

## **RULE 1 –Definitions**

*Effective February 7, 2014*

As used in these rules:

- (a) "Academy director" means that person responsible for the administration and operation of a POST-approved academy.
- (b) "Applicant" means any person formally seeking approval by the Board.
- (c) "Appointed" means sworn in and serving as a peace officer or reserve peace officer.
- (d) "Approved" means formally accepted or authorized by the Board.
- (e) "ACT" means Arrest Control Tactics, one of the skills training programs required for the basic and reserve training academies.
- (f) "Assistant skills instructor" means an individual who has successfully completed a relevant approved skills instructor training program and who may instruct the corresponding skills training program in arrest control, law enforcement driving, or firearms under the direction and in the presence of a full skills instructor, and assist in evaluating and coaching trainees at a basic or reserve training academy.
- (g) "Authorized emergency vehicle" means such vehicles identified in 42-1-102 C.R.S.
- (h) "Board" means the Colorado Peace Officer Standards and Training Board.
- (i) "Bodily injury" means physical pain, illness, or any impairment of physical or mental condition. § 18-1-901(3)(c), C.R.S.
- (j) "Certification examination" means the written test required under § 24-31-305(1)(a)(III), C.R.S.
- (k) "Certified peace officer" means any person who has successfully attained POST Certification as described in § 24-31-305 and 24-31-308, C.R.S.
- (l) "Conviction" means an adjudication of guilt following either a verdict of guilty by the court or jury, or a plea of guilty, or a plea of nolo contendere. Conviction includes deferred judgments and deferred sentences.
- (m) "Course" means a formal unit of instruction relating to a particular subject.

- (n) "C.R.S." means Colorado Revised Statutes, codified laws of the State of Colorado.
- (o) "Dimlight" means from one-half hour after local sunset to one-half hour before local sunrise. For indoor ranges, artificial light must be reduced to the lowest level which still allows for target identification and threat assessment without additional illumination from a flashlight.
- (p) "Director" means the director of the POST Board staff.
- (q) "Enroll" means that a person has applied to and been accepted for admission into an academy and is physically present at the academy to receive instruction.
- (r) "Enrollment date" means the first day of instruction at an approved basic or reserve training academy, and shall be synonymous with the first day of instruction as reflected on the approved academy schedule.
- (s) "Fingerprint-based criminal history record check" means submittal of a POST fingerprint card to the Colorado Bureau of Investigation (CBI) for criminal history check in CCIC and NCIC, as required in § 24-31-304(3), C.R.S.
- (t) "Full skills instructor" means an individual who has successfully completed the minimum qualifications required by these Rules and who may develop, implement and evaluate a skills training program at a basic or reserve training academy.
- (u) "Lateral training academy" means an agency-specific approved academy that instructs academic courses determined by the agency and all hours of the POST skills training programs in arrest control, law enforcement driving and firearms.
- (v) "Lead skills instructor" means a full skills instructor at a basic or reserve training academy who may be designated by the academy director to oversee or coordinate the administration of a specific skills program for a particular academy class.
- (w) "Lesson plan" means a document that specifically describes the material presented during a course of instruction.
- (x) "Moving training" means training where the academy students are involved in movement with a loaded weapon. It is recognized that during square range drills, academy students may move 1-2 steps laterally or forward/backward. The 1:1 ratio is not required for this drill. For all other drills/exercises involving movement a 1:1 ratio is required.

- (y) "Operable firearm" means a firearm that is capable of discharging a projectile (bullet) if loaded.
- (z) "Peace officer" means any person recognized in § 16-2.5-101, C.R.S.
- (aa) "POST certified" means any person possessing a valid, numbered certificate issued by the Board authorizing such person to serve as a peace officer or reserve peace officer.
- (bb) "POST fingerprint card" means a fingerprint card provided by POST.
- (cc) "POST Identification Number" (PID) means a number assigned and unique to each active peace officer's certification file. All inquiries and correspondence to POST should contain this number.
- (dd) "Program director" means that person responsible for the administration and operation of a POST-approved training program.
- (ee) "Provisional certification" means a signed instrument issued by the POST Board that grants interim certification for qualified out-of-state peace officers seeking Colorado certification that enables the provisional applicant to obtain appointment as a peace officer in Colorado while fulfilling the requirements for basic certification.
- (ff) "Recognized disciplines for arrest control training" mean those defensive tactics systems that have been reviewed and approved by the Board in consultation with the Arrest Control Subject Matter Expert Committee. Such systems may include, but are not limited to, Federal Bureau of Investigation (FBI) system, Koga system and Pressure Point Control Tactics (PPCT) system.
- (gg) "Refresher academy" means an approved training program that consists of a minimum of 96 hours of instruction and includes academics or a POST Board approved web-based distance learning program, arrest control, law enforcement driving and firearms.
- (hh) "Relevant approved skills instructor training program" means a basic, not advanced, instructor training program that contains a minimum of forty (40) hours of instruction and with instructional content that meets or exceeds the content of the respective instructor training programs for arrest control, law enforcement driving, or firearms, and that has been formally accepted or authorized by the Board.
- (ii) "Renewal applicant" means an applicant whose Colorado peace officer certificate has expired per § 24-31-305(1.7)(b), C.R.S., and who has applied to

renew his/her Colorado peace officer certificate in accordance with § 24-31-305(1.7)(c), C.R.S. and POST Rule 13.

- (jj) "Reserve peace officer" means any person described in § 16-2.5-110, C.R.S., and includes any person authorized to carry a firearm, conduct arrests, and enforce the laws of the state of Colorado pursuant to § 16-2.5-110, C.R.S., but does not include any person appointed by a sheriff pursuant to § 30-10-506.
- (kk) "Serious bodily injury" means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree. § 18-1-901(3)(p), C.R.S.
- (ll) "Skills examination" means the approved practical test of an applicant's proficiency in arrest control, law enforcement driving, or firearms.
- (mm) "Skills-only training academy" means an approved academy instructing arrest control, law enforcement driving, and firearms, which meets the skills requirements under the POST basic curriculum and these Rules.
- (nn) "Skills training" means the required approved arrest control, law enforcement driving, and firearms courses.
- (oo) "State" means any State in the United States, the District of Columbia, and any territory or possession of the United States.
- (pp) "Subject Matter Expert" (SME) means an individual formally recognized by the Board for his or her extensive knowledge, expertise and/or experience in one of the skills areas or in academics.
- (qq) "Successful completion" means a POST-approved academy or program score of seventy (70) percent or greater, or a grade of "C" or better, or a rating of pass, if offered as pass/fail. For the certification examination passing score, see Rule 15.
- (rr) "Training academy" means a POST-approved school, agency or other entity that provides POST-approved training programs.
- (ss) "Training program" means a POST-approved course of instruction required by statute, or Rule, or for peace officer certification and other peace officer training programs as otherwise recognized and approved by the Board.

## **Rule 11 – Provisional Certification**

*Effective February 7, 2014*

- (a) The Board is authorized to issue a provisional certification letter to any applicant who is authorized to serve as a certified peace officer by any other state or federal jurisdiction, excluding the armed forces, which has established minimum law enforcement training standards that are equivalent to the standards established by Colorado as determined by the POST Director. The provisional applicant must be fully certified and have served for a minimum of one year within the last three years. The applicant must additionally meet all of the following requirements:
  - (I) Possess and submit a copy of his/her high school diploma, or high school equivalency certificate;
  - (II) Possess and submit a copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents;
  - (III) Truthfully complete and submit the POST Form 3 – *Application for Provisional Certification*;
  - (IV) Successfully complete the fingerprint-based criminal history record check required under Rule 14; and
  - (V) Pass the certification examination pursuant to Rule 15 or, if leaving active out-of-state (the state in which the individual is certified) or federal peace officer employment, pass the certification exam within six (6) months from the date of issuance of the provisional certification.
- (b) A provisional certification letter authorizes the holder to serve as a certified Colorado peace officer for not more than six (6) months.
- (c) The Board shall issue a basic certificate to the holder of a provisional certification letter if such person satisfies any combination of the following skills proficiency requirements, or, if leaving active out-of-state (the state in which the individual is certified) or recognized federal peace officer employment, satisfies any combination of the following skills proficiency requirements within six (6) months from the date of issuance of the provisional certification:
  - (I) Successfully completes skills training at a POST-approved basic peace officer training academy;

- (II) Successfully completes a POST-approved refresher academy, including the arrest control, law enforcement driving, and firearms skills training;
  - (III) Passes a skills examination pursuant to Rule 16 in each of the three (3) skills disciplines at a POST test-out site, or passes all portions of the three (3) skills examinations at a regional test-out site, as documented by an approved skills instructor. Approved skills instructors includes: SME committee members or POST-approved designees who are not members of the applicant's employing agency;
  - (IV) Passes only some portions of the examinations referred to in (III) and the applicant elects to complete prescribed remedial training with respect to those portions not passed and successfully passes the skills test-out examination following the remedial training; or
  - (V) Passes a POST-approved lateral training academy that includes agency-specific academic courses and skills training in arrest control, law enforcement driving and firearms.
- (d) The POST-approved skills instructor must submit the completed *POST Skills Testing Grade Sheet* to POST.
- (e) Persons desiring additional time to complete the basic certification requirements beyond the initial six (6) months provided by the provisional certification letter must petition the Director and demonstrate good cause why such additional time should be granted.

## **Rule 13 – Renewal of Basic Certification**

*Effective February 7, 2014*

The Board is authorized to renew a basic certificate for any applicant who:

- (a) Is not serving and has not served as a peace officer or reserve peace officer for at least six (6) months within the previous three (3) years; and
- (b) Possesses and submits a copy of his/her current first aid and cardiopulmonary resuscitation certification, or equivalents; and
- (c) Truthfully completes and submits the POST Form 4 – *Application for Renewal of Basic Certification*; and
- (d) Successfully completes the fingerprint-based criminal history record check required under Rule 14; and
- (e) Passes the certification examination pursuant to Rule 15; and
- (f) Satisfies any combination of the following skills proficiency requirements:
  - (I) Successfully completes skills training at a POST approved basic peace officer training academy;
  - (II) Successfully completes a POST approved refresher academy, including the arrest control, law enforcement driving, and firearms skills training;
  - (III) Passes a skills examination pursuant to Rule 16 in each of the three (3) skills disciplines at a POST test-out site, or passes all portions of the three (3) skills examinations at a regional test-out site, as documented by an approved skills instructor. Approved skills instructors include: SME committee members or POST approved designees who are not a member of the applicant's employing agency; or
  - (IV) Passes only some portions of the examinations referred to in (III) and the applicant elects to complete prescribed remedial training with respect to those portions not passed and successfully passes the skills test-out examination following the remedial training.
- (g) The POST-approved skills instructor must submit the completed *POST Skills Testing Grade Sheet* to POST.

## **Rule 27 - Retired Law Enforcement Officer Authority to Carry Concealed Firearms**

*Effective July 11, 2011*

*Federal Law Effective October 12, 2010*

~~Pursuant to Chapter 44 of Title 18, United States Code, § 926C, the "Law Enforcement Officer Safety Act Improvement Act of 2010", and notwithstanding any other provision of the laws of the State of Colorado or any political subdivision thereof, an individual who is a qualified retired law enforcement officer who is carrying the identification required may carry a concealed firearm.~~

### **~~I. Colorado Concealed Weapons Permit.~~**

~~(A) Nothing in this rule will prohibit a retired law enforcement officer from seeking and obtaining a concealed weapons permit pursuant to Title 18, Article 12, Section 2, C.R.S.~~

### **~~II. Federal Eligibility Requirements for qualified Retired Law Enforcement Officers.~~**

~~(A) It will be the responsibility of the retired peace officer to determine if he/she meets the criteria of being a "qualified retired law enforcement officer." As used in this rule, the term "qualified retired law enforcement officer" means an individual who:~~

~~(1) Separated in good standing from service with a public agency as a law enforcement officer; and~~

~~(2) Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for any violation of law and had statutory powers of arrest; and~~

~~(3) (a) Before such separation served as a law enforcement officer for an aggregate of 10 years or more; or~~

~~\_\_\_\_\_ (b) Separated from service with such agency after completing any applicable probationary period of such service, due to a service-connected disability as determined by such agency; and~~

~~(4) During the most recent 12-month period has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by;~~

~~\_\_\_\_\_ (a) The former agency of the individual; or~~

- ~~\_\_\_\_\_ (b) \_\_\_\_\_ A law enforcement agency within the state in which the individual \_\_\_\_\_ resides; or~~
- ~~\_\_\_\_\_ (c) \_\_\_\_\_ The standards used by a certified firearms instructor that is \_\_\_\_\_ qualified to conduct a firearms qualification test for \_\_\_\_\_ active duty \_\_\_\_\_ officers within the state; and~~
- ~~(5) \_\_\_\_\_ (a) \_\_\_\_\_ Has not been officially found by a qualified medical professional employed by the agency to be unqualified for \_\_\_\_\_ reasons relating to mental health and as a result of this finding will not be issued the \_\_\_\_\_ required \_\_\_\_\_ photographic identification; or~~
  - ~~\_\_\_\_\_ (b) \_\_\_\_\_ Has not entered into an agreement with the agency from \_\_\_\_\_ which the individual is separating from service in \_\_\_\_\_ which that individual \_\_\_\_\_ acknowledges he or she is not \_\_\_\_\_ mental health and for those reasons will not receive \_\_\_\_\_ or \_\_\_\_\_ accept the required photographic identification;~~
- ~~(6) \_\_\_\_\_ Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and~~
- ~~(7) \_\_\_\_\_ Is not prohibited by Federal law from receiving a firearm.~~

**III. ~~The identification required by Federal law and this rule is:~~**

- ~~(A) \_\_\_\_\_ (1) \_\_\_\_\_ Photographic identification issued by the agency from which the individual separated from service as a law enforcement officer that indicates that the individual has, not less recently than one year before the \_\_\_\_\_ date the individual is carrying the concealed firearm, been tested or \_\_\_\_\_ otherwise found by the agency to meet the active duty standards for qualification \_\_\_\_\_ in firearms training as established by the agency to carry a firearm of the same type as the concealed firearm; or~~
- ~~\_\_\_\_\_ (2) \_\_\_\_\_ Photographic identification issued by the agency from which the individual separated from service as a law enforcement officer; \_\_\_\_\_ and~~
- ~~(B) \_\_\_\_\_ A certification issued by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that state that indicates that the individual has, not less than 1 year before the date the individual is carrying the concealed firearm, been tested or otherwise found by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that state to have met the active duty standards for~~

~~qualifications in firearms training, set by any law enforcement agency, within the state to carry a firearm of the same type as the concealed firearm.~~

~~IV. **Renewal of the Authority to Carry Concealed Firearms**~~

~~(A) Pursuant to the Law Enforcement Officer Safety Act Improvements Act of 2010, the authority to carry concealed weapons must be renewed annually, at the expense of the individual, through the successful completion of an approved active duty firearms qualification course. Failure to successfully complete the course will cause the authority to carry concealed firearms to be rescinded.~~

Repealed February 7, 2014