



Hiring & Managing a Village Police Officer

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Minimum Standards for Village Police Officers

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13 AAC 89.010. Basic standards for village police officers

- (a) The basic standards for a village police officer are that the person
- (1) is 19 years of age or older;
 - (2) is a citizen of the United States or a United States National;
 - (3) is of good moral character; in determining good moral character, the council may consider misdemeanor convictions, other than minor traffic offenses, during the 10 years before application;
 - (4) has never been convicted of a felony or been incarcerated, placed on probation, or placed on parole after conviction of a felony, by a court of the United States or of any state or territory; a felony conviction in another jurisdiction for an offense that is not a felony in this state does not necessarily bar certification unless the felony conviction was for a crime of dishonesty or a crime that resulted in serious physical injury or a threat of serious physical injury;

13 AAC 89.010. Basic standards for village police officers- continued

(5) has no physical or mental condition that would adversely affect the person's performance as a police officer;

(6) has never been convicted of

(A) a crime of domestic violence in this state or a similar law of another jurisdiction; or

(B) a crime that is a sex offense in this state as defined in AS 12.63.100 or a similar law of another jurisdiction; and

(7) during the 12 months preceding hire or appointment, has not illegally used controlled substances other than marijuana.

(b) A village may only appoint or hire a person to serve as a village police officer if the person meets the basic standards listed in (a) of this section. Only a village may appoint or hire a person as a village police officer.

(c) A person who was denied certification or whose certificate has been revoked by the council is not eligible for appointment or hire as a village police officer by a village unless the person's certificate has been reinstated by the council.

13 AAC 89.020. Employment for village police officers.

- (a) Before appointing or hiring an applicant to a permanent position as a village police officer, a village shall
- (1) obtain proof of the applicant's age and citizenship;
 - (2) review and evaluate the applicant's personal history and medical history statements and ensure that the applicant meets the standards in 13 AAC 89.010;
 - (3) review and evaluate the report of criminal justice information under AS 12.62 and the national criminal history record check obtained under AS 18.65.240; and
 - (4) contact the council to confirm the applicant's eligibility for appointment and certification.
- (b) A village may not employ a village police officer for a period of more than 12 consecutive months unless the officer has been certified under 13 AAC 89.030.
- (c) Separation as a village police officer for less than 90 consecutive days will be considered unbroken service for purposes of (b) of this section and 13 AAC 89.030(a)(1).

13 AAC 89.030. Certification of village police officers.

(a) The council will issue a certificate as a village police officer to an applicant who

(1) is, at the time of application, a full-time paid village police officer employed by a village and has satisfactorily completed 12 consecutive months of probation as a village police officer with that village immediately before application;

(2) meets the requirements of 13 AAC 89.010;

(3) successfully completes a training program meeting the requirements of 13 AAC 89.040; and

(4) attests that he subscribes to the Law Enforcement Code of Ethics set out in 13 AAC 85.040(b)(5).

(b) Repealed 1/15/95.

13 AAC 89.040. Village police officer basic training program.

(a) A village police officer basic training program must consist of at least 80 hours of instruction and include instruction regarding

- (1) alcohol and drug interdiction;
- (2) arrest procedures;
- (3) constitutional rights and administration of justice;
- (4) crime scene investigation;
- (5) criminal complaints;
- (6) criminal law and procedure;
- (7) defensive tactics and use of force;
- (8) disability awareness, in compliance with the requirements of AS 18.65.220;
- (9) domestic violence, in compliance with the requirements of AS 18.65.240;
- (10) procedures regarding persons suspected of driving under the influence;

13 AAC 89.040. Village police officer basic training program. continued

(a) A village police officer basic training program must consist of at least 80 hours of instruction and include instruction regarding

- (11) ethics and cultural diversity;
- (12) fire prevention and fire extinguishers;
- (13) first aid;
- (14) interview techniques;
- (15) juvenile procedures;
- (16) patrol procedures;
- (17) police tools such as oleoresin capsicum, baton, and handcuffs;
- (18) report writing and police notebooks;
- (19) search and rescue;
- (20) search-and-seizure and evidence procedures; and
- (21) sexual assault, in compliance with the requirements of AS 18.65.240.

(b) A person shall attend all sessions of the training required in (a) of this section, unless the director of the program approves a person's absence. A person who is absent for over 10 percent of the total hours of instruction will not be considered to have completed the training required in (a) of this section.

13 AAC 89.060. Extension and reciprocity.

(a) The council will, in its discretion, upon written application from a village, grant an extension for obtaining certification to an officer if the officer is unable to complete the required training within the first 12 months of employment due to illness, injury, or other emergency, or if the officer is unable to complete training because of temporary understaffing in his department.

(b) The council will, in its discretion, accept other police officer training that equals or exceeds that required in 13 AAC 89.040 in partial or complete substitution for the training required in that regulation.

13 AAC 89.070. Denial, revocation, and lapse of certificates.

(a) The council will, in its discretion, deny or revoke a village police officer certificate upon a finding that the officer

(1) falsified or intentionally omitted information on an application or other document required to be filed for certification;

(2) has been discharged, has been asked to resign, or has resigned in place of discharge from a police department; or

(3) does not meet the requirements of 13 AAC 89.010(a).

(b) The holder of a certificate shall immediately return the certificate to the council upon notification of revocation.

(c) A certificate lapses if the holder is not employed as a full-time village police officer for 12 consecutive months.

(d) A person may request reinstatement of a lapsed certificate after serving an additional probationary period as required by the council. The council will, in its discretion, require supplemental training as a condition of reinstatement.

13 AAC 89.080. Personnel reports and training records.

(a) Within 30 days of the date of hire of a village police officer, the hiring authority shall notify the council on a form supplied by the council, except in those instances where a public record of the appointment would jeopardize the officer or the assignment. The employing agency shall notify the council within 30 days following termination of an officer for any reason.

(b) Before completion of the basic training program required in 13 AAC 89.030(a)(3), each village police officer must be fingerprinted on two Federal Bureau of Investigations applicant cards (FD-258) and shall, on a form supplied by the council,

(1) complete a personal history statement;

(2) complete a medical history statement; and

(3) attest that the officer subscribes to the Law Enforcement Code of Ethics set out in 13 AAC 85.040(b)(5).

13 AAC 89.080. Personnel reports and training records. continued

(c) The documents required by (b) of this section must be forwarded to the council. The fingerprint cards will be forwarded by the council to the Department of Public Safety and the Federal Bureau of Investigation for record checks. The documents required by this section, following evaluation by the council, will be forwarded to the officer's hiring authority for review, evaluation, and permanent retention.

(d) The information in the council's files is confidential, and available only for use by the council in carrying out the requirements of AS 18.65.130 - 18.65.290 and the regulations adopted under those statutes; however, a village police officer may review the officer's own records.

(e) A village police officer certified by the council or serving in a position requiring certification by the council shall maintain a current, valid mailing address on file with the council. The most recent mailing address on file with the council is the address that the council will use for official communications and notifications. An officer shall notify the council, in writing, of a change of the officer's address not later than 30 days after the change.

13 AAC 89.140. Exemption.

The provisions of this chapter do not apply to a village which has enacted an ordinance which specifically excludes it from AS 18.65.130 - 18.65.290 if the village maintains a police training program which equals or exceeds the requirements of 13 AAC 89.040 and whose instructors are certified under 13 AAC 87.040.

13 AAC 89.150. Definitions.

In this chapter,

- (1) "certificate" means a certificate described in 13 AAC 89.030;
- (2) "controlled substance" has the meaning given in AS 11.71.900;
- (3) "council" means the Alaska Police Standards Council;
- (4) "crime of dishonesty" means a crime under AS 11.46, or a crime under a similar statute or ordinance of this state or another jurisdiction;
- (5) "crime of domestic violence" has the meaning given in AS 18.66.990;
- (6) "driving under the influence" means an offense under AS 28.35.030 or another law or ordinance with substantially similar elements, or an offense of refusal to submit to a chemical test under AS 28.35.032 or another law or ordinance with substantially similar elements;
- (7) "expungement" means that the central repository for criminal history records, in the jurisdiction in which a conviction was issued, has destroyed or sealed the record of conviction so that the record is not available for dissemination for any criminal justice activity;

13 AAC 89.150. Definitions.

(8) "felony" means a crime classified as a felony in this state at the time the crime was committed; a conviction in another jurisdiction by a civilian or military court is a felony conviction if the crime has elements similar to those of a felony under the law of this state at the time the offense was committed; a completed suspended imposition of sentence, expungement of record, or a pardon does not remove a felony conviction from a person's record;

(9) "force" has the meaning given in AS 11.81.900(b);

(10) "good moral character" means the absence of acts or conduct that would cause a reasonable person to have substantial doubts about an individual's honesty, fairness, and respect for the rights of others and for the laws of this state and the United States; for purposes of this standard, a determination of lack of "good moral character" may be based upon a consideration of all aspects of a person's character;

(11) "jurisdiction" means a state, territory, or commonwealth of the United States;

(12) "marijuana" has the meaning given in AS 11.71.900;

13 AAC 89.150. Definitions.

(13) "misdemeanor" means a crime classified as a misdemeanor in this state at the time the crime was committed; a crime committed in another jurisdiction for which there was a conviction in that jurisdiction by a civilian or military court is a misdemeanor conviction if the crime has elements similar to those of a misdemeanor under the law of this state at the time the offense was committed; for purposes of determining whether, under this paragraph, a crime is to be considered a misdemeanor or whether a conviction is to be considered a misdemeanor conviction, an offense punishable as a misdemeanor in this state or under the law of another jurisdiction that results in a completed suspended imposition of sentence, expungement of record, or a pardon is a misdemeanor conviction unless the offense was committed by the person before 21 years of age;

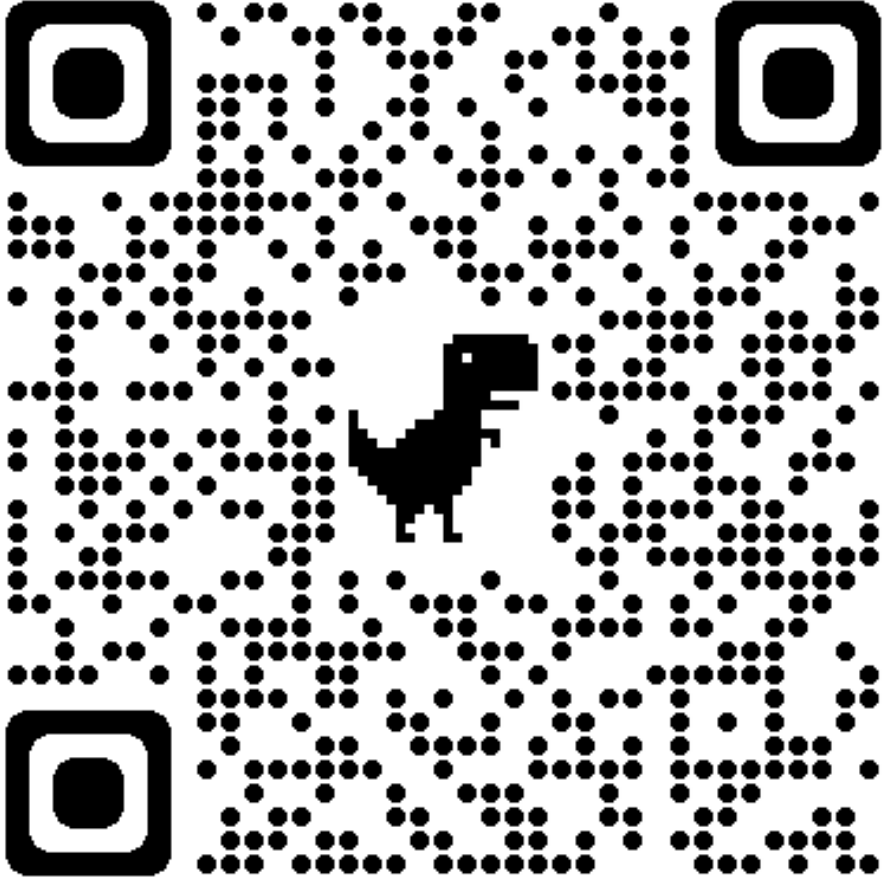
(14) "serious physical injury" has the meaning given in AS 11.81.900(b);

(15) "village" means a community that

(A) is off the interconnected state road system;

(B) has a population of less than 2,000 persons based on the most recent federal census; and

(C) has been incorporated as provided in AS 29.05.



QUESTIONS?

**Link to APSC
website**

A vibrant green aurora borealis (Northern Lights) is visible against a dark, starry night sky. The aurora consists of several horizontal bands of light, with the most intense being a bright green band that curves across the lower portion of the frame. The background is a deep teal color, which is a semi-transparent overlay on the right side of the image.

Thank you

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