

# POST COUNCIL MEETING

June 5, 2013

*Public Safety Education and Training Center  
Sandy, UT*

## MINUTES

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On June 5, 2013, a regularly scheduled POST Council meeting was held at 10:00 a.m. at the Public Safety Education and Training Center in Sandy, Utah. Chairman Terry Keefe conducted and welcomed those in attendance.

### **The following POST Council members were in attendance:**

Chief Terry Keefe, Chairman, Layton City P.D.  
Sheriff Lamont Smith, Vice-Chairman, Kane County Sheriff's Office  
Executive Director Rollin Cook, Department of Corrections  
Robert D. Robertson, At Large  
Sheriff James O. Tracy, Utah County Sheriff's Office  
Sheriff David Edmunds, Summit County Sheriff's Office  
Chief Chris Burbank, Salt Lake City P.D., At Large (*left the meeting at 10:41*)  
Chief Ken Wallentine, Attorney General's Office  
John Crowley, Representing UPOA  
Christie Moren, At Large  
Dr. Matt Checketts, At Large  
Chief Wade Carpenter, Park City P.D.  
Chief Rick Gregory, Provo P.D.

### **The following were excused and/or absent:**

Mayor Melissa Johnson, West Jordan City  
Colonel Daniel Fuhr, Superintendent, Utah Highway Patrol  
Executive Director Donna Dillingham-Evans, Tooele Utah State University  
Commissioner Kerry Gibson, Weber County Commissioner

### **POST staff present:**

Scott Stephenson, Director  
Kelly Sparks, Deputy Director  
Shaunna McCleve, Administrative Secretary  
Al Acosta, Investigations Bureau Chief  
Rich Fordham, Investigator  
Alex Garcia, Investigator  
Brad MacFarlane, Investigator  
Mary Kaye Lucas, Investigator  
Rex Dana, Investigator  
Erin Nixon, Investigation Technician  
Wade Breur, Basic Training Bureau Chief  
Kevin Bolander, DPS Legal Counsel representing POST, Asst. Attorney General  
John Jacobs, Training Manager

**Others present:**

Dustin Erikson  
Justin Mattson  
Susan Schmidt  
Paul Schmidt  
Deborah Mecham  
Linda Petty  
Kyle Smith  
Aristo H. Tristan  
Tenielle Young  
Jill Flygare  
Geri Miller-Fox  
Spencer Turley

**WELCOME AND INTRODUCTIONS**

The meeting was called to order at 10:05 a.m. Chairman Terry Keefe welcomed those in attendance at POST Council.

**APPROVAL OF POST COUNCIL MINUTES**

The POST Council minutes of March 28, 2013, were reviewed and the following motion was made:

**Motion:** *Sheriff Dave Edmunds motioned to approve the minutes of March 28, 2013.*

**Second:** *Chief Ken Wallentine seconded the motion.*

**Vote:** *The motion passed with all in favor.*

**OPEN MEETING TRAINING:**

Attorney Kevin Bolander addressed the Council to provide yearly "Open and Public Meetings Act" training. He focused on three areas, what needs to happen before, during and after the Council meeting. He provided a handout for the Council to follow during his presentation, **see attachment A.**

Bolander stated the Council is to decide sanctions on peace officers' certification and is governed by statute 53-6-211. This statute states, "The council shall review the findings of fact and conclusions of law and the information concerning the peace officer provided by the officer's employing agency and determine whether to suspend or revoke the officer's certification."

Bolander researched the Health Insurance Portability and Accountability Act (HIPAA) and came to the conclusion that HIPAA does not apply to the Council-the POST Council is not a covered entity. A covered entity is defined as a health care provider and health insurance company. However, he advised the Council to use discretion when discussing health issues. Whatever information an officer presents to the Council, may be considered and addressed.

Chief Burbank stated the Council may need more information from the investigative file if an attorney is presenting a defense before the Council. Bolander will research what information from the investigative file is appropriate to provide the Council.

Bolander reminded the Council, if they recuse themselves they should do so at the beginning of the case.

**DISCUSSION ON DISCIPLINARY PACKET**

Chairman Keefe asked Attorney Bolander's opinion about the Council receiving the full investigative file as part of the disciplinary packet. Bolander said he is currently looking into this issue and is hesitant to provide the entire file to the Council. Chairman Keefe stated this topic will be addressed at the next POST Council meeting.

**Chief Burbank was excused from the meeting at 10:41 a. m. to attend to other business.**

**DISCIPLINARY ACTIONS:**

Director Stephenson presented the following cases to the POST Council.

**MICHAEL A. WALL**

Offence – Assault DV, DV in the Presence of a Child, Criminal Mischief

Category – C

Recommended Discipline – 3.5 year suspension

Status – Terminated 9/22/2012

On November 18, 2011, criminal charges were filed against Michael A. Wall, a correctional officer with the Tooele County Sheriff's Office (TCSO), for domestic violence assault. According to statements obtained from Wall and his wife, Wall assaulted his wife on three separate documented occasions. During the first assault, he forcefully took her cell phone by bending her arm behind her back and causing injury to her shoulder. He then grabbed his wife by the shoulder and pushed her out the door of their home. During the second assault, he grabbed his wife by the shoulders, placed his hand around her throat and punched a hole in the wall next to her head. During the third assault, in the presence of his infant child, he grabbed his wife by the arm, shoved her down onto a sofa and then punched the sofa next to her head. On all three occasions, Mrs. Wall sustained some injury including bruising to her arm and shoulder.

**Motion:** *Sheriff Dave Edmunds motioned to accept the recommended 3.5 year suspension of Michael Wall's peace officer certification (9/22/2012–3/22/16).*

**Second:** *Sheriff James Tracy seconded the motion.*

Discussion: Christy Moren asked if the enhancement of the crime was taken into consideration. Chairman Keefe replied POST staff takes those [enhancements] into consideration.

**Vote:** *The motion passed with all in favor.*

**JUSTIN C. MATTSON**

Offence – Sexual Conduct While On Duty

Category – B

Recommended Discipline – 3 year suspension

Status – Terminated 10/24/11

In the fall of 2011, Justin C. Mattson, a deputy with the Cache County Sheriff's Office (CCSO), was involved in a sexual relationship with an area dispatcher. Sometime in September 2011, Mattson and the dispatcher engaged in sexual intercourse behind an industrial complex in Smithfield, Utah. Mattson had driven his CCSO patrol vehicle to the rendezvous and was wearing his CCSO duty uniform.

Justin Mattson addressed the Council and apologized for his actions. He was not aware of the consequences of his actions and took responsibility for what he did.

Attorney Dustin Erikson asked the Council to take some mitigating circumstances into consideration. He feels his client should have received Garrity from his agency before being interviewed. He stated Mattson did not know what he did was a violation; he was not on shift, but on his way to work. Mattson did not commit a criminal violation because this was two consenting adults. Mattson was a good officer and would like to return to the profession.

Chairman Keefe stated he did not believe every time an officer is being questioned, they should receive

Garrity. Being a chief, he has a duty, in this type of situation, to talk to the officer in an administrative interview which doesn't require Garrity. Chairman Keefe also stated he disagreed there was no criminal violation in this case, adultery laws are still on the books in Utah. As far as Mattson not being on-duty, anyone would think he was on-duty due to him being in partial uniform and in close proximity to his patrol car.

Atty. Erikson agrees with Chairman Keefe about Mattson being on-duty, he was just not on shift. Sheriff Edmunds asked Atty. Erickson if the facts presented by POST investigations were obtained correctly. Atty. Erikson stated they were, but the discovery was obtained by Cache County Sheriff's Office without giving Garrity.

The Council discussed the case further and the following motion was made.

**Motion:** *Sheriff Dave Edmunds motioned to accept the recommended 3 year suspension of Justin Mattson's peace officer certification (10/24/11–10/24/14).*  
**Second:** *Sheriff Lamont Smith seconded the motion.*  
**Vote:** *The motion passed with all in favor.*

**PAUL B. SCHMIDT**

Offence – Unlawful use of Prescription Medication  
Category – A  
Recommended Discipline- 3 year suspension  
Status – Resigned 4/19/13

On April 22, 2013, Paul Schmidt submitted an application to POST to attend the law enforcement officer (LEO) block of the academy. Schmidt indicated on his application he illegally used a narcotic analgesic in January of 2010. POST conducted a Garrity interview with Schmidt where he admitted to using his wife's prescription medication. The incident actually occurred in January 2012 and not 2010 as originally reported. At the time of the incident, Schmidt was employed with the Utah Department of Corrections. However, has since resigned to obtain employment with another agency. Schmidt's LEO application was denied.

Paul Schmidt addressed the Council and clarified to the Council why the dates on his application were different from the date of the actual incident. He cooperated with the POST investigation and was remorseful for his actions.

Chief Wallentine asked why POST is asking for a three year suspension. Investigator Lucas stated the drug taken was a Schedule II drug, therefore, justifying a three year suspension.

**Motion:** *Chief Ken Wallentine motioned to not accept the POST recommendation and proposed a 6 month suspension of Paul Schmidt's peace officer certification (4/19/13–10/19/13).*  
**Second:** *Christy Moren seconded the motion.*

Discussion: Director Stephenson reminded the Council the six month recommendation would be out of the POST guidelines. Chairman Keefe asked if Schmidt self-disclosed or if it came out because of the polygraph. Schmidt had his wife fill out the application, so when asked about the prescription drug use he didn't know his wife had marked no. Schmidt told the truth before and during the polygraph. The Council discussed the case further and then voted.

**Vote:** *The motion passed with 6 in favor and 4 opposed. (Executive Director Cook recused himself)*

**KYLE J. SMITH**

Offence – Falsifying POST Application

Category – C  
Recommended Discipline – 2 year suspension  
Status – Terminated 10/4/12

On September 9, 2012, Kyle Smith, a law enforcement officer, completed an application to attend the Salt Lake City Police Department's (SLCPD) Basic Training Academy. Smith had also submitted two previous applications to attend a satellite academy. In all three applications, under the section asking about any involvement in the crime of unlawful sexual conduct, and the section asking about crimes of dishonesty, Smith marked "No". While in the SLCPD academy, after attending the ethics class presentation, Smith submitted an addendum to his POST application. Smith reported he solicited a prostitute on three separate occasions and had stolen \$40.00 from his family's business. As a result of his disclosure, POST conducted a review of Smith's POST applications and an investigation was opened. POST concluded Smith willfully falsified his POST applications to obtain certification when he failed to disclose his solicitation of prostitution and the theft from his family's business.

Kyle Smith addressed the Council, apologized for his action and explained the situation. Sheriff Edmunds asked Smith if he knew solicitation of a prostitute was illegal. Smith said the first time he filled out an application he had not solicited a prostitute. The second and third time he filled one out he believed the question pertained to crimes that are worse. It was not until attending the ethics class with Sergeant Zeeman that it was clear he needed to reveal the solicitation.

**Motion:** *Chief Wade Carpenter motioned to accept the recommended 2 year suspension of Kyle J. Smith's peace officer certification (10/4/12-10/4/14).*  
**Second:** *Sheriff Lamont Smith seconded the motion.*  
**Vote:** *The motion passed with all in favor.*

#### **ARISTEO H. TRISTAN**

Offence – DUI  
Category – D  
Recommended Discipline – 18 month suspension  
Status – Resigned 1/6/13

On December 16, 2012, Tristan, a corrections officer with the Tooele County Sheriff's Office, was stopped for improper lane travel. The investigating officer detected the odor of alcohol and believed Tristan was possibly under the influence. After Tristan failed the Standardized Field Sobriety Tests, it was determined he was under the influence and he was not safe to operate a motor vehicle. Tristan was placed under arrest and submitted to a chemical breath test, which indicated his breath alcohol content (BrAC) was .17.

Aristeo Tristan addressed the Council and apologized for his actions. He loves working in law enforcement and hopes to return when his sanction is complete. He also presented a letter of support from a co-worker.

Director Stephenson stated there was a case at the last meeting similar to Tristan's, but had a lower BrAC that received a one year suspension. The following motion was made.

**Motion:** *John Crowley motioned to accept the recommended 18 month suspension of Aristeo Tristan's peace officer certification (1/6/13-7/4/14).*  
**Second:** *Matt Checketts seconded the motion.*  
**Vote:** *The motion passed with all in favor.*

#### Voluntary Relinquishments:

Director Stephenson reported nine voluntary relinquishments since January. Chairman Keefe asked if the Council could be provided a list of officers who relinquished their certification. Director Stephenson replied

per statute the cases do not need to be presented to the Council. The relinquishment allows the officer to avoid the POST disciplinary process. Once an officer relinquishes their certification, they can never be an officer again. Forty-six officers have relinquished their certification since the Legislature authorized this option in 2010. Captain Sparks stated POST could provide a statistical report for the number of officers who relinquish, which would include the allegations attached to the relinquishment. Sparks also reported a relinquishment can only be accepted when an accusation has been made to POST. The Council members would like to have a statistical report at Council meetings.

### **TECHNOLOGY UPDATE:**

John Jacobs addressed the Council and reported the in-service training period is coming up and POST has purchased an enhancement to the reporting system to improve accuracy. Second, POST now has a document management component to our records management system to improve the security. Third, POST is going to provide our application online. This process will allow a person to complete the application entirely online and submit it directly to POST. The person will still be able to print and give the printed application to a satellite academy or agency for review; POST will store the original digital document. The system redacts personal information when the application is printed.

### **POST POLICY UPDATE**

Deputy Director Sparks addressed the Council and reported the following policy revisions have been incorporated in the 2013 POST policy.

Policy 2030- Admittance to POST Sponsored Basic Training Programs:

1. Clarifies that individuals who have been dismissed from the armed services under dishonorable conditions are not eligible for peace officer training
2. Clarifying the waiting periods that apply for academy applicants who have committed various state or federal criminal offenses

Policy 2090 to 2095- Academy Assessments:

1. New testing procedures for cadets attending the basic training academy; establishes that intermediate tests will be administered every 40 to 60 hours
2. Outlines courses that will be tested in each intermediate exam and creates greater consistency in how courses are conducted at each academy
3. Clarifies remediation procedures for cadets who fail an intermediate exam
4. Emphasizes that cadets are allowed to use the Utah code book during examinations, but no other notes or publications are permitted
5. Specifically prohibits the use of calculators on a cell phone or mobile data device
6. Clarifies the practical assessments that will be administered during the basic training academy

Policy 2220- Cadet Meal Information:

1. Establishes new dollar amounts to be provided for each cadet meal while at the academy

Policy 2340- Policy Acknowledgement:

1. Requires POST and all satellite academies to have each new cadet read the cadet rules and regulations as established by policy and have each cadet sign an acknowledgement form

Policy 2370- Procedure for Dismissing Cadets From Peace Officer Training Programs For Cause:

1. Clarifies the due process rights for cadets who are subject to dismissal from an academy
  - a. Requires an informal hearing to be conducted by the POST director, once requested, subsequent to a cadet dismissal from an academy

- b. Clarifies the appeal process: cadets have 30 days from the date they are dismissed to appeal the dismissal to the director of POST
- c. Informs the cadet of their option to appeal the POST director's decision to the District Court

Policy 2500- Dispatcher Certification Procedures:

1. Establishes procedures for administration of the certification exam and re-examination to be consistent with procedures for law enforcement certification

Policy 8080- Classification and Handling of Case Files:

1. Improved security of open case files, requiring secure storage at all times
2. Clarifies circumstances under which POST will release investigations information in accordance with GRAMA rules.

Policy 9010- Rules and Regulations:

1. Reiterates policy 2340 requiring new cadets to read and acknowledge cadet rules and authorizes satellite academies to develop additional policy specific to the operation of their individual academy (in addition to POST's policies and procedures)
2. Reorganized and renumbered sections of the policy to improve the flow and readability of the policy
3. Adds the use of study guides, notes, etc., during any examination as a cause for dismissal from the academy
4. Clarifies that a dismissal from a satellite academy shall be effected by the Satellite Academy Director – appeal process remains the same

### **SATELLITE ACADEMY AUDITS:**

Lieutenant Breur addressed the Council to report on Bridgerland Applied Technology Center Academy and Weber State University Academy audits. No exceptions were reported.

### **BASIC TRAINING CURRICULUM:**

Lieutenant Breur presented the Public Safety Basic Dispatch Training Curriculum, which had minor changes to course allocated time. "Excited Delirium" has been added into the dispatcher curriculum. For changes *see attachment B.*

Breur then presented the Special Function Officer Curriculum. With the change of our testing procedure, POST was able to reallocate these hours to other courses. For changes *see attachment C.*

Breur then presented the Law Enforcement Officer Curriculum. One experimental course "Career Management" will be taught this year. POST also proposed removing the Firearms Stress Qualification and using it for a measurement of progress, rather than a qualification. For changes *see attachment D.*

Chairman Keefe would like to see more focus on alcohol abuse training. Lt. Breur recommended the training go into the SFO block. Director Stephenson said POST would have something to present at the September Council meeting.

### **CORRECTION TRAINING CURRICULUM**

Director Geri Miller-Fox addressed the Council to present the Corrections training curriculum updates. For changes *see attachment C*

#### **Discussion:**

Chief Keefe addressed the Council about officers receiving "Critical Incident Training" and feels officers coming out of the academy should be certified. In his department they are dealing with mental health calls on a daily basis. Officers are being faced with how to respond to these types of calls more each day. The certification is a 40 hour course, but he would like discussion on how to get this into the academy. He

realizes it would be a hardship on everyone, but believes the value of the training will save lives and mitigate department liability. The Council discussed how important this is and Director Stephenson stated POST will put a proposal together for the September POST Council meeting.

### **Curriculum Approval:**

#### **Dispatch Curriculum**

**Motion:** *John Crowley motioned to accept the recommended changes to the Dispatch Curriculum.*

**Second:** *Sheriff James Tracy seconded the motion.*

**Vote:** *The motion passed with all in favor.*

#### **Special Function Curriculum**

**Motion:** *Sheriff James Tracy motioned to accept the recommended changes to the Special Function Curriculum.*

**Second:** *John Crowley seconded the motion.*

**Vote:** *The motion passed with all in favor.*

#### **Law Enforcement Curriculum**

**Motion:** *Robby Robertson motioned to accept the recommended changes to the Law Enforcement Curriculum.*

**Second:** *Chief Rick Gregory seconded the motion.*

**Vote:** *The motion passed with all in favor.*

#### **Corrections Curriculum**

**Motion:** *Sheriff James Tracy motioned to accept the recommended changes to the Correction Curriculum.*

**Second:** *Sheriff Dave Edmunds seconded the motion.*

**Vote:** *The motion passed with all in favor.*

### **POST GUIDELINE REVIEW**

Director Stephenson proposed a change in the current POST guidelines. Category D currently encompasses all Class B Misdemeanors that do not include violence or drug use. This is a very broad category and POST staff feels there is a need for an additional category. The proposal would change Category D to include: Class B Misdemeanors which involve sexual acts, harassment, theft, crimes of dishonesty, use of alcohol, and misuse of prescription drugs. The new Category E would include all other Class B misdemeanors and have a baseline of six months with the range of a letter of caution to a year and a half suspension. Category F would include Class C Misdemeanors and infractions while Category G would be indefinite suspension.

**Motion:** *Chief Ken Wallentine motioned to accept the recommended changes to the POST Guidelines.*

**Second:** *Chief Rick Gregory seconded the motion.*

**Vote:** *The motion passed with all in favor.*

### **NEXT POST COUNCIL MEETING**

The next POST Council meeting will be held in St. George, Utah on September 25, 2013, at 1:00pm.

\*Location to be determined.



**ADJOURNMENT**

Chief Wade Carpenter motioned to adjourn at 12:38pm.

# ATTACHMENT A

# OPEN & PUBLIC MEETINGS ACT

## UCA § 52-4-101 *et. seq.*

### Declaration of Public Policy

The Legislature intended that the state, its agencies, and its political subdivisions take their actions and conduct their deliberations openly.

The Open Meetings Act requires all **meetings** of any **public body** to be open to the public.

This includes a workshop or executive session of a public body.

### What is a Public Body?

Any state administrative, advisory, executive, or legislative body of the state which:

is created by the Utah Constitution, statute, rule, ordinance, or resolution;

consists of two or more persons;

spends, distributes, or is supported by tax money; and

has authority to make decisions about the public's business.

### A Public Body Does Not Include

Political parties, groups and caucuses.

Legislative conference, rules and sifting committees.

### What Constitutes a Meeting?

The convening of a public body with a quorum or simple majority, either in person or through by means of electronic communication to discuss or act on a matter under its authority.

A chance meeting or social gathering of a public body is not considered a "meeting" under the statute.

### Public Notice of Meetings

Notice must be given at least 24 hours before the meeting.

This may only be waived in an emergency and the public body must still comply with all of the requirements for an emergency meeting.

Public bodies which meet regularly must give annual notice of their upcoming meeting schedule.

The public notice must provide reasonable specificity to notify the public as to the topics to be considered at the meeting.

The notice must include the agenda, date, time and place.

Each topic shall be listed under an agenda item on the meeting agenda.

At the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting.

However, a public body may not take final action on a topic in an open meeting unless the topic is listed under an agenda item that is included in the advance public notice.

### **How Notice is Provided**

Notice must be provided by:

posting written notice at the principal office of the public body or if there is no principal office, at the building where the meeting is to be held; and

placing a notice on the Utah Public Notice Website found at

<http://www.utah.gov/pmn/index.html>.

### **Emergency Meetings**

An emergency meeting can be held if the majority of the body votes to consider matters of an "emergency or urgent manner."

The body must provide the best notice practicable which includes of:

the time and place of the emergency meeting; and  
the topics to be considered at the emergency meeting.

An emergency meeting of a public body may not be held unless:

an attempt has been made to notify all the members of the public body; and  
a majority of the members of the public body approve the meeting.

Minutes of the emergency meeting should include a statement of unforeseen circumstances that made the meeting necessary.

### **Electronic Meetings**

An "electronic meeting" occurs whenever one member participates by electronic means, such as a telephone.

A public body may only hold an electronic meeting after adopting a resolution, rule, or ordinance governing the use of electronic meetings.

A public body must provide notice of an electronic meeting which describes how the members and the public can attend or participate.

## **Closed Meetings**

A meeting may be closed for the following reasons:

- discussing an individual's character, professional competence, or physical or mental health;
- strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property;
- discussions regarding security personnel, devices or systems;
- investigative proceedings regarding allegations of criminal misconduct; or
- deliberations of an adjudicative body. (As long as the "information obtaining" procedures are conducted in the open and any final or formal action is announced or issued in the open, the "decision making" or deliberation of a public body during a judicial process may be held in private and is exempt from the requirements of the Act. *Dairy Product Services, Inc. v Wellsville*, 13 P.3d 581, 595 (Utah 2000)).

## **How a Meeting May be Closed**

Two-thirds of the body must vote to close the meeting.

The public body must hold an open meeting with public notice before closing a meeting.

The votes to close and the reason for closing must be recorded in the minutes.

An affidavit must be signed by presiding officer if the purpose of the closed meeting was to discuss private information about a person or security measures.

## **Action Prohibited in a Closed Meeting**

The body cannot approve any ordinance, resolution, rule, regulation, contract or appointment.

The body cannot take final action on a matter.

The body cannot interview a person applying to fill an elected position.

The discussion in the closed meeting must be limited to only those topics for which a closed meeting is permitted.

## **Recording Meetings**

A recording and written minutes must be made of the entire meeting.

This applies to both open and closed meetings unless the purpose of the meeting is to discuss private information about a person or security measures.

The recording and written minutes from open meetings are public records under GRAMA.

The recording and written minutes from closed meetings are protected records under GRAMA and can only be disclosed by court order.

### **Public Access to Minutes**

Minutes must be posted before approval at the next meeting

Time frames to post minutes after meeting:

- 30 days to post pending minutes
- 3 days to post approved minutes
- 3 days to post audio recording or link to it

A public body must establish procedures to approve the minutes of each meeting.

The written minutes, once approved, are the official record of action taken at the meeting.

### **What the Minutes Must Include**

The date, time, and place of the meeting;

The names of all members present or absent;

All matters proposed, discussed, or decided;

Individual votes on each matter;

The name and substance of the information given by individuals at the hearing after being recognized by the presiding officer; and

Any additional information requested by a member.

### **Violations of the Act**

A court can void any action taken in violation of the law.

A violation can sometimes be cured in a subsequent meeting by following the law.

A violation of the law may result in the payment of attorney's fees and court costs which are incurred to enforce the law.

### **Criminal Violation**

A member of a public body who knowingly or intentionally violates the law or who knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of this chapter is guilty of a class B misdemeanor.

# ATTACHMENT B



## PUBLIC SAFETY DISPATCHER BASIC TRAINING CURRICULUM UPDATED TABLE OF CONTENTS

Unit #	Unit Title	Course Hours	Old Unit # and Teaching Time	
1	Course Orientation	2	1	1.5
2	Role of the Public Safety Dispatcher - Overview of Public Safety Organizations	0.75	2	0.5
3	Emergency Medical Dispatcher (EMD)	0.75	9	1
4	State and National Computer Files	0.5	10	0.5
5	Effective Communications	4	4	4
6	Public Safety Call Taking and Interrogation	6	6	5
7	Homeland Security	2	12	2
8	Crime Classification/Definitions - Utah Criminal Code	3	5	3
9	Law Enforcement Dispatching	5	7	6
10	Fire Dispatching	4	8	4
11	Legal Aspects of Public Safety Dispatching	4	11	4
12	Communications Technology	2.5	3	2.5
13	Excited Delirium/Agitated Chaotic Event	2	14	1
14	Health and Wellness - Stress Management	1.75	13	1.5
	Final Test	1.75		3.5
		40		40

# ATTACHMENT C

**SPECIAL FUNCTION OFFICER**  
**PROPOSED COURSE OF INSTRUCTION 2013-2014**

Course ID	Name of Class	Class Hours	Block Total
ETH.1010	Ethical Standards	2	12
ETH.1020	Leadership and Professionalism	2	
ETH.1030	Ethical Decision Making	1	
ETH.1040	Community Relations	5	
ETH.1050	POST Certification and Investigations	2	
FND.1010	Introduction to Homeland Security	2	14
FND.1020	Introduction to U.S. and State Constitutions	2	
FND.1030	Introduction to Criminal Justice System	2	
FND.1040	Introduction to Utah Criminal Code	2	
FND.1050	Introduction to Utah Court Systems	2	
FND.1060	Introduction to Defensive Tactics	4	
CORE.1010	Report Writing I	4	<u>2426</u>
CORE.1020	Radio Communications	2	
CORE.1030	Media Relations	1	
CORE.1040	BCI/AFIS	1	
CORE.1050	Hazardous Materials Response	2	
CORE.1060	Emergency Medical Response	2	
CORE.1070	First Aid/CPR	7	
CORE.1080	Healthy Lifestyles – Physical Fitness	3	
CORE.1090	Healthy Lifestyles – Stress Management	2	
CORE.1100	Management and Recognition of Excited Delirium/Agitated Chaotic Event	2	
LAW.1010	Laws of Arrest	4	<u>4344</u>
LAW.1020	Laws of Search and Seizure	6	
LAW.1030	Laws of Evidence	4	
LAW.1040	Laws of Reasonable Force	2	
LAW.1050	Liability of Peace Officers	2	
LAW.1060	Crimes Against Persons I	<u>43</u>	
LAW.1070	Crimes Against Persons II	<u>24</u>	
LAW.1080	Crimes Against Property I	3	
LAW.1090	Crimes Against Property II	4	
LAW.1100	Crimes Against Family	1	
LAW.1110	Crimes Against Administration of Government	1	
LAW.1120	Crimes Against Public Order and Decency	2	
LAW.1130	Controlled Substance Law	2	
LAW.1140	Alcohol Beverage Control Act	2	
LAW.1150	Juvenile Law	4	

**SPECIAL FUNCTION OFFICER**  
**PROPOSED COURSE OF INSTRUCTION 2013-2014**

Course ID	Name of Class	Class Hours	Block Total
DT.1010	Approaching Subjects and Position of Interview	1	<u>1820</u>
DT.1020	Natural Weapons	<u>23</u>	
DT.1030	Low Profile Terry Frisk/Pat Down and Take Downs	2	
DT.1040	Standing Search, Cuffing, Take Downs	<u>34</u>	
DT.1050	Kneeling Search, Cuffing, Take Downs	2	
DT.1060	Prone Search and Cuffing	<u>34</u>	
DT.1070	Weaponless Defense Techniques I	<u>23</u>	
DT.1080	Escort and Transport Position	1	
PTRL.1010	Gang Awareness	2	<u>2218</u>
PTRL.1020	Conflict Resolution	12	
PTRL.1030	Written Scenario Training	<u>84</u>	
INV.1010	Basic Interview and Interrogations	4	24
INV.1020	Preliminary Investigations	4	
INV.1030	Crime Scene Protection and Search	6	
INV.1040	Collection and Preservation of Evidence	6	
INV.1050	Victimology	4	
INTX.1010	Drug Recognition & Familiarization	2	2
		<u>159160</u>	<u>159160</u>

### Summary

Category	Hours
Course Curriculum	<u>159160</u>
Physical Training	<u>1620</u>
Orientation & Administration	4
Intermediate Testing & Review <u>formerly quiz</u>	<u>84</u>
Special Function Officer Certification Testing	<u>42</u>
Physical Fitness Testing	<u>32</u>
Defensive Tactics Practical Testing	4
<b>Total</b>	<u><b>202196</b></u>

#### 2013-2014 Recommendations

- Adjustment of testing allowed for the time utilized previously in quizzes to be allocated in other needed areas of training.
- Move DT 1090, Recognition and Response to Excited Delirium and place in the CORE block of training.
- Move one hour from LAW 1060, Crimes Against Persons I, and add two hours to LAW 1070 Crimes Against Persons II.
- Add four hours to the Defensive Tactics Block of Training.
- Remove four hours from PTRL 1030, Written Scenarios.

**LAW ENFORCEMENT OFFICER**  
**PROPOSED COURSE OF INSTRUCTION 2013-2014**

<b>Course ID</b>	<b>Name of Class</b>	<b>Class Hours</b>	<b>Block Total</b>
FND.2010	Introduction to Emergency Vehicle Operations	6	12
FND.2020	Introduction to Firearms Handling	4	
FND.2030	Introduction to Scenario Training	2	
CORE.2010	Report Writing II	4	8
CORE.2020	Court Demeanor and Testifying	4	
LAW.2010	Civil Disputes	2	11
LAW.2020	Traffic Law	7	
LAW.2030	Driver License Law and Hearings	2	
DT.2010	Weaponless Defense Techniques – Part II	16	32
DT.2020	Weapon Protection and Retention	4	
DT.2030	Ground Tactics	6	
DT.2040	Impact Weapon	6	
PTRL.2010	Patrol Concepts	2	102
PTRL.2020	Immediate Response Tactics	8	
PTRL.2030	Critical Incident Casualty Care	2	
PTRL.2040	Mental Conditioning For Combat	4	
PTRL.2050	Pedestrian / Vehicle Stop and Approach	4	
PTRL.2060	Vehicle Searches	4	
PTRL.2070	Building Searches	12	
PTRL.2080	Crimes In Progress	2	
PTRL.2090	Hostage/Barricaded Subjects	2	
PTRL.2100	Off Duty Response	2	
PTRL.2110	Introduction to K-9	4	
PTRL.2120	Basic Bomb Recognition	2	
PTRL.2130	Introduction to the Incident Command System	3	
PTRL.2140	National Incident Management System	3	
PTRL.2150	Introduction to the Crisis Intervention Team (CIT)	4	
PTRL.2160	Scenario Training	32	
PTRL.2170	Radar/Lidar Certification	12	
INV.2010	Sex Crimes Investigation	8	40
INV.2020	Dead Body Investigations	4	
INV.2030	Follow-Up Investigations	2	
INV.2040	Child Abuse and Neglect	2	
INV.2050	Traffic Accident Investigation	16	
INV.2060	Domestic Violence/Cohabitant Abuse Procedures	4	
INV.2070	Identity Theft-Fraudulent Documents	4	
INTX.2010	Recognizing and Handling Drugs and Narcotics	6	29
INTX.2020	Intoxilyzer Operation and Certification	7	
INTX.2030	DUI & Standardized Field Sobriety Testing	16	

**LAW ENFORCEMENT OFFICER**  
**PROPOSED COURSE OF INSTRUCTION 2013-2014**

FA.2010	Handgun Handling & Safe Operation	4	52
FA.2020	Firearms Range/Day Shooting	32	
FA.2030	Firearms Range/Night Shooting	16	
EVO.2010	Emergency Vehicle Operation Practical/Simulator	40	40
		<b>326</b>	<b>326</b>

EXP.2010	Career Development	2
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Summary

Category	Hours
Course Curriculum	<del>326</del> 328
Physical Training	<del>18</del> 28
Administration & Orientation	<del>11</del> 5
Intermediate Testing and Review formerly quizzes	<del>8</del> 4
Law Enforcement Certification Testing	<del>7</del> 2
Physical Fitness Testing	<del>3</del> 2
Defensive Tactics Practical Testing	4
Graduation/Spouse Orientation	4
<b>TOTAL</b>	<b><del>381</del>377</b>

2013-2014 Recommendations

- Add EXP 2010 Career Development to Curriculum.
- Changes in the administration of the testing allow for more time to be allocated to physical training and still allow for a reduction in the overall course hours.
- Firearms Stress Qualification Proposal.

# ATTACHMENT D



State of Utah

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

# Utah Department of Corrections Training Academy

ROLLIN COOK  
*Executive Director*

MIKE HADDON  
*Executive Deputy Director*

GERI MILLER-FOX  
*Training Director*

**TO:** Scott Stephenson  
Director of POST

**FROM:** Geri A. Miller-Fox  
Director of Corrections Training

**DATED:** June 4, 2013

**RE:** Proposal for Corrections Curriculum Changes FY14

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The Utah Department of Corrections Training Academy operates a correctional officer certification program under the direction of Peace Officer Standards and Training Council for state, county, and private correctional officers. All correctional officers are required to complete: (1) The Special Function Officer Block (SFO) - this block is developed and maintained by POST and (2) The Basic Correctional Officer Block (BCO) - under the direction of POST, this block is developed and maintained by the Corrections Training Academy.

An assessment of the Special Functions Officer Block and the Basic Correctional Officer Block was conducted over the past two months. The recommended additions, deletions and changes are attached.

## **SPECIAL FUNCTION OFFICER BLOCK**

Based on previous POST Council decisions and protocol, the Corrections Training Academy will implement any curriculum updates or modifications as outlined by the Council.

## **BASIC CORRECTIONAL OFFICER BLOCK**

Based on an assessment of the Basic Correctional Officer Block, the Corrections Training Academy recommends several changes. The total hours for the Basic Correctional Officer Block will remain the same at 188 hours.



**Deletions:**

- 20.01.00** In compliance with recent POST administrative policies, all test reviews were removed from the curriculum.
- 27.01.00** PPCT Objectives—Correctional Defensive Tactics (CDT) will replace PPCT.
- 20.03.02** PPCT Practical Test— Correctional Defensive Tactics (CDT) will replace PPCT.

**Additions:**

- 27.01.00** Correctional Defensive Tactics (CDT) will be taught in place of PPCT in the BCO block. The hours will remain the same.
- 20.03.02** Correctional Defensive Tactics practical test.

**Additions/Changes Explained:**

- 20.02.00** **BCO Written Tests**  
The objectives were updated to reflect current testing policies.
- 20.06.00** **Institutional Tour**  
The Institutional Tour has been reduced from 4 hours to 2 hours.
- 22.04.00** **Correctional Terminology and Operational Guidelines**  
This class has been reduced from 2 hours to 1 hour. The objectives have been updated, to include definitions to the terminology words.
- 22.02.00** **Conversations with Leadership**  
This class has increased from 1 hour to 2 hours. One hour will be used for Department of Correction's administrators to address leadership topics from a prison perspective; the second hour will be used for county sheriffs and jail commanders to address leadership topics from a county perspective.
- 23.05.00** **Critical Incident Training (CIT)**  
This class has increased from 4 hours to 8 hours. The additional hours will be used for CIT scenario training and to take the participants to a mental health portion of a jail, prison or community correctional center.
- 20.05.00** **Instructor Concept Hours**  
The Instructor Concept Hours increased from 5 hours to 6 hours.
- 21.03.00** **Reasonable Force**  
The objectives for this class were updated to reflect current state law, case law and other reasonable force standards. The class will remain 4 hours.

**27.01.00****Correctional Defensive Tactics**

This course was developed by Corrections staff (state and county) and has been approved for use by the Utah Attorney General's office and the State of Utah Risk Management office.

**20.03.02****Correctional Defensive Tactics—Practical Test**

The new CDT practical test has 101 points possible; a minimum score of 81 will be required to pass the test.

**27.03.00****Ground Tactics Objectives**

The objectives were updated to give the cadets a better understanding of the techniques they will be required to demonstrate.

**Attachments:**

1. BCO Block Overview
2. BCO Block Curriculum Changes

**UTAH DEPARTMENT OF CORRECTIONS  
TRAINING ACADEMY**

**Basic Correctional Officer Course (BCO)**

**FY13 Curriculum**

**4.75 Weeks**

**188 Hours**

**Performance**

<b><u>Objective</u></b>		<b><u>Module</u></b>	<b><u>Class</u></b>
<b><u>Number</u></b>	<b><u>Name of Class</u></b>	<b><u>Hours</u></b>	<b><u>Hours</u></b>
<b>20.00.00</b>		<b>25</b>	
20.02.00	<b>BCO Written Tests and Quizzes</b>		6
	20.02.01 Correctional Law and Offender Rights Test (1)		
	20.02.02 Defensive Tactics for Corrections Written Test (1)		
	20.02.03 Reasonable Force Test (1)		
	20.02.04 Basic Correctional Officer Certification Test (2)		
	20.02.05 Chemical Agents Test (1)		
20.03.00	<b>Skills Practical Tests</b>		5
	20.03.01 Physical Fitness Final Test (2)		
	20.03.02 Correctional Defensive Tactics Practical Test (3)		
20.04.00	<b>Report Writing Practical</b>		2
	20.04.01 Report #1 (1) Used During SFO Block Aggravated Inmate Report		
	20.04.02 Report #2 (1) Used During BCO Block		
20.05.00	Instructor Concept Hours		6
20.06.00	Institutional Tour		2
20.07.00	Graduation		4
<b>21.00.00</b>	<b>LEGAL MODULE</b>	<b>18</b>	
21.01.00	Correctional Law and Offender Rights		8
21.02.00	Prison Rape Elimination Act (PREA)		3
21.03.00	Reasonable Force		4
21.04.00	Court Demeanor and Testifying		3
<b>22.00.00</b>	<b>COMMUNICATIONS MODULE</b>	<b>9</b>	
22.01.00	Decision Making and Problem Solving		4
22.02.00	Conversations with Leadership		2
22.03.00	Correctional Ethics & Professionalism		2
22.04.00	Correctional Terminology and Operational Guidelines		1
<b>23.00.00</b>	<b>HUMAN RELATIONS MODULE</b>	<b>27</b>	
23.01.00	Suicide Prevention (Mentally Disorderd Offenders and Crisis Management)		4
23.02.00	Staff/Offender Interactions		6
23.03.00	Understanding Human Behavior		3
23.04.00	Abnormal Behavior (Deviant Behavior)		4
23.05.00	Critical Incident Training (CIT)		8
23.06.00	Generational Perspectives		2
<b>24.00.00</b>	<b>INMATE MANAGEMENT MODULE</b>	<b>16</b>	
24.01.00	Offender Supervision Strategies		4
24.02.00	Inmate Discipline		2
24.03.00	Street Gangs and Security Threat Groups		4
24.04.00	Gender Responsive Issues		4
24.05.00	Grievance Process		1
24.06.00	Inmate Classification		1

<b>26.00.00 OFFICER SAFETY MODULE</b>		<b>25</b>	
26.01.00	Survival Mind Set		3
26.02.00	Search Techniques		4
26.03.00	Hostage Taking and Negotiations		4
26.04.00	Riots and Disturbances		2
26.05.00	Institutional Security		2
26.06.00	Explosives and Incendiary Materials		2
26.07.00	Forced Cell Entry		2
26.08.00	Critical Response		2
26.09.00	Chemical Agents		2
26.10.00	Safety and Emergencies		2
<b>27.00.00 PHYSICAL SKILLS MODULE</b>		<b>68</b>	
27.01.00	Correctional Defensive Tactics		8
27.02.00	Correctional Defensive Tactics/Edged Weapon Defense		8
27.03.00	Correctional Defensive Tactics/Ground Tactics		4
27.04.00	Search Practical		4
27.05.00	Forced Cell Entry Practical		6
27.06.00	In-Custody Restraint Application		4
27.07.00	Critical Response Practical		6
27.08.00	Transportation of Prisoners		4
27.09.00	Head Counts		3
27.10.00	Physical Training		16
27.11.00	Chemical Agent Practical		5
<b>Total Hours</b>		<b>188</b>	<b>188</b>