to the LE agency, which includes:
  - ▶ A waiver form allowing access to employment-related records
    - ▶ Includes IA records
  - ▶ A complete list of all social media accounts and a release allowing access to those accounts
    - ▶ DMs not viewed
  - ▶ A list of any organizations that advocates violence/overthrow of the government
  - ▶ A list of membership in certain organizations
  - ▶ An acknowledgement of a continuing duty to notify of any changes

# Qualifications for LE Employment – Cont'd

- ▶ Applicants must also successfully pass:
  - ▶ Background investigation
  - ▶ Medical examination
  - ▶ Psychological screening
  - ▶ Drug screening
  - ▶ Physical ability test

# Background Checks

LE Agency must obtain:

- ▶ Educational records
- ▶ Military records – if applicable
- ▶ Motor vehicle records
- ▶ Employment history
  - ▶ including National Decertification Index – automatic disqualifier
- ▶ PTC adverse license action
- ▶ Disciplinary records
- ▶ Employment-related information
  - ▶ including rejection by other LE agencies
- ▶ Reference checks (must be in writing)
- ▶ Fingerprinting and data base checks (NCIC, ACS, ATS, E-courts, PREA, etc.)

## Background Checks – Cont'd

- ▶ LE Agencies are responsible for conducting background checks.
- ▶ Agencies must do their due diligence.
- ▶ Full and complete background checks are required.
- ▶ Check with the PTC for history and status.

# Initial Licenses – Basic Requirements

Includes many of the same basic qualifications as for LE employment:

- ▶ 18 years of age
- ▶ US Citizen
- ▶ High school graduate or GED
- ▶ Fingerprinted
- ▶ Passed medical/psych evaluation
- ▶ Be of good moral character
- ▶ Passed physical requirements
- ▶ Valid driver's license
- ▶ If a veteran, cannot have a dishonorable discharge

# Initial Licenses - Mandatory Denials

An applicant's initial license will be denied if the applicant has:

- ▶ A conviction of a crime in this state or any other state or federal offense.
- ▶ An act of domestic violence.
- ▶ An offense that would preclude an applicant from carrying a firearm.

# Initial Licenses - Waivable Disqualifiers

- ▶ Waivable disqualifiers include:
  - ▶ Conviction of a DP or PDP offense involving dishonesty, fraud, or lack of good moral character or if de minimis to officer's ability to serve
  - ▶ Conviction of two or more DWI or Reckless Driving
- ▶ Only the Commission may waive these requirements
- ▶ To waive, applicant must show:
  - ▶ Conviction(s) occurred five or more years prior to application
  - ▶ Taken rehabilitative steps since the conviction(s) and having no further conviction(s)
  - ▶ Currently of good moral character and applicant submits 3 letters of recommendation

# Transfers

- ▶ The former agency must notify the PTC, preferably prior to the last day, and the new agency must also notify the PTC.
- ▶ A transfer applicant then must apply for an initial license to begin at the new LE agency.
- ▶ License will go inactive when officer departs from the agency.
- ▶ If an officer resigns or is terminated, the license will become inactive until reactivated.

# Renewal Licenses

- ▶ Officers submit a renewal application to their agency certifying that they meet all the requirements as outlined in Section 17 of the Law.
- ▶ The LE agencies review the renewal application and the chief certifies whether the officer has met the requirements.
- ▶ The LE agencies then submit the completed application to the PTC.
- ▶ **Note:** When submitting applications, check the box that says the document contains SSN. This ensures confidentiality.

## Renewal Licenses – Cont'd

- ▶ Updated renewal forms have been issued – use these forms
- ▶ Renewals can begin at any time, but should be started by June 1 and must be completed by November 1
- ▶ Under the statute, the applicant is responsible for demonstrating to the PTC that he/she is licensable.

# Adverse Licensure Action

- ▶ Officers must continue to meet the requirements for licensing to maintain their license.
- ▶ LE Agencies must report to the PTC officers who no longer meet the requirements.
  - ▶ Must be reported within 2 business days
- ▶ Remember to notify!
  - ▶ Staff continues to find incidents in the media without agency notification. Information from other sources can lead to an investigation that may result in deactivation of their license.

# Adverse Licensure Action – Cont'd

- ▶ The PTC can take adverse licensure actions, including;
  - ▶ Limitations or restrictions on a license
  - ▶ Levy a penalty on the officer meeting conditions, such as care counseling or treatment
  - ▶ Suspension
  - ▶ Revocation

# Adverse Licensure Action – Cont'd

- ▶ Grounds for denials/refusal to renew/adverse licensure action include:
  - ▶ Criminal charges/convictions
  - ▶ PTI
  - ▶ Restraining order
  - ▶ Crime of moral turpitude without conviction
  - ▶ Fraudulent or deceptive conduct
  - ▶ Conduct that would undermine public confidence
  - ▶ Failure to maintain proper licensing standards
  - ▶ Failure to discharge legal obligations
  - ▶ Displayed incapacity to serve as a law enforcement officer
  - ▶ Knowingly submits false, untrue or misleading statements
  - ▶ ERPO/TERPO

# Appeals

- ▶ An officer can appeal adverse determinations to the full Commission and ultimately through the courts.
  - ▶ If an initial application is denied, the applicant's agency files the appeal.
  - ▶ If a renewal application is denied, the applicant files the appeal.
- ▶ Typically, hearing officers hear the appeals

# Trainings

- ▶ LE agencies are also responsible for providing required training.
- ▶ Trainings are available on Acadis.
- ▶ Ensure that all officers have Acadis access.
- ▶ Continue to update rosters and check for accuracy.

# Trainings – Cont'd

- ▶ For 2025, the following trainings are mandatory:
  - ▶ Firearms Qualifications – twice annual
  - ▶ Use of Force Policy
  - ▶ Pursuit Driving Policy
  - ▶ Domestic Violence Policy
  - ▶ CLEAR
  - ▶ Case law updates
  - ▶ Search and seizure updates/Active Shooter Refresher
  - ▶ Defensive Tactics
  - ▶ Barricaded Subjects – per AG directive

# Questions?