

Title 31: Public Safety

Part 101: The Board on Jail Officer Standards and Training Professional Certification Policy and Procedures Manual

PEACE OFFICER STANDARDS & TRAINING

**THE BOARD ON JAIL OFFICER STANDARDS AND TRAINING (BJOST)
PROFESSIONAL CERTIFICATION POLICY AND PROCEDURES MANUAL**

Promulgated under the authority of Mississippi Code as Annotated, §45-4-1. First published in 2004; rev - 2006, 2007, 2008, 2009, 2010 and 2011

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Preface

adopted - 01/2001; rev - 06/2007

The 1999 regular session of the Mississippi Legislature enacted legislation to establish minimum standards for employment, training and education of jail officers. Governor Kirk Fordice signed the "County Jail Officers Training Program (CJOTP) Act", and the law became effective 1 July 2000.

The County Jail Officers Training Program established the Board on Jail Officer Standards and Training (BJOST) to implement the law and its provisions. The Act directed the Office of Standards and Training to provide the Board with administrative and fiscal support and designated the Director of Standards and Training to serve as staff director of the Board on Jail Officer Standards and Training.

This "**Professional Certification Policy and Procedures Manual**" describes the policies and procedures the BJOST has established concerning the employment of jail officers in Mississippi. This manual is promulgated pursuant to authority granted the Board on Jail Officer Standards and Training by Chapter 482, General Laws of Mississippi, Section 1 and Chapter 515, General Laws of Mississippi, Section 4. The policies and procedures therefore have the force and effect of law and are written for the guidance of agency heads and personnel officers of detention agencies whose personnel come under the jurisdiction of the CJOTP.

Please direct any questions you may have about this manual to the Director at:

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Office of Standards and Training
1025 Northpark Drive
Ridgeland, Mississippi 39157
Telephone # - (601) 977-3777; Facsimile # - (601) 977-3773

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Composition and Authority

adopted - 1999; rev - 07/2000

Title: The Board on Jail Officer Standards and Training (BJOST). Originally the title of the Board was The Board on County Jail Officer Standards and Training (BCJOST).

Legal Authority: The Mississippi Code as Annotated establishes the County Jail Officers Training Program in Chapter 4, § 45-4-I through 45-4-I3.

Purpose: Our purpose is to establish a set of standards for the entrance into the profession of jail/detention officer and develop programs to implement standards and review the job relatedness of the established standards. We are also to establish and implement a dynamic jail officers training program to deliver appropriate training at the beginning of and during an officer's career.

Composition: The Board consists of nine (9) members. The members shall be appointed as follows:

Two (2) members to be appointed by the Mississippi Association of Supervisors.

Three (3) members to be appointed by the Mississippi Association of Sheriffs.

One (1) member to be appointed by the State Board for Community and Junior Colleges.

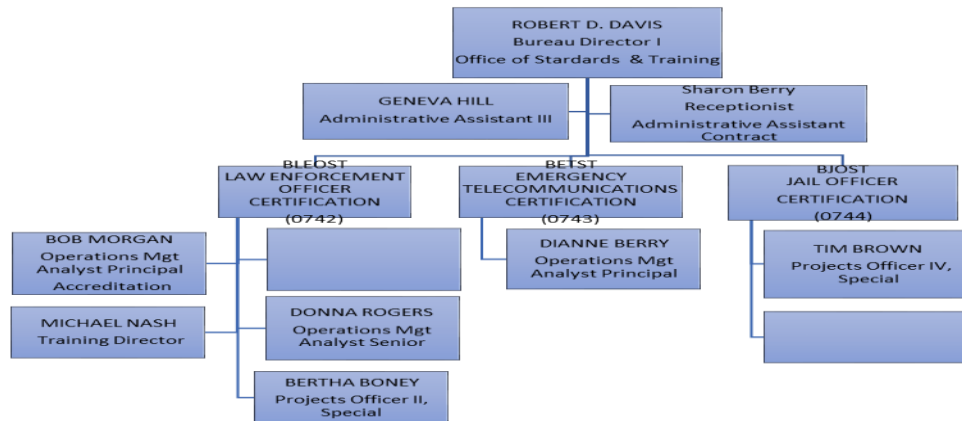
One (1) member to be appointed by the Governor.

One (1) member to be appointed by the Mississippi Association of Chiefs of Police.

One (1) member to be appointed by the Mississippi Municipal League.

Organizational Chart of the Office of Standards and Training

adopted - 07/2000; rev - 09/2006, 01/2007, 06/2007, 10/2007 and 2/2008



Support Division

- ◆ Accreditation
(601) 987-3092
- ◆ Compliance Monitoring
(601) 987-3977; 3079; 3980
- ◆ Certification Procedure
(601) 987-3061
- ◆ Curriculum
(601) 987-3061
- ◆ Evaluation
(601) 987-3061
- ◆ Data Analysis
(601) 987-3061

Training Division

- ◆ Information Technologies
(601) 978-3061
- ◆ In-service Training
(601) 987-3049; 3061
- ◆ Instructor Certification
(601) 987-3049; 3061
- ◆ Juvenile Facility Monitoring Unit
(601) 978-3977; 3979; 3980
- ◆ Records and Forms
(601) 978-3061
- ◆ Media Center
(601) 933-2100

Detention Facilities Coming Under the Jurisdiction of the JOTP

adopted - 05/2001; rev - 09/2006

The following list contains those agencies whose employees meet the definition of "Jail/Detention Officer" as defined by Chapter 01 Section 101.01 of this policy and procedure manual under the authority of Chapter 484, § 3 of the 1999 General Laws of Mississippi, and Chapter 515, § 6, of the 2000 General Laws of Mississippi:

<u>Agency Type</u>	<u>Number of Departments</u>
County	65
Municipal	18
Regional (Multi-County)	9
Juvenile Detention Centers	<u>18</u>
Total	<u>110</u>

It is to be noted that not all employees of the above organizations meet the criteria for "Jail/Detention Officer" and that other unlisted organizations do have certain jail officer roles but do not meet the criteria established by state law.

Chapter 01: Applicant Evaluation, Employment and Certification Procedures

adopted - 05/2001; rev - 06/2004, 07/2006, 10/2007 and 05/2009

- 100** **PURPOSE** This section establishes policy and procedure for certification of detention officers.
- 101** **POLICY** The Board shall certify as detention professionals those persons who meet the employment guidelines established in accordance with Mississippi Code as Annotated § 45-4-9.
- 101.1 Certification under the Jail Officers Training Program is limited by law to detention officers only. A detention officer is defined as any person who is:
1. Appointed or employed full-time, part-time, reserve, or auxiliary by the county or municipal political subdivision,
 2. And whose primary responsibility is the custody, care and control of inmates in a county or municipal juvenile or adult detention facility.
- 101.2 Detention facility shall mean any juvenile or adult lock-up or holding facility where a person or persons are placed after being arrested or detained for the purposes of awaiting court action or are serving time as administered by the court.
- 101.3 Detention officers already serving under permanent appointment on 1 January 2000 are not required to meet any of the provisions of the detention officer program.
1. This exclusion from the requirements of the detention officer program is valid so long as the eligible officer does not have a break in detention employment of more than two years. If an officer who is grand-fathered under the program leaves employment as a detention officer and does not become a detention officer within two years, the officer will be required to meet all the requirements of the Act.
- 101.4 All detention applicants with the noted exception in paragraph 101.03 above **must meet the following guidelines to be employed as a detention officer:**
1. Be at least eighteen (18) years of age,
 2. Be a high school graduate or obtain a GED. High School graduate is defined as graduating from a secondary school in an accredited school district having

earned the required Carnegie units and successfully completed any and all subject area testing as specified by the Mississippi Department of Education in the year the diploma was awarded.

- a. Accredited schools include those accredited by the Departments of Education from each State, the Private School Association from each State, the Association of Christian Schools International, the Southern Association of Colleges and Schools (SACS) or one of the six regional bodies of the Association of Colleges and Schools.
- b. If an applicant has not obtained a high school diploma from an accredited school, the applicant must obtain a GED through the Mississippi Department of Education or obtain an equivalent score on a GED test administered by the American Council on Education.
- c. Applicants may provide a standardized test score on the ACT of 18 or higher in lieu of a GED score.

3. Be a United States citizen,
4. Be of good physical and mental condition, capable of performing the duties, under conditions inherent to the profession, as verified by a licensed practitioner,
5. Be of good moral character as evidenced among other things by having neither a conviction nor a plea of guilty or nolo contendere, probation, pre-trial diversion or payment of any fine for a felony or a misdemeanor involving moral turpitude. Individuals discharged from the Armed Forces must have served under honorable conditions and not been removed from the service under a dishonorable or bad conduct discharge. Fitness for service as it relates to moral character must be verified by an appropriate background investigation. (SEE BACKGROUND INVESTIGATIONS)

101.5 Individuals who meet both the definition for a detention officer in 101.01 above and who meet the minimum employment guidelines are eligible to be employed as a detention officer.

1. Such officers must successfully complete prescribed training and obtain certification within two years from their date of hire. Prior to entering the prescribed training course, officers must complete CPR/First Aid Training. Documentation of CPR/First Aid Certification must be provided to the Training Facility.
 - a. Officers assigned to work in an adult detention facility are required to complete the Standardized Detention Officer Course.

- b. Officers assigned to work in a juvenile detention facility are required to complete the Standardized Detention Officer Course and the Extended Course Component for Juvenile Officers.
- c. Officers working in both adult and juvenile detention facilities must complete training in both training programs.

Note: Although the statute provides up to two years from the date of hire and under certain limited conditions individuals may lawfully serve beyond the two-year period, agencies should adopt policies to provide training as soon as possible, preferably prior to the assignment of any detention duties. Detention administrators are responsible for providing adequate and appropriate training to reduce the potential risks of conduct which could result in a violation of someone's civil rights, injury or death. Failure to do so has been construed by the courts as being deliberately indifferent.

- 2. The two-year or probationary period begins upon the initial date of hire as a detention officer. Individuals who begin employment with an agency in a non-detention position such as a dispatcher must report the effective date of their transfer to a detention position as their initial date of hire.
- 3. The two-year period is cumulative in nature and cannot be enlarged by additional or multiple employments. If an officer transfers from one department to another department prior to obtaining certification, the total time served will count toward the two-year period. For example, if an officer began employment and quit after three months, the officer would have twenty-one months remaining upon subsequent employment. The full two-year period may only be reinstated upon a break in service of two years or more.

101.6 The program makes no provision to waive, enlarge or extend the two-year period nor does the Act authorize the Board on Jail Officer Standards and Training (BJOST) to waive, enlarge or extend the two-year period. However the Act does provide that any person, who, due to illness or other events beyond his/her control, could not attend the required school/training as scheduled, may serve with full pay and benefits in such a capacity until he/she can attend the required school/training.

- 1. To qualify as being eligible to continue receiving pay beyond the two-year period, individuals generally must have met all selection criteria upon employment and in particular must have been able to meet the physical fitness guidelines as determined by a licensed practitioner.
- 2. Applicants must have been scheduled to attend a specific basic course by name and accepted for enrollment in a course which would have satisfied

the two-year requirement. Once it is determined that an officer cannot complete the course as scheduled, the hiring agency must provide written documentation that fully describes the event which prevents the student from successfully completing the course. The written documentation must include adequate documentation that the event was indeed beyond the student's control. A student's dismissal from the training program due to misconduct or failure to meet the academic/training standards would not constitute an event beyond that student's control. Illnesses, injuries or other events which could be reasonably avoided would not excuse a student's failure to achieve the training standards. Events, which are precipitated by a student's negligence, misconduct or illegal activity, will not be considered as "beyond the student's control". For example, a vehicular accident in which the student operator was found to be operating the vehicle in a willfully reckless fashion or under the influence of intoxicating substances would not be beyond that student's control as such events can be readily avoided.

3. Any such event which prevents a student from completing the course as scheduled must be temporary in nature. Applicants must have reasonable potential to recover from the illness, injury or other event and make a reasonable effort to successfully complete the training course. In any case, applicants must complete the training within two years from the date of their illness or injury or be reevaluated as to their ability to meet the physical fitness employment guidelines. Such evaluations will be conducted in accordance with the Board's policy on recall or cancellation of certificates. In addition to those procedures, applicants must submit a Board-approved medical examination dated within six months of the review hearing.
4. Events precipitated by natural disaster, civil disturbance, war or acts of God which would reasonably interfere with the normal conduct of detention activities within a political subdivision or disrupt the detention training programs of the state would enable an applicant to continue to serve and receive salary as a detention officer.
5. Agencies must make every reasonable effort to provide training to their officers and adopt policies which ensure that their officers complete the prescribed training requirements within the two-year period. Agencies which fail to provide adequate funding or other appropriate resources to ensure compliance with the program will not be eligible to continue the service of officers who have not completed the training requirements within the two-year period.
6. Should the State fail to provide adequate resources or funding to enable each officer to complete the required detention training within the two-year time limit, agencies may continue to employ such officers until they have the opportunity to complete the next available training program.

7. The Board staff shall review the facts and circumstances for each instance where an applicant's department requests to continue service beyond the two-year period. The staff shall determine whether the applicant was eligible to be employed as a detention officer, whether the applicant was scheduled to attend a basic course within the two-year period, whether the injury, illness or other event was beyond the control of the applicant and whether the situation will be temporary or permanent in nature.

101.7 The detention officer program makes provision to penalize agencies who employ officers without obtaining certification beyond the two-year period. These penalties include a loss of powers and authorization to receive a salary. To avoid these penalties, agencies should consider all contingencies in the planning of the evaluation, employment and training of their personnel.

102 PROCEDURES All detention employers shall follow these steps in the evaluation, employment and certification of detention officers.

102.1 The employing agency must evaluate each detention applicant to ensure each applicant meets the minimum employment criteria prior to employment. This evaluation must include the following:

1. A complete background investigation (**See Background Investigations**). This investigation is a critical factor in determining whether detention applicants meet the requirements established under this program. The primary purpose of the investigation is to provide the detention employer with enough factual information to determine if a particular candidate would ensure the continued public trust in the competence and reliability of the department.
2. The submission of the applicant's fingerprints to the Criminal Information Center of the Mississippi Department of Public Safety (DPS/CIC) as a part of the background investigation.

Criminal Information Center/MJIC
Department of Public Safety
"Fingerprints"
3891 Highway 468 West
Pearl, Mississippi 39208
Telephone # - (601) 933-2600; Fax # - (601) 933-2676

Do not send fingerprints to the Board or to any of the academies. None of these agencies will forward your applicant's prints.

3. A review of the official Certificate of Release or Discharge From Active Duty, DD Form 214 for all applicants who have military service.

4. A review of appropriate official documents to certify successful completion of high school or of the General Educational Development (GED) Testing Program.
 5. A review of appropriate official documents to certify age and citizenship.
 6. A medical and psychological review completed by a licensed practitioner. Please note that the medical evaluation is valid for six months.
 7. A review of appropriate documents to verify current certification status for those applicants transferring from another detention agency or jurisdiction.
 8. Officers who transfer from another Mississippi detention agency with a valid certificate (with a break in-service of less than two years) must continue to meet all the minimum employment standards. Therefore, agencies must conduct a background investigation and medical/psychological exam of all applicants to include those officers who may already hold certification.
- 102.2 Once the employer has verified all the minimum employment standards and has employed the candidate, the employing agency shall create and maintain an individual personnel file containing a release of information form signed by the applicant, documentation of the aforementioned minimum employment specifics, documentation of the background investigation and the medical exam (i.e. official diplomas, birth certificate, DD Form 214, naturalization forms, FBI fingerprint report, etc.). The individual personnel file shall be maintained by the agency as long as the named officer is employed as a detention officer within the agency. The agency head shall readily make the contents of the file available to the BJOST upon receipt of a written request.
- 102.3 Detention agencies must notify the Board on Jail Officer Standards and Training (BJOST) within thirty days of the date of hire of any full-time, part-time, reserve, or auxiliary detention officer. This notification shall be via a **“Detention Application for Certification and Background Investigation Review”** form, Parts I, II and III. The Board will use this form to determine if the applicant meets the minimum employment and training standards required for certification.

Warning: MCA § 97-7-10 “Fraudulent Statements and Representations” provides for severe penalties for misrepresentations or fraudulent statements to a Board. This statute authorizes a fine of up to ten thousand dollars (\$10,000.00) and a jail sentence of up to five (5) years. Further, the JOTP authorizes the Board in MCA § 45-4-9 (5)(b) to cancel and recall any certificate obtained through misrepresentation or fraud.

1. The agency head is responsible for conducting a background investigation. The investigation should reveal whether the applicant is a “grand-fathered” officer, a certified officer or an officer who has not obtained certification in

Mississippi.

- a. The "**Detention Application for Certification and Background Investigation Review**" form, Parts I, II and III shall be submitted for either officers who have not obtained certification in this state or officers who have had a break in service of two years or more. Part II of this form must be signed and dated by the applicant. Part III of this form must be signed and dated by the agency head or an authorized designee. Both Parts II and III must be signed and dated before a notary public.
 - b. Agency heads must designate persons to sign BJOST forms in writing. Such authorizations shall be submitted to the Board.
 - c. If the applicant for certification is the agency head, (i.e., Sheriff, Chief or director) forms must be signed by the next individual in the chain of command such as a county supervisor or mayor.
2. To obtain credit for completion of basic training, agencies must submit appropriate documentation with the "**Detention Application for Certification and Background Investigation Review**" form. Appropriate documentation shall consist of a copy of a training certificate, a score sheet or a letter authenticated by an academy official. Credit may also be granted for completion of an advanced training course such as the National Institute of Corrections or American Academy of Corrections.
 3. In all cases, the employing agency must submit Parts I, II and III of the "**Detention Application for Certification and Background Investigation Review**" form within thirty days whenever any individual is employed as a detention officer. Part II lists questions with a choice of a "yes" or "no" answer, and contains a statement to be signed and dated by the applicant. Part III lists procedures to be initialed, to signify completion, by the head of the agency/department or his/her authorized signee, and contains a statement to be signed and dated by the agency head or the authorized signee. Both Parts II and III must be signed and dated before a notary public.
 - a. Any of the questions in Part II, items one (1) through ten (10), that are answered "yes" must be explained in writing to the Board. The explanation must be typed or printed in ink on separate 8.5 x 11 sheets of paper, signed and dated by the applicant and include all related court documents. All crimes (regarding questions 4 and 5) must be reported. The only exceptions to this requirement are traffic offenses where the fine is less than one hundred dollars (\$100.00) and where the applicant has had fewer than four (4) traffic offenses within the preceding twenty-four (24) months (excluding drug or alcohol related offenses).

- b. Traffic offenses where the fine was more than one hundred dollars (\$100.00) or offenses that involve drugs or alcohol must be reported and explained. If the applicant has had four (4) or more traffic offenses within the previous twenty-four (24) month period, the date and disposition of each offense must be listed.
 - c. All other types of offenses are crimes and must be reported, regardless of the fine, pleas entered, or the adjudication status. This would include but is not limited to cases that are non-adjudicated, nolle prosequi, dismissed or acquitted.
 - d. Explanation of crimes or related matters should include the date of the offense and the status of the case.
4. Agencies must submit a **“Detention Application for Certification and Background Investigation Review”** form, Parts I, II and III and an explanation for any answers of “yes” in Part II. Agencies should also submit documentation of basic training if applicable. No other forms or documents should be sent to the Board unless requested by the staff in writing. Other diplomas, in-service training certificates, birth records, fingerprint cards etc. should be retained in the agency personnel file.

102.4 The Board Certification Section shall review each set of forms submitted to the Board. The Certification Section:

- 1. Shall determine that all appropriate forms are included.
- 2. Shall analyze each document to verify certification specifics which the Board must consider in accordance with established policy and procedure.
- 3. Shall determine the Certification Status of each applicant;
 - a. Eligible for exclusion ("grand-fathered") under § 45-4-9,
 - b. Eligible for transfer of current certification to another detention agency (break in service of less than two years),
 - c. Eligible for certification after successful completion of Board-approved basic training course or a recognized equivalent.
 - d. Or not eligible for certification.
- 4. Shall communicate with the employing agency in writing to clarify information as needed and to inform the agency of the applicant's

certification status.

5. Shall track progress toward completion of assigned training of all applicants.
- 102.5 After the staff has notified the agency head of the applicant's certification status, the agency head must then ensure that all arrangements are made to enroll the officer in an appropriate training program. Once the applicant has successfully completed the prescribed training and the Board has approved the individual or group of applicants, the staff will distribute certificates and provide reimbursement of authorized expenses.
 - 102.6 Individuals aggrieved by the actions of the BJOST staff may request to present their request before the Board at a regularly scheduled meeting. Such requests must be presented to the staff in writing not later than 10 working days prior to the next regularly scheduled Board meeting.

96-HOUR STANDARDIZED DETENTION OFFICER COURSE

<u>Subject</u>	<u>Hours</u>
<u>1. Introduction & Course Overview</u>	<u>1</u>
<u>a. Welcome & course overview</u>	
<u>b. Student introduction</u>	
<u>c. Overview of learning tasks & materials</u>	
<u>d. Role of Mississippi DPS</u>	
<u>e. Role of the Sheriff & Jail Administrator</u>	
<u>f. Basic goals & purpose for jails in criminal system</u>	
<u>2. Communication Principles & Techniques</u>	<u>12</u>
<u>a. Written documents, orders, & verbal instructions</u>	
<u>b. Policies & procedures</u> ¹	
<u>c. Inter-personal communications</u> ²	
<u>d. Breaking down inmate language barriers</u>	
<u>3. Inmate Supervision Principles & Techniques</u>	<u>8</u>
<u>a. Control and safety of inmates</u>	
<u>b. Officer safety principles</u>	
<u>c. Levels of supervision</u>	
<u>d. Guidelines for effective supervision of inmates</u>	
<u>e. Discipline and control guidelines</u>	
<u>f. Visitation control</u>	
<u>4. Jail Security Issues</u>	<u>8</u>
<u>a. Keys and locking systems</u>	
<u>b. Cell search</u>	
<u>c. Security checks</u>	
<u>d. Contraband control</u>	
<u>e. Monitoring & surveillance</u>	
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<u>b. Understanding & applying continuum of force</u>	
<u>c. Countermeasures</u>	
<u>d. Intervention options</u>	
<u>e. Escorting inmates</u>	
<u>f. Compliance holds</u>	
<u>g. Take down</u>	
<u>h. Inmate searching techniques</u>	
<u>i. Cuffing & restraints</u>	
<u>j. Documenting use of force</u>	
<u>6. Admissions & Releases of Inmates</u>	<u>8</u>
<u>a. Medical clearance</u>	
<u>b. Health screening</u>	
<u>c. Booking procedures</u>	

<u>d. Classification</u>	
<u>e. Searching & dressing out (including strip searches)</u>	
<u>f. Release</u>	
<u>7. Special Needs Inmates</u>	<u>8</u>
<u>a. Inmates undergoing a crisis situation</u>	
<u>b. Mentally ill</u>	
<u>c. Detoxification</u>	
<u>d. Suicide prevention principles & application</u>	
<u>e. Administration segregation</u>	
<small>¹ Importance of having and following such important documents as policies, procedures, and lawful instructions.</small>	
<small>² Based on the Interpersonal Communications Skills Program developed by National Institute of Corrections. Emphasis is on Total Participant Involvement.</small>	
<u>8. Health Care Issues.....</u>	<u>4</u>
<u>a. Legal responsibility to provide health care</u>	
<u>b. Initial health screening</u>	
<u>c. Secondary screening</u>	
<u>d. Sick call management</u>	
<u>Chronic disease issues overview</u> ³	
<u>Communicable disease issues overview</u> ⁴	
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<u>a. Ethical considerations</u>	
<u>b. Legal responsibility when responding to emergencies</u>	
<u>c. Guidelines for medical emergency response</u>	
<u>10. Report-Writing</u>	<u>4</u>
<u>a. Basic documentation principles and guidelines</u>	
<u>b. Effective report writing</u>	
<u>c. Practical exercises</u>	
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<u>a. Jail liability</u>	
<u>b. US Constitutional Issues under 42 USC §1983</u>	
<u>c. Mississippi Constitution & the law</u>	
<u>d. Case law update</u>	
<u>e. Practical application of the law by jailers</u>	
<u>12. Fire and Other Emergency Procedures</u>	<u>8</u>
<u>a. Evacuation of inmates</u>	
<u>b. Fire prevention guidelines in jails</u> ⁵	
<u>c. Fire drills and basic fire fighting</u> ⁶	
<u>d. Inmate disturbances & riots</u>	
<u>e. Natural disasters</u>	
<u>13. Dealing with Inmate Con Games</u>	<u>4</u>
<u>a. What inmates know & do</u>	
<u>b. Businesses run in jail</u>	
<u>c. Detecting & controlling inmate games</u>	

<u>14. Stress Management for Officers</u>	<u>2</u>
<u>a. Managing your time</u>	
<u>b. Sharing the load</u>	
<u>c. Leaving it all behind when you go home</u>	
<u>d. Basic stress management guidelines & techniques</u>	
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<u>a. Ethical behavior in jails</u>	
<u>b. Being a role model</u>	
<u>c. Officer vulnerabilities</u>	
<u>d. The officer at risk</u>	
<u>16. Scenarios & Practical Application Exercises ⁷.....</u>	<u>4</u>
<u>17. Closing Comments, Critique, & Graduation.....</u>	<u>1</u>
<u>TOTAL</u>	<u>96</u>

³ Includes such topics and issues as diabetes, epilepsy, respiratory issues, etc.

⁴ Includes such topics, issues, and practical exercises in dealing with AIDS, HIV, TB, MRSA, etc.

⁵ Includes such topics, issues, and practical exercises as ignition & fuel control.

⁶ Includes instruction and practical exercises in extinguishing fires, use of self-contained breathing apparatus.

⁷ Exercises designed to allow students to handle scenarios that they are likely to handle in the jail. There are preplanned exercises for the instructors to choose from or the academy can design some of their own.

24-HOUR EXTENDED COURSE COMPONENT FOR JUVENILE OFFICERS

<u>Subject</u>	<u>Hours</u>
1. <u>Understanding Adolescent Behavior</u>	<u>8</u>
<u>a. The troubled teen</u>	
<u>b. Juvenile corrections vs. adult corrections</u>	
<u>c. Officer & mentor role for officers</u>	
2. <u>Juvenile Legal Issues</u>	<u>4</u>
<u>a. Practical differences between adult and juvenile inmates</u>	
<u>b. Mississippi laws</u>	
<u>c. Juvenile programs</u>	
3. <u>Supervising Juveniles</u>	<u>7</u>
<u>a. Classification & placement considerations</u>	
<u>b. Periods of risk</u>	
<u>c. Active patrolling</u>	
<u>d. Communications with detainees</u>	
4. <u>Scenarios, Application of Knowledge & Skills</u> ⁸	<u>4</u>
5. <u>Closing Comments, Critique, & Graduation</u>	<u>1</u>
<u>TOTAL</u>	<u>24</u>

⁸ Exercises designed to allow students to handle scenarios that they are likely to handle in a juvenile detention setting. There are preplanned exercises for the instructors to choose from or the academy can design some of their own.

Duties and Working Conditions Encountered by Detention Officers

Every detention officer employed by a detention facility must be examined by a licensed practitioner. The practitioner's report must conclude that, in the opinion of the practitioner, the applicant has the ability to physically perform the duties of a detention officer.

The duties of a detention officer include, but may not be limited to, performance of the following physical activities:

- | | | |
|---------------------------------|------------------------------|----------------------------------|
| 1. Handcuff Prisoners | 13. Standing | 25. Hearing Alarms |
| 2. Administer First Aid | 14. Standing-Long Periods | 26. Hearing Voice Conversation |
| 3. Rescue Operations | 15. Kneeling | 27. Color Identification |
| 4. Lifting & Carrying 0-70 lbs. | 16. Twisting Body | 28. Close Vision |
| 5. Subdue Prisoners | 17. Pushing | 29. Far Vision |
| 6. Pursue Suspects | 18. Pulling | 30. Side Vision-Depth Perception |
| 7. Walking-Lateral Mobility | 19. Running | 31. Night Vision |
| 8. Walking Rough Terrain | 20. Sense of Touch | 32. Maintaining Balance |
| 9. Bending | 21. Reaching | 33. Finger Dexterity |
| 10. Stooping | 22. Gripping Hands & Fingers | 34. Speaking |
| 11. Crouching | 23. Climbing Stairs | |
| 12. Sitting | 24. Climbing Ladders | |

Working conditions for detention officers may include, but may not be limited to, the following:

- | | | |
|--|--|--|
| 1. Exposure to the Sun | 13. Exposure to Noxious Odors | 25. Working with Mental Patients |
| 2. Exposure to Inside
Temperature Extremes | 14. Work on High Ladders | 26. Working Night Shifts |
| 3. Exposure to Outside
Temperature Extremes | 15. Working in Remote Locations | 27. Working Day Shifts |
| 4. Dampness | 16. Wearing Helmets | 28. Working Weekends |
| 5. High Humidity | 17. Wearing Safety Glasses | 29. Exposure to Tobacco Smoke |
| 6. Noisy Work Areas | 18. Wearing Chemical-Resistant
Clothing | 30. Exposure to Other Smoke |
| 7. Work at Heights | 19. Wearing Rubber Boots | 31. Working at High Elevation |
| 8. Work in Confined Space | 20. Exposure to Bee Stings | 32. Working With Mentally Retarded
Persons |
| 9. Work in Crowded Areas | 21. Exposure to Poison Oak | 33. Providing Remote Emergency Medical
Assistance |
| 10. Working Alone | 22. Exposure to Dust or Pollen | |
| 11. Work with Inmates | 23. Exposure to Fumes | |
| 12. Exposure to Intense Light | 24. Working Long Hours | |

Applicant Evaluation, Employment and Certification Procedures

Chapter 02: Professional Certificates

adopted - 12/2003; rev - 06/2004; 08/2006 and 01/2007

- 100** **PURPOSE** This section establishes policies and procedures governing professional certificates.
- 101** **POLICY** Vested by law with ownership of and full responsibility for detention officer's certificates, the Board's policy is to ensure that certificates are issued only to fully qualified detention officers and revoked when appropriate and that all certificates are accounted for at all times. The law specifies that any certificate for a detention officer issued as a result of the Jail Officer Training Program is the property of the Board. Although the certificate is issued in the name of the individual detention officer, the Board shall place the certificate in the stewardship of the employer and shall retain the right to require return of the certificate to the Board. The employer shall not transfer a certificate issued by the Board to any person or agency except through the Board Director.
- 102** **PROCEDURES** All detention officer employers included under the Jail Officer Training Program as described in this Policy and Procedures Manual should follow these steps in safekeeping certificates issued to their employees by the Board.
- 102.01 The employer, upon receiving the certificate from the Board Director, should record the certificate number and the date issued in the employee's personnel file.
- 102.02 The certificate should remain in the physical custody of the employer at a site which houses agency operations. The employer may provide the employee with a photostatic copy of the certificate.
- 102.03 The certificate, if defaced, destroyed, misplaced, or stolen while in the stewardship of the employer, will normally be replaced with a photostatic copy. The production of duplicate certificates shall be minimized. The staff will evaluate each incident prior to the issuance of a duplicate certificate.
- 102.04 The employer should return the certificate to the Board Director, along with a complete Termination/Reassignment form, within ten working days after:
1. the employee no longer meets all of the qualifications for employment;
 2. the employee has been either convicted of or pleaded guilty or nolo contendere, probation, pre-trial diversion or payment of any fine to a felony or a crime involving moral turpitude (the employer shall provide official documentation of such conviction);

3. receiving written notice from the Board of evidence that the certificate was obtained through misrepresentation or fraud;
 4. the employee dies, resigns, laterally transfers or is terminated;
 5. the employee takes leave or is assigned leave from actual performance of detention officer duties from the employer for any reason for an indefinite period or for a period planned to last more than twelve months; and
 6. receiving written notice from the Board that the certificate shall be returned for other due cause as determined by the Board.
- 102.05 The staff shall decide the disposition of a certificate within a reasonable time after receiving notice that a certificate has been returned. The Board may decide to:
1. delay consideration of the return of the certificate;
 2. inactivate the certificate;
 3. assign stewardship of the certificate to a new detention officer employer or;
 4. annul/revoke a certificate, if issued in error or through misrepresentation or fraud.
- 102.06 In the case of lateral transfer, the staff shall forward the certificate to the appropriate employer.
- 102.7 The staff shall maintain the certificate and all other file information of detention officers who have died or whose certificates have been inactivated in the Board files.
- 102.8 When the staff has inactivated a certificate because a detention officer:
1. is no longer in detention officer employment as described in this Policy and Procedures Manual,
 2. is on indefinite leave or leave for more than one year, or
 3. for other reasons,
- 102.9 The Board Director may reactivate the certificate when the certified detention officer resumes employment for the employer who returned the certificate or under a new detention officer employer included under the Jail Officer Training

Program. In either case, the employer may initiate the reactivation process by forwarding a new Application for Certification (Parts I, II and III) to the Board Director. The Board Director shall forward a reactivated certificate to the employer.

- 102.10 When the certificate of a detention officer certified by statute remains inactivated for more than two years, the certificate shall lapse. Upon receiving a request to reactivate the certificate, the Board Director shall notify the employer by letter that the certificate has lapsed and that the employee must requalify for certification by the Board in order to be employed as a detention officer for more than two years.
- 102.11 The Board hereby relegates to the staff the authority to certify all detention officers upon satisfactory completion and verification of all requisite training.
- 102.12 The Board further authorizes the staff to issue Professional Certificates on the first day of each month and furnish a list at the Board meetings for official recognition of certification.

Chapter 03: Hearings, Denial or Other Sanctions of Certificates

adopted - 12/2003 ; rev - 06/2004

- 100 PURPOSE** This section establishes policy and procedures governing the recall or cancellation of the professional certificate of an detention officer.
- 101 POLICY** The Board reserves the right to cancel and recall any certificate when:
- 101.1 The certificate was issued by administrative error;
 - 101.2 The certificate was obtained through misrepresentation or fraud;
 - 101.3 The holder has been convicted, pled guilty, pled nolo contendere, fined, ordered into probation or pre-trial diversion in relation to a crime involving moral turpitude;
 - 101.4 The holder has been convicted, pled guilty, pled nolo contendere, fined, ordered into probation or pre-trial diversion in relation to a felony; or
 - 101.5 Other due cause as determined by the Board.
 - 1. The Board has established standards and qualifications by rule and regulation for the employment of detention officers as they relate to the competence and reliability of persons to discharge the responsibilities of that position of public trust. These standards address minimum age, education, training, citizenship, good moral character and experience.
 - 2. Any condition, conduct or action that would breach the established minimum standards or would greatly diminish the public trust in the competence and reliability of a detention officer would be actionable as due cause for recall or cancellation of a certificate.
- 101.6 Staff may take administrative action to suspend, recall, cancel or revoke a professional certificate for any of the purposes stated above. Upon taking administrative action, the certificate holder will be notified by the staff of such action and informed of his/her right to a hearing before the Board.
- 102 PROCEDURES** The procedures listed herein shall be followed to ensure a fair and expedient hearing consistent with law.
- 102.1 The Board Staff shall open a certification review file upon the instruction of the director or the assistant director. The director or the assistant director may base the opening of a review file on a number of sources.

1. Routine activity by the Board Staff that discloses noncompliance with the established policy shall be considered as possible basis for opening a certification review file.
 2. Detention officer agency heads may request in writing to the director or the assistant director that a certification review file be opened.
 3. The investigative divisions of the state or a political subdivision thereof may request in writing to the director or the assistant director that a certification review file be opened.
 - a. All such requests in 102.01.2 and 102.01.3 should be accompanied by documents to support the review request. All accepted materials shall become a part of the individual detention officer's application packet.
 - b. The release of these materials shall be in accordance with the Board's policy and the Open Meetings and Records Act.
- 102.2 Once the certification review file has been opened, the Board Staff shall be responsible for organizing the materials submitted as a result of the review process. The staff may correspond with the employer, official records clerks or investigative agencies to clarify information. The staff may also initiate a request through the director to the investigative division of the Office of the Attorney General for further investigative support if needed.
- 102.3 The staff will indicate whether criminal charges have been initiated and maintain a current status report for each opened certification review file. (Information on court dates, hearings, pleas, adjudication status and sentencing shall be maintained to enable the director to take immediate action once a case has been heard.)
- 102.4 The director or the assistant director shall review the status of all open certification review files on a regular basis. Once the director believes that there is sufficient cause to initiate a request for a Board action or administrative action in the case, the director shall notify the Chair of the Board and request the formation of a certification review hearing or send a letter to the certificate holder notifying them of the administrative action. The action becomes effective in 30 days unless the certificate holder requests a hearing before the Board.
- 102.5 The Chair shall evaluate the review file and consider whether there is sufficient cause to support a belief in a reasonable basis for revocation. The Chair shall decide the need for expeditious action based on available information and establish a time frame for further activities. The Chair may elect to:

1. delay consideration pending further information;
2. proceed with a hearing to enable the full Board to evaluate the case.

102.6 If the Chair decides to proceed with a hearing, the Chair shall contact the director to establish the hearing. The Chair may elect to hold the hearing at the next regularly scheduled meeting or at a specially convened meeting for that purpose.

1. Once the date has been established for the hearing, the director shall notify the detention officer and the agency head by certified letter, return receipt requested of the hearing date. The letter shall state in clear terms that the Board will decide at the designated meeting whether or not to recall or cancel the officer's certificate.
2. The letter will also:
 - a. Notify the detention officer of the time and place of the meeting;
 - b. Spell out the substance of the proposed reasons for recalling the certificate.
 - c. Invite the detention officer to appear personally before the Board to make a presentation on his/her certification.
 - d. Advise the detention officer that he/she may bring people to give oral testimony or to provide assistance in the presentation.
 - e. Advise the detention officer that he/she may have counsel assist and/or represent him/her at the hearing.
 - f. Advise the detention officer that strict rules of evidence do not apply.
 - g. Advise the detention officer that documents may be submitted for consideration. All copies of any official documents must be submitted under the county seal or notary public. Any written testimony must be presented in the form of duly sworn affidavits. All documents must be submitted to the Board Staff not later than five working days before the hearing.

102.7 At the appointed time, the chair shall convene the certification hearing. The chair or the vice chair shall be the presiding officer and control the course of the hearing. The Board itself shall constitute the hearing panel.

1. The proceedings of the hearing shall be recorded electronically and a separate written record shall be prepared.

2. The Board shall consider all oral and written material presented at the hearing.
- 102.8 At the conclusion of all presentations and arguments, the Board may vote to enter executive session to deliberate the question of certification.
1. During deliberation the Board shall first consider the factual charges against the detention officer and determine if the information presented supports the charges.
 2. If the Board finds that one or more of the charges are supported, then the Board shall consider whether to revoke the detention officer's certification.
 3. The Board action shall be reduced to writing and entered into the written record of the proceedings. This record shall report the Board's findings of fact relative to each charge and the certification decision reached by the Board.
- 102.9 The director shall notify the employing agency and the detention officer in writing of the Board's decision. If the Board recalled the certificate, the notification shall advise the employer that no person shall serve as a detention officer during a period when that person's certificate has been canceled or recalled in accordance with Mississippi Code.
- 102.10 A detention officer aggrieved by the findings and order of the Board may file an appeal with the chancery court of the county in which the detention officer was employed. The detention officer must submit written notice of the appeal and the appropriate venue to the Board within thirty days after the date of the Board's final order.

Hearings, Denial or Other Sanctions of Certificates

Chapter 04: Compliance Monitoring and Noncompliance

adopted - 12/2003

- 100** **PURPOSE** This section establishes the policy and procedures for compliance monitoring and for addressing any instances of noncompliance that may come to the Board's attention.
- 101** **POLICY** The intent of the Legislature in enacting the County Jail Officers Training Program (CJOTP) Act was clearly to establish standards for the selection and training of detention officers as soon as possible upon beginning the detention officer's career. This action was for the benefit of all the people of the state in that trained detention officers could better meet the needs of a complex society. Due to that very complex nature of today's society, coupled with the ever increasing demands for the services of the detention officer professional, the need for competent, capable and credible detention officers has never been greater. The issue of competence will become a much-debated topic in the nation's courts as the incidence of litigation against detention officers for negligence inevitably will begin to rise. To further exacerbate matters, detention officer agencies, towns, cities, counties and even state levels of government are being named by litigants for negligence. Simply stated, the potential penalty for failure to do the right thing at the right time is so great that the state and local governments can not afford to ignore the risks. In a large measure, training and standards reduce the risk potential for failure on the part of detention officers. The Board's policy is to ensure that the established standards are enforced to the maximum extent practically possible and that detention officers receive needed training throughout their careers. As a part of ensuring that standards are met, the Board will strive to encourage agencies and detention officers to achieve compliance by utilizing every asset and resource available to the Board.
- 102** **PROCEDURES** The primary tools the Board will use in compliance monitoring are the various forms discussed in Appendix A of this manual. These forms provide the Board information upon which to base decisions as to the eligibility of an applicant to become a detention officer and the level of training required to meet or exceed the mandated requirement. The Board will use other sources of information as necessary to determine who is serving as a detention officer and whether or not the individual is certified and thereby authorized to serve.
- 102.1 Compliance shall be evaluated on both an individual and organizational basis.
1. The individual must supply information to the Board through his employer. The employer must conduct a background investigation to verify the Board certification specifics (see Application for Certification, Part III). This information will be reviewed by the staff to determine eligibility and training.

Random checks of the information will be conducted to obtain independent verification. Once the review is completed, the Board will inform the individual on the type of training required to obtain certification. The individual will have achieved compliance only after successful completion of the training and the Board's formal action of certification.

2. Detention officer agencies must establish a policy that ensures only authorized (certified) detention officers perform duties as a detention officer. In addition to this policy, the agencies must provide requested information to the Board on a timely basis. The two year probation period should prove to be ample time to achieve certification for any detention officer. Delays in submitting required paperwork and procrastinating in completing required training can easily result in noncompliance. No provisions are provided to waive, excuse or nullify the requirement to achieve certification within two years. Agencies who have detention officers who can not achieve certification within the established time limit must reassign the affected individuals to other duties or terminate their employment.

102.2 The Board Staff will make every reasonable effort to assist agencies in achieving compliance. The staff, the Board and the Officers Training Program (JOTP) exist to serve the needs of the detention officer community. Hopefully, a spirit of understanding and cooperation will prevail in order that the detention officer profession will continue to advance and obtain the recognition so richly deserved. The Board will strive to keep lines of communication open and provide assistance in overcoming problems with the certification process before the probation period expires, thereby avoiding serious problems requiring drastic measures.

1. The staff will attempt to contact the agency head to resolve any conflicting information or problems with compliance.
2. The heads of related agencies such as the mayor, board of supervisors, etc., will be contacted as needed to resolve problems.
3. Communication with agencies shall be in writing with additional backup communication through the use of telephone and staff visits.

102.3 In addition to the information on compliance that the staff discovers through routine monitoring, the staff receives information from a variety of other sources, such as the media and citizen complaints. Information that indicates a potential compliance problem will be reviewed to determine if further information is required. Before taking any action on such information, the staff will attempt to verify the information with the agency head involved.

102.4 The Board will make every effort to identify the need for compliance and assist those agencies in meeting the requirements of the Act prior to the expiration of

the two year probation period.

1. If the Board discovers that a violation of the Act has been committed (i.e., an individual performs detention officer duties in excess of two years from their date of hire without obtaining Board certification), the Board will notify the agency head in writing of their potential liability. The Board will further notify the State Auditor that public funds may have been paid out in violation of state law. A copy of this notification will be provided to the local executive officer.
2. In addition to the above measures, the Board will not reimburse the training costs incurred by any agency who is not in compliance with the Act or the provisions of this Policy and Procedures Manual. Simply stated, the payment of a detention officer's salary when that person performs detention officer duties in excess of two years without obtaining certification is prohibited. Therefore, the Board cannot reimburse any cost of salary incurred in excess of the two year limit by a detention officer in training, even if the agency is otherwise in compliance.

102.5 In the event an agency disagrees with the Board as to the certification process pertaining to their organization, the agency is encouraged to submit a request in writing to have a representative appear before the Board at the next regularly scheduled meeting.

Chapter 05: Certification Based on Re-qualification

adopted - 04/2003; rev - 05/2009

- 100** **PURPOSE** This section establishes policy and procedures for certification of detention officers whose certification has lapsed and those officers who have training and experience in another jurisdiction.
- 101** **POLICY** The Board shall certify as detention officers those persons who meet the employment guidelines and re-qualify by successfully completing the current standardized detention officer course of the Jail Officer Training Program.
- 101.1 The certification of any detention officer shall lapse after a break in service of more than two years.
- 101.2 If a detention officer, who is grand-fathered under the program, leaves employment as a detention officer and does not become a detention officer within two years, the officer will be required to meet all the requirements of the Jail Officer Training Program.
- 101.3 Detention officers trained or certified by other jurisdictions are required to meet all the requirements of the Jail Officer Training Program.
- 101.4 Correctional Officers, who successfully complete the Mississippi Department of Corrections' training program after May 13, 2004, that meet the current employment guidelines shall be certified without further training, if the officer does not have a break in detention employment of more than two years.
- 101.5 Any officer, certified in this state, whose break in service was due to serving as a detention officer in another state or federal jurisdiction may restore their certification provided that the break in service is not more than four years.
1. Applicants must have completed the detention officer course and met the current employment guidelines.
 2. Applicants must have not had a break in service of more than four years.
 3. Applicants must have served in a full-time capacity as a detention officer in one of the following positions (or other position as approved by the Board):
 - a. A municipal, county or other detention officer appointed or employed full-time in a recognized political subdivision of any state, province or territory of the United States of America who has as their primary duty the detention of inmates.

- b. An agent, officer or other detention officer appointed or employed full-time by the United States Department of Justice or subdivisions, the Department of Defense or its recognized military service branches, the Department of the Interior or the District of Columbia who has as their primary duty the detention of inmates.

101.6 It is incumbent upon the detention officer's agency to ensure that all officers obtain certification within established time limits. Employers should ensure that all applications for certification are submitted on a timely basis. Once the staff has provided instructions for the certification of a particular officer, employers should enroll their officer in the approved course so that each officer will be assured of completing any and all requirements within the two-year period.

102 **PROCEDURE** All procedures applicable to certification for newly employed officers must be followed to re-qualify for certification. In addition to the forms required for the certification process, the employer shall provide documentation of detention officer training (copies of certificates, etc.). The Board staff will authenticate all documents submitted to the Board from other jurisdictions. The employer shall be prepared to submit the curriculum for training completed in another jurisdiction. The staff will request curriculums as needed for the Board files.

Chapter 06: Instructor Certification

adopted - 03/2001; rev - 06/2004 and 10/2007

- 100 PURPOSE** This section establishes policy and procedures governing the standards and qualifications to be used to certify instructors for Board-approved training.
- 101 POLICY** All persons instructing officers in any Board-approved training courses must be certified as an instructor by the Office of Standards and Training (ST).
- 102 PROCEDURES** Minimum requirements for certification of training instructors.
- 102.1 Individuals applying for certification to instruct in ST approved courses must apply through the completion of a formal application (ST Instructor Application Packet). Applications must be submitted to the Director or Agency Head of a Board approved training academy, facility or institution. That Director will review the application and forward the endorsed application to the Board for consideration. Each nominee for certification must meet the following requirements:
1. **Education and Experience** The applicant must show an educational and criminal justice experience equal to one (1) of the following:
 - a. A high school graduate and five (5) or more years of experience in the subject area,
 - b. Two (2) years of college and three (3) or more years' experience in subject area,
 - c. A bachelor's degree and one (1) or more years of experience in subject area,
 - d. Or persons with specialized, identifiable skills not meeting the above requirements, may be certified upon academy director's request and staff review.
 2. **Sufficient Knowledge of Subject Matter** The applicant must demonstrate an adequate history as determined by the Board based on training, education, experience, professional credentials and/or proficiency skills suitable to the topic of instruction of which certification is being sought. Specific additional education or training will be required for the following designated special subject blocks:

- a. Legal subjects - An applicant shall be a graduate of a law school or possess a qualification of substantial legal training and experience in the practical application of law to be certified to instruct legal subjects.
 - b. Emergency Medical Procedures - An applicant shall have been trained in an acceptable emergency medical procedures instructor course and an acceptable cardiopulmonary resuscitation (CPR) instructor course as determined by the Board to be certified to teach Emergency First Aid and CPR.
 - c. Defensive Tactics - An applicant shall have been trained in an acceptable defensive tactics instructor course as determined by the Board to be certified to teach Defensive Tactics.
3. **Knowledge of Instruction** The applicant shall be cognizant of the methods of instruction and the aids available. Instructors must be able to clearly present the course material and meet the objectives outlined by the Board.
- a. Instructor Training - All applicants must have completed a Board-approved instructor development training course of 40 hours or a comparable instructor course as determined by staff review. Persons with professional credentials recognized by the Board may be exempted.
 - b. Internship - The new instructor nominee will serve an internship wherein the nominating official will evaluate (ST Instructor Evaluation Form) the nominee during actual instruction. The internship shall be at least two (2) hours in length and shall be conducted prior to certification. These evaluations shall be reviewed by the nominating official and forwarded to the Board along with the application.
 - c. Evaluation - The instructor shall be evaluated periodically by students on dimensions determined by the academy. Evaluations shall remain on file at the academy for a period of at least one (1) year.
 - d. Activity - All instructors shall remain active during their period of certification. If an instructor does not instruct in a Board approved curriculum during the period of his certification, his certification shall not be renewed.

102.2 Expiration - All instructor certifications expire three (3) years from the date issued. Individuals applying for renewal of instructor certification must complete a formal application for renewal. Each renewal certificate must meet the following requirements:

1. **Re-issuance will be based on submission of an updated application including:**
 - a. The instructor must provide documentation that he/she has conducted training in a Board-approved curriculum during the certification period expiring.
 - b. The instructor must provide documentation of his/her continuing knowledge in the requested area of re-certification to the satisfaction of the academy director.
2. As with the professional certificate, the instructor certificate remains the property of the Board. The possession and stewardship of the certificate is the responsibility of the sponsoring agency. The staff may take administrative action to suspend and recall an instructor certificate for any of the purposes stated below. Upon taking administrative action, the certificate holder will be notified by the staff of such action. The Board may revoke any instructor certificate upon a showing of just cause, which includes, but is not limited to:
 - a. Administrative error in issuance,
 - b. Falsification of any information on the application,
 - c. Failure to complete the prescribed internship,
 - d. Conviction or entering a plea of either guilty or nolo contendere, being fined, ordered into probation or pre-trial diversion in relation to a felony or a misdemeanor involving moral turpitude,
 - e. Mistreatment, abuse, or improper behavior involving a student,
 - f. Consistent failure to follow Board-approved training guidelines, learning objectives and lesson plans (where established),
 - g. And any other actions detrimental to professional law enforcement training.
3. **Exemption from certification** In the event of exceptional emergency or other circumstances determined by the academy director a

qualified non-certified instructor may be utilized; however, the non-certified instructor shall teach under the supervision of the nominating official. Facts explaining the utilization of the uncertified instructor shall be documented and maintained on file by the nominating official.

Chapter 07: Training Accreditation

adopted - 03/2001

- 100 PURPOSE** This section establishes policy and procedures governing the standards and qualifications to be used to accredit training facilities for Board-approved detention officer training.
- 101 POLICY** All academies, institutions, facilities or independent instructors conducting Board-approved training shall be accredited. All such training activities whether part of an institution or independent trainer shall herein after be referred to as accredited facility for purposes of this chapter.
- 102 PROCEDURES** An academy, institution or facility operated for the purpose of training detention officers or any officials covered by this act shall submit a formal application to the Board for review and approval. Certified detention officer instructors who provide Board-approved training outside of any accredited institution shall also submit a formal application. Such independent instructors shall be accredited on a course by course basis. Training requiring Board-approval conducted prior to accreditation of the training facility or the course, shall not be credited for certification requirements. Further any training that fails to meet the agreed upon delivery program, curriculum or method of instruction as described herein shall be denied recognition.

102.1 Administrative Requirements

1. **Administrative Staffing** Accredited facilities must provide minimum staffing as follows:
 - a. **Director of Training** Accredited facilities shall designate an employee responsible for training activities. The Director's responsibilities will include at the minimum the following:
 - i. scheduling and presentation of training programs,
 - ii. selection and training of staff,
 - iii. and preparation, maintenance and timely filing of BJOST reports and records.
 - b. **Training Staff** - Every accredited facility shall designate one or more instructional staff persons. These individuals must hold an instructor certificate as issued by the Board. There shall be at least one instructor for every 15 students during scenario, hands-

on or defensive tactics training.

- c. **Support Staff** Adequate support staff shall be designated to assist the Director of Training in the maintenance of required reports and records. While a director of training may also be the designated training officer, this person may not be the sole employee or agent of an accredited facility.

2. **Academy Policy and Procedures Manual** All accredited facilities must maintain an academy policy and procedure manual.

- a. This manual should provide guidance to all staff of the facility in the following policy areas:

- i. policy on the admission of students and class size.
- ii. use and storage of any weapons, chemical munitions and mock weapons,
- iii. hours of operation of the academy,
- iv. policy regarding hours, breaks, etc.,
- v. policy regarding student conduct and classroom procedures,
- vi. classroom rules and regulations,
- vii. a description of the training delivery methods,
- viii. policy limiting student activities to those approved in curriculum,
- ix. dress and uniform regulations of staff and students,
- x. security of testing materials, testing and grading procedures,
- xi. disciplinary procedures within the academy,
- xii. policy for reporting absences.

- b. The manual should provide emergency operation plans to cover accidents or mishaps concerning:

- i. defensive tactics,

Instructor Certification

- ii. chemical spray,
 - iii. other approved student activities,
 - iv. medical,
 - v. fire,
 - vi. and natural disaster. The use of students to augment or supplement the resources of a detention agency are prohibited. During times of emergency, the academy should postpone training activities and release students to report to their home agencies. Any agency should make the appropriate coordination to employ another department's officers. If there are exigent circumstances that would preclude this timely coordination, agencies may proceed to request assistance. However, refusal to comply under these conditions does not constitute misconduct or insubordination and is not grounds for dismissal.
- c. The training delivery plan may include a variety of techniques to provide a balance of independent learning coupled with instructor driven activities such as lecture, case study and scenarios. Institutions are encouraged to use self-paced instruction and/or distant learning technologies to augment other methods employed by the instructor. However, the board will not approve any accreditation plan that provides inadequate instructor involvement in the training program. For example, a program of instruction that relies on self-paced or correspondence training followed by a proctored exam would fail to meet this requirement.
3. **Academy Records** Accredited facilities must provide documentation of all activities of Board-approved programs. Records shall reflect the entire period for which a Board-approved training program was conducted and shall, when appropriate, be prepared in advance of the program.
- a. **Academy Administrative Record** All accredited facilities shall maintain an **Academy Administrative Record** to conduct Board-approved training programs. The **Academy Administrative Record** must contain the following information:
 - i. a copy of the "**Academy Accreditation Application**", as submitted and approved by the Board on Jail Officer Standards and Training,

- ii. the "**Academy Accreditation Certification**",
 - iii. copies of the BJOST Monitoring Reports,
 - iv. a copy of the "**Instructor Application**" form on each instructor employed,
 - v. the "**Instructor Certificates**",
 - vi. a copy of the instructors' training records,
 - vii. the "**Performance Objectives**" for all Board-approved training conducted at the facility,
 - viii. any revision to the "**Performance Objectives**" shall be retained along with the original Performance Objectives (including the date of change),
 - ix. and an current copy of the written policy and procedure manuals.
- b. The **Academy Administrative Record** shall also contain a copy of the "**Student Handbook**". The handbook should contain at the minimum the following information:
- i. the rules and regulations of the academy,
 - ii. the identification of the academy staff, their duties and responsibilities,
 - iii. a copy of the Jail Officers Training Program,
 - iv. the academic requirements,
 - v. and any information for which the student will be held accountable.
- c. **Class (School) Record** All accredited facilities shall maintain a Class Record for each Board-approved training program. The Class Record must contain the following information:
- i. Class Schedule - giving specific hour of instruction, subject matter to be covered during the time period, and the instructor conducting the training. This schedule must be submitted to

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and approved by BJOST ten (10) working days prior to class being conducted,

- ii. Entrance roster of students and their agencies,
 - iii. Master copy of all tests (answer key must be stored separate from test) that were administered to students in this class, include any performance testing documentation,
 - iv. Attendance record of students and explanation for non-attendance,
 - v. A student who is absent for more than five percent (5%) of Board-approved training as a result of illness and /or emergency and/or required court appearance (s) and/or military duty may be dismissed without prejudice from the class. The academy director shall make this determination upon review of student's training record,
 - vi. Copy of all learning goals and performance objectives used during this class. Reference to master set of performance objectives will be acceptable, if master set of performance objectives are reviewed by instructor and signed as acceptable for class being conducted,
 - vii. Final roster of students completing the class and their ranking,
 - viii. Written documentation of any student withdrawing from the academy. Documentation should include name, department, date, time, reason for withdrawal, signature of student withdrawing and signature of person accepting withdrawal,
 - ix. Copy of all correspondence to and from the Board on Jail Officer Standards and Training concerning this class,
 - x. And student's evaluation of the program.
- d. **Student Record** All accredited facilities must maintain a Student Record for each student attending Board-approved training. The Student Record must contain the following:
- i. Copy of Board on Jail Officer Standards and Training "Application for Training Academy" and "Personal Information

Summary", if applicable,

- ii. Documentation of student's orientation to the "Student Handbook",
 - iii. Student's performance results on examinations, performance testing or any other means of evaluating the students capabilities,
 - iv. Documentation of any and all counseling with the student while in attendance,
 - v. Copy of any disciplinary action taken against the student,
 - vi. Authorization for student to take medication or for limited participation in structured program,
 - vii. Copy of documentation of injury or accident concerning the student,
 - viii. Copy of all correspondence between academy and student and/or department,
 - ix. Authorization of student to be absent from class, and
 - x. Copy of all awards and certificates bestowed upon the student.
- e. **Safety Requirements** All accredited academies are charged with the health and safety of all students while in training. Therefore, all academies shall comply with the following:
- i. The Director of Training and any instructors shall have current First-Aid and CPR certification,
 - ii. Every academy shall meet or exceed the fire and sanitation codes requirements of their locality,
 - iii. Every academy shall be inspected on an annual basis by the appropriate public health and/or safety officials,
 - iv. Every academy shall have a written emergency operation plan concerning:
 - (i) activity training and facilities,

- (ii) medical,
- (iii) fire, and
- (iv) natural disaster.

102.2 **Physical Requirements**

1. **Physical Facilities** It shall be the responsibility of the accredited academy to provide the following minimum physical facilities for training.
 - a. **Administrative Equipment:**
 - i. word processing, data base and other related software,
 - ii. means to reproduce written documents on-site, and
 - iii. additional office equipment as needed to perform common administrative duties.
 - b. **Record Storage Area:**
 - i. There shall be adequate space and method for storage of required academy records,
 - ii. Records may be stored in electronic format provided that an acceptable form of safe offsite records backup is in place.
 - iii. And the record storage area must be secure and accessible by authorized persons only. In the case of electronic format records, there must be adequate security in the form of passwords, security of storage devices or access to the work station.
 - c. **Classroom Facility** Accredited facilities must have access to a comfortable, well lit, classroom which will seat adult students. Each student shall have an appropriate amount of individual space. Students shall have desks, tables or other acceptable work areas in the classroom.
 - d. **Audio-visual and other instructional equipment** necessary to provide effective training must be dedicated to the accredited facilities:
 - (i) overhead projector

- (ii) projector screen
- (iii) transparency maker
- (iv) video-tape recorder, playback unit and monitor,
- (v) chalk/marker board at least 20 square feet (4' x 5'),
- (vi) and additional training aids as required to achieve Board-approved learning (e.g., handcuffs, restraints, riot gear, air packs, CPR manikins, mock weapons, etc.)

e. **Detention Officer Activities Center**

- i. The Activities Center shall provide or have access to adequate space, training aids and mock cells for the conduct of scenario training and defensive tactics.
- ii. The Center shall have ample protective material for use to prevent injury from contact with the floor or walls during scheduled training activity.
- iii. The area shall have adequate space for safe participation for every student. (Up to the expected maximum student load)
- iv. There shall be a complete, industrial-type first aid kit with immediate accessibility to the students or instructors in or near the Center.

102.3 **Awarding of Accreditation** The Board may approve or disapprove accreditation based upon the following criteria:

- 1. completion of application,
- 2. compliance with requirements of application,
- 3. quality of physical facilities,
- 4. fiscal responsibility of applicant,
- 5. current training needs of the state as determined by the Board,
- 6. and the evaluation of additional data the Board may require to complete the accreditation process.

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- 102.4 **Revocation of Accreditation** The Board may revoke the accreditation of a training facility upon showing just cause, which includes, but is not limited to:
1. administrative error in accreditation,
 2. falsification of any information on the application or subsequent reports,
 3. facility becomes inadequate,
 4. academy is no longer required to meet the training needs of the state,
 5. facility fails to correct, upon notification, any non-compliance with Board-approved training guidelines, rules or regulations,
 6. facility fails to make reports or falsely reports to the Board,
 7. when a facility fails to conduct two (2) Board-approved basic detention training courses during the calendar year,
 8. and any other action detrimental to professional detention training.

Training Accreditation

Chapter 08: Official BJOST Forms

adopted - 01/2001; rev - 06/2004, 02/2011

100 PURPOSE This chapter provides examples of forms and instructions for completion and submission of forms.

101 POLICY The agency head is responsible for insuring timely compliance with the Board on Jail Officer Standards and Training requests for information. Out of date, incomplete or illegible forms will be returned. The Board director relies on the information contained on Board forms as the basis for recommendations for certification and implementation of the requirements of the Jail Officers Training Program.

Warning: MCA § 97-7-10 "Fraudulent Statements and Representations" provides for severe penalties for misrepresentations or fraudulent statements made to a Board. This statute authorizes a fine of up to ten thousand dollars (\$10,000.00) and a jail sentence of up to five (5) years. Further, the Jail Officers Training Program authorizes the Board in MCA § 45-4-9 (5)(b) to cancel and recall any certificate obtained through misrepresentation or fraud.

102 PROCEDURES All employing agencies included under the JOTP as described in this manual shall follow these steps in submitting required forms:

102.1 "Detention Officer Application for Certification and Background Investigation Review" - This form is required to be completed and submitted to Standards and Training within thirty days from the date of hire for all jail/detention officers or upon the request of the Board. Complete Parts I, II and III of the **"Detention Officer Application for Certification and Background Investigation Review"** form for each newly hired full-time, part-time, reserve, or auxiliary jail/detention officer who has yet to be BJOST certified or who has transferred from an out-of-state agency.

1. Part I is to be completed as follows:

- a. Items 1, 2 and 4 through 8 are for departmental and applicant identification information. Item 3 should reflect the applicant's most recent date of hire as either a full-time, part-time, reserve, or auxiliary jail/detention officer as applicable.
- b. Item 9 should reflect the applicant's certification status and if applicable the officer's certification number should be entered in the space provided for item 10.
- c. Item 11, Education - should be completed and verified as to the number of years of formal education, diplomas and degrees held by the applicant.

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- d. Item 12, Employment Record - List all past employment that has been held by the applicant, beginning with the applicant's most previous employment and working back. Include the name of the employer, the position held, the city and state where employed, and the dates of said employment. This information must be verified by the employing agency as a part of the background investigation. The Board staff will also verify employment data by cross checking agency rosters.
- e. Item 13, Training Record - List all jail/detention training consisting of eighty (80) hours or more that has been successfully completed by the applicant. Copies of the certificates of completion and any other documentation available, such as a course curriculum, must accompany the "**Detention Officer Application for Certification and Background Investigation Review**" form.

2. Part II is to be completed as follows:

- a. This portion of the form must be completed by the applicant. Part II attests to the satisfaction of the employment guidelines for a jail/detention officer. Any of the questions, items 1 through 10, that are answered "yes" must be explained to the Board. The explanation must be typed or printed in ink, signed and dated by the applicant and include all related court documents. All crimes must be reported, to include alcohol and drug related offenses. The only exceptions to this requirement are traffic offenses, excluding alcohol and drug related offenses, where the fine is less than one hundred dollars (\$100.00) and where the applicant has had fewer than four (4) traffic offenses within the preceding twenty-four (24) months. **All traffic offenses involving drugs or alcohol are to be reported regardless of the fine.** The Board reserves the right to require explanations of other items as appropriate.
- b. The applicant must sign and date the "**Detention Officer Application for Certification and Background Investigation Review**" form, Part II, before a notary public.

3. Part III is to be completed as follows:

- a. This part of the application must be completed by the head of the agency/department or someone with authority to sign in his or her name.
- b. If the agency head delegates this authority to a designee, then there must be a letter on file, at this office, stating the name and rank or position of the designee. This letter will have to be authorized by the head of the agency.

- c. Each procedure must be initialed by the agency head to indicate the completion of said procedure. **All the procedures are required to be completed with the possible exception of procedure number 4.** If procedure number 4 (i.e., reviewing military discharge forms on an applicant that has not served in the military) is not applicable to the officer in question enter N/A in the space provided.
- d. The **“Detention Officer Application for Certification and Background Investigation Review”** form, Part III, must be signed and dated by the agency head, or someone with authority to sign in his or her name, before a notary public. Where the applicant is also the agency head or designated alternate, Part III of the form must be signed by the applicant's supervisor.

102.2 **“Detention Officer Roster”** - This form is simply a roster of all jail/detention officers employed by an agency. The form will be sent to all agencies a minimum of once a year. It is to be completed and returned to the Board within thirty days. The names, social security number, position, date of employment and certification number of all jail/detention officers as defined in this manual are to be listed. The form must be signed by the agency head or authorized designee. A negative report is required. Therefore if an agency no longer employs jail/detention officers, simply indicate by printing "none" on the form, then sign and return the form.

102.3 **“Termination/Reassignment Report”** - This form shall be used when a full-time, part-time, reserve, or auxiliary jail/detention officer ends a period of employment.

- 1. The form shall be used to document the date of departure from a jail/detention position for all individuals, regardless of their certification status. The form has spaces for the date of termination and certification status. The form also provides several choices for a description of the type of termination. An explanation of the circumstances surrounding any officer that is discharged or resigns pending investigation of disciplinary action should accompany this form. Further action such as a revocation of the officer's certificate may be required. It is the responsibility of the agency head to inform the Board when an officer no longer meets state standards.
- 2. A **“Termination/Reassignment Report”** for certified officers must be accompanied by the original certificate. The form must be signed and dated by the agency head or authorized designee and returned within ten (10) working days.

102.4 **“Request for Information & Training Notification”** This form shall be used by the BJOST staff to solicit information on the officer(s) named within the form, and to give notification, if applicable, to the employing agency of training which will be

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required in order to certify the named officer(s).

- 102.5 **Detention Officer Course Certification Request** - This form is used to request approval from BJOST to conduct in-service training courses. The **Course Certification Request** form is to be completed and submitted by the course coordinator to BJOST at least ten working days prior to the course being conducted.
- 102.6 **Detention Officer Course Evaluation Instrument** - This form must be completed by all course attendees and returned to BJOST. This questionnaire is a primary means used by BJOST to gather information to assist in maintaining high quality courses.
- 102.7 **Detention Officer Course Roster** - The **Course Roster** form is to be completed and submitted by the course coordinator to BJOST **within** ten working days following completion of the course.
- 102.8 **Detention Agency's Affidavit** – This section must be signed by the head of the agency/department or someone with authority to sign in his/her name. There must be a letter on file, at this office, stating specifically who has the authority to sign in the department head's name. This letter will have to be authorized by the head of the said agency/department. Print in ink or type the designee's name, have the designee sign and date the affidavit in the appropriate spaces.
- 102.9 **Applicant's Affidavit & Injury Liability Waiver** – This section must be read and signed by the applicant trainee. The applicant must sign and date the affidavit and liability waiver in the appropriate spaces.
- 102.10 **Training and Personal Information Summary** – This section must be completed to supply general information required for identification and other purposes. Again, every block must be completed or marked N/A (not applicable).

Chapter 09: Jail Officers Training Program Enabling Legislation

adopted - 07/1999; rev - 05/2004

§ 45-4-1. Legislative findings and intent.

The Legislature finds that the administration of jails and youth detention facilities is of statewide concern, and that the activities of jail officers are important to the health, safety and welfare of the people of this state and are of such nature as to require education and training of a professional nature of jail officers. It is the intent of the Legislature to provide for the coordination of training programs and the establishment of standards for jail officers.

Sources: Laws, 1999, ch. 482, § 1; Laws, 2000, ch. 515, § 4, eff from and after July 1, 2000.

Amendment Notes - The 2000 amendment substituted "jails and youth detention facilities" for "county jails."

Cross References - Law enforcement officers training academy, see §§ 45-5-1 et seq. Law enforcement officers training program, see §§ 45-6-1 et seq.

§ 45-4-3. Board on Jail Officer Standards and Training; creation; membership; officers; reports.

(1) There is hereby created the Board on Jail Officer Standards and Training, which shall consist of nine (9) members.

(2) The members shall be appointed as follows:

(a) Two (2) members to be appointed by the Mississippi Association of Supervisors.

(b) Three (3) members to be appointed by the Mississippi Association of Sheriffs.

(c) One (1) member to be appointed by the State Board for Community and Junior Colleges.

(d) One (1) member to be appointed by the Governor.

(e) One (1) member to be appointed by the Mississippi Association of Chiefs of Police.

(f) One (1) member to be appointed by the Mississippi Municipal League.

The initial appointments to the board shall be made no later than twenty (20) days after July 1, 1999, as follows:

The Mississippi Association of Supervisors shall appoint one (1) member for a term of one (1) year and one (1) member for a term of three (3) years.

The Mississippi Association of Sheriffs shall appoint one (1) member for a term of one (1)

year, one (1) member for a term of two (2) years and one (1) member for a term of three (3) years.

The State Board for Community and Junior Colleges shall appoint one (1) member for a term of two (2) years.

The Governor shall appoint one (1) member for a term of two (2) years.

The Mississippi Association of Chiefs of Police shall appoint one (1) member for a term of two (2) years not later than twenty (20) days after July 1, 2000.

The Mississippi Municipal League shall appoint one (1) member for a term of two (2) years not later than twenty (20) days after July 1, 2000.

Upon the expiration of the terms of the initial appointees to the board, each subsequent appointment shall be made for a term of three (3) years, beginning on the date of the expiration of the previous term. A vacancy in any appointed position on the board prior to the expiration of a term shall be filled by appointment for the balance of the unexpired term.

(3) Members of the board shall serve without compensation, but shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to such service, including mileage, as provided in Section 25-3-41, Mississippi Code of 1972.

(4) There shall be a chairman and a vice chairman of the board, elected by and from the membership of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business, but the board shall meet at least every three (3) months. Any member who is absent for three (3) consecutive regular meetings of the board may be removed by a majority vote of the board.

(5) The Governor shall call an organizational meeting of the board not later than thirty (30) days after July 1, 2000.

(6) The board shall report annually to the Governor and the Legislature on its activities, and may make such other reports as it deems desirable.

Sources: Laws, 1999, ch. 482, § 2; Laws, 2000, ch. 515, § 5, eff from and after July 1, 2000.

Amendment Notes - The 2000 amendment, in (1), deleted "County" preceding "Jail Officers"; and in (2), added (2)(e) and (2)(f), and added the sixth and seventh un-designated paragraphs.

§ 45-4-5. Powers of board.

In addition to the powers conferred upon the Board on Jail Officer Standards and Training elsewhere in this chapter, the board shall have power to:

- (a) Promulgate rules and regulations for the administration of this chapter including the authority to require the submission of reports and information by criminal justice departments.
- (b) Establish minimum educational and training standards for employment or appointment as a jail officer or a part-time jail officer (i) in a permanent position, and (ii) in a probationary status.
- (c) Certify persons as being qualified to be jail officers or part-time jail officers.
- (d) Revoke certification for cause and in the manner provided in this chapter.
- (e) Establish minimum curriculum requirements for basic and advanced courses and programs and continuing education for schools operated by or for the state community colleges, police departments, youth detention facilities or sheriffs' offices for the specific purpose of training jail officers.
- (f) Consult and cooperate with counties, municipalities, state agencies, other governmental agencies, and with universities, colleges, junior colleges and other institutions concerning the development of training schools, programs or courses of instruction for jail officers.
- (g) Make recommendations concerning any matter within its purview pursuant to this chapter.
- (h) Make such inspection and evaluation as may be necessary to determine if agencies are complying with the provisions of this chapter.
- (i) Approve jail officer training schools.
- (j) Upon the request of sheriffs or chiefs of police, conduct surveys or aid agencies to conduct surveys through qualified public or private agencies and assist in the implementation of any recommendations resulting from such surveys.
- (k) Upon request, conduct general and specific management surveys and studies of the operations of the requesting jails at no cost to those agencies. The role of the board under this subsection shall be that of management consultant.
- (l) Adopt and amend regulations consistent with law, for its internal management and control of board programs.
- (m) To apply for, receive and expend any federal, state or local funds or contributions, gifts, donations, grants or funds from any other source.
- (n) Enter into contracts or do such things as may be necessary and incidental to the

administration of this chapter.

Sources: Laws, 1999, ch. 482, § 3; Laws, 2000, ch. 515, § 6, eff from and after July 1, 2000.

Amendment Notes - The 2000 amendment deleted "County" preceding "Jail Officer" in the introductory language; substituted "criminal justice" for "sheriff" in (a); inserted "police departments, youth detention facilities" in (e); substituted "agencies" for "counties" in (h), (j) and (k); and inserted "or chiefs of police" in (j).

§ 45-4-7. Office of Standards and Training to provide administrative and fiscal support.

The Office of Standards and Training shall provide administrative and fiscal support for the Board on Jail Officer Standards and Training on jail officer standards and training, and the Director of the Office of Standards and Training shall serve as the director of the board.

Sources: Laws, 1999, ch. 482, § 4; Laws, 2000, ch. 515, § 7, eff from and after July 1, 2000.

Amendment Notes - The 2000 amendment deleted "Department of Public Safety" preceding "Office of" and "County" following "Board on" throughout the section.

§ 45-4-9. Certification required for employment as jail officer; exemption for certain jail officers.

(1) (a) After January 1, 2000, no person shall be appointed or employed as a jail officer or a part-time jail officer unless that person has been certified as being qualified under subsection (3) of this section.

(b) No person who is required to be certified shall be appointed or employed as a jail officer by any sheriff or police department for a period to exceed two (2) years without being certified. The prohibition against the appointment or employment of a jail officer for a period not to exceed two (2) years may not be nullified by terminating the appointment or employment of such a person before the expiration of the time period and then rehiring the person for another period. Any person who, due to illness or other events beyond his control, as may be determined by the Board on Jail Officer Standards and Training, does not attend the required school or training as scheduled, may serve with full pay and benefits in such a capacity until he can attend the required school or training.

(c) No person shall serve as a jail officer in any full-, part-time, reserve or auxiliary capacity during a period when that person's certification has been suspended, cancelled or recalled pursuant to this chapter.

(2) Jail officers serving under permanent appointment on January 1, 2000, shall not be required to meet certification requirements of this section as a condition of continued employment; nor shall failure of any such jail officer to fulfill such requirements make that person ineligible for any promotional examination for which that person is otherwise eligible. If any jail officer certified under this chapter leaves his employment and does not become employed as a jail officer within two (2) years from the date of termination of his

prior employment, he shall be required to comply with board policy as to rehiring standards in order to be employed as a jail officer.

(3) In addition to the other requirements of this section, the Board on Jail Officer Standards and Training, by rules and regulations consistent with other provisions of law, shall fix other qualifications for the employment of jail officers, including education, physical and mental standards, citizenship, good moral character, experience and such other matters as relate to the competence and reliability of persons to assume and discharge the responsibilities of jail officers, and the board shall prescribe the means for presenting evidence of fulfillment of these requirements. Additionally, the board shall fix qualifications for the appointment or employment of part-time jail officers to essentially the same standards and requirements as jail officers. The board shall develop and implement a part-time jail officer training program that meets the same performance objectives and has essentially the same or similar content as the programs approved by the board for full-time jail officers.

(4) (a) The Board on Jail Officer Standards and Training shall issue a certificate evidencing satisfaction of the requirements of subsections (1) and (3) of this section to any applicant who presents such evidence as may be required by its rules and regulations of satisfactory completion of a program or course of instruction in another jurisdiction equivalent in content and quality to that required by the board for approved jail officer education and training programs in this state.

(b) The Board on Jail Officer Standards and Training shall issue a certificate to any person who successfully completes the Mississippi Department of Corrections' training program for correctional officers of regional jails.

(c) The Board on Jail Officer Standards and Training shall develop and train persons seeking certification as a correctional officer in the prevention of racial profiling. The provisions of this paragraph shall apply to all recruits who begin training on or after January 1, 2005.

(5) Professional certificates remain the property of the board, and the board reserves the right to either reprimand the holder of a certificate, suspend a certificate upon conditions imposed by the board, or cancel and recall any certificate when:

- (a) The certificate was issued by administrative error;
- (b) The certificate was obtained through misrepresentation or fraud;
- (c) The holder has been convicted of any crime involving moral turpitude;
- (d) The holder has been convicted of a felony; or
- (e) Other due cause as determined by the board.

(6) When the board believes there is a reasonable basis for either the reprimand, suspension, cancellation of, or recalling the certification of a jail officer, notice and opportunity for a hearing shall be provided in accordance with law prior to such reprimand, suspension or revocation.

(7) Any jail officer aggrieved by the final findings and order of the board may file an appeal with the chancery court of the county in which the person is employed. The appeal must be filed within thirty (30) days of the final order.

(8) Any jail officer whose certification has been cancelled may reapply for certification, but not sooner than two (2) years after the date on which the order canceling the certification becomes final.

Sources: Laws, 1999, ch. 482, § 5; Laws, 2000, ch. 515, § 8; Laws, 2004, ch. 556, § 1, eff from and after passage (approved May 13, 2004.)

Amendment Notes - The 2000 amendment deleted "County" following "Board on" throughout the section; and inserted "or police department" in (b).

§ 45-4-11. Establishment, administration and maintenance of training programs; expenditure of funds.

(1) The Board on Jail Officer Standards and Training shall establish, provide or maintain jail officer training programs through such agencies and institutions as the board may deem appropriate.

(2) The board shall authorize, but only from such funds authorized and appropriated by the Legislature, the reimbursement to each governmental entity of at least fifty percent (50%) of the allowable salary and allowable tuition, living and travel expense incurred by jail officers in attendance at approved training programs, if the governmental entity does in fact adhere to the training standards established by the board. The board shall authorize, but only from such funds authorized and appropriated by the Legislature, the direct funding of a part-time jail officer training program. The board shall require the payment of a reasonable tuition fee to aid in funding the costs of administering the part-time jail officer training program.

(3) The board is authorized to expend funds for the purpose of providing a professional library and training aids that will be available to police and sheriff departments.

(4) If any jail officer in this state who is employed by a county shall, within three (3) years after the date of his employment, resign from, or be terminated from, employment by such county and immediately become employed by another governmental entity in a jail officer capacity, then the governmental entity by which the resigned or terminated officer is employed shall reimburse the county from which the officer resigned or was terminated a proportionate share of the jail officer's training expenses which were incurred by such

entity, if any.

Sources: Laws, 1999, ch. 482, § 6; Laws, 2000, ch. 515, § 9, eff from and after July 1, 2000.

Amendment Notes -The 2000 amendment deleted "County" following "Board on" in (1); substituted "governmental entity" for "county" twice in (2); and inserted "police and" in(3).

§ 45-4-13. Governmental entities prohibited from paying salaries of uncertified jail officers.

Any governmental entity that employs a person as a jail officer who does not meet the requirements of this chapter, or who employs a person whose certificate has been suspended or revoked under provisions of this chapter, is prohibited from paying the salary of such person, or providing any public monies for the equipment or support of the jail duties of such person and any person violating this subsection shall be personally liable for making such payment.

Sources: Laws, 1999, ch. 482, § 7; Laws, 2000, ch. 515, § 10, eff from and after July 1, 2000.

Amendment Notes -The 2000 amendment substituted "governmental entity" for "county."

Appendix A
Official Certification Forms



MISSISSIPPI PEACE OFFICER STANDARDS & TRAINING

PART I - DETENTION OFFICER APPLICATION FOR CERTIFICATION

READ THE INSTRUCTIONS ON PAGE 2

In accordance with the Jail Officers Training Program (JOTP) MCA § 45-4-1 et al. Warning: MCA § 97-7-10, "Fraudulent Statements and Representations", provides for severe penalties for misrepresentations or fraudulent statements to a board. This statute authorizes a fine of up to \$10,000.00 and a jail sentence of up to five (5) years. Further, the JOTP authorizes the Board on Jail Officer Standards and Training (BJOST) in § 45-4-9 (5)(b) to cancel and recall any certificate obtained through misrepresentation or fraud.

1. Name: _____ 2. SSN: _____
Give Full Name - First Middle Last
3. Date of Hire: / / 4. Date of Birth: / / 5. Title/Rank: _____
6. Department: _____ 7. Telephone: _____
Dept.'s
8. Address: _____ City & Zip Code
Post Office Box or Street
9. Has the applicant ever been certified under the JOTP? No () Yes () 10. Certificate No. _____
11. Education, Years Completed _____, High School Diploma _____ or GED _____, Degree(s) _____
12. **EMPLOYMENT RECORD** List all employment. Begin with your most previous employment and work back. Use additional 8.5 x 11 sheets of paper if necessary.

Agency/Department	Position	City/State		Month	Day	Year
			From:			
			To:			
			From:			
			To:			
			From:			
			To:			
			From:			
			To:			

13. **TRAINING RECORD** List all completed correctional officer training for which you can provide documentation. Include copies of certificates of completion. Use additional 8.5 x 11 sheets of paper if necessary.

Name of Course	Location	Course Length		Month	Day	Year
			From:			
			To:			

			From:			
			To:			

			From:			
			To:			
INSTRUCTIONS						

Complete Parts I, II and III of the "Application for Certification" form for all full-time detention officers. Return the form to the Board on Jail Officer Standards and Training (BJOST) within thirty days of the officer's date of hire.

Part I

Type or print in ink when completing this form. Record the applicant's full name, social security number, date of hire as a detention officer, date of birth, current position or rank, the name of the employing agency/department, the department's telephone number and mailing address. Check whether or not the applicant has ever been certified under the Jail Officers Training Program (JOTP). If the answer is yes, enter the applicant's certificate number. State the number of years of education completed by the applicant. Check whether the applicant has a high school diploma or GED, and denote any degrees earned other than a high school diploma or GED (i.e., BS - Bachelor of Science, BA - Bachelor of Arts, etc.).

List all past employment that has been held by the applicant, beginning with the applicant's most previous employment and working back. Include the name of the employer, the position held, the city and state where employed, and the dates of said employment.

List all correctional officer training consisting of forty (40) hours or more that has been successfully completed by the applicant. Include copies of the certificates of completion and any other documentation available, such as a course curriculum.

Part II

This portion of the form must be completed by the applicant. **Circle** the answer that applies. Any of the questions, one (1) through ten (10), that are answered "yes" must be explained to the Board. **The explanation must be typed or printed in ink on a separate eight and a half (8½") by eleven (11") inch sheet of paper, signed and dated by the applicant and include all related court documents.**

All crimes must be reported, to include alcohol and drug related offenses. The only exceptions to this requirement are traffic offenses where the fine is less than one hundred dollars (\$100.00) and where the applicant has had fewer than four (4) traffic offenses within the preceding twenty-four (24) months. **All traffic offenses involving drugs or alcohol, are to be reported regardless of the fine. Any alternative to sentencing that has been decreed by any political subdivision must be reported including, but not limited to: probation, fines, restitution, or community service.** The applicant must sign and date "Part II - Applicant's Background Investigation Review" before a Notary Public.

Part III

This part of the background investigation review must be completed by the head of the department or someone with authority to sign as the department head. There must be a letter on file, at this office, stating specifically who has the authority to sign as the department head. This letter of authorization will have to be signed by the head of the department.

Each procedure must be **initialed** (ex. - *JD* 1. A personnel ...) by the agency head to indicate completion of said procedure. **The applicant's fingerprints must be submitted to the Criminal Information Center of the Mississippi Department of Public Safety (see the address below).** If procedures number four (4) and seven (7) are not applicable to the officer in question enter N/A in the space provided. "Part III - Agency's Background Investigation Review" must be signed and dated before a Notary Public by the department head or someone with authority to sign as the department head.

Jail Officers Training Program Enabling Legislation

Criminal Information Center/MJIC

Department of Public Safety

"Fingerprints"

3891 Highway 468 West

Pearl, Mississippi 39208

Telephone # - (601) 933-2600; Fax # - (601) 933-2676

PART II - APPLICANT'S BACKGROUND INVESTIGATION REVIEW

Important, Read the Instructions Before Completing this Form

- | | <u>Circle One</u> | |
|---|-------------------|----|
| | Yes | No |
| 1. Have you ever been a defendant in a court martial, Article 15, Captain's Mast or other non-judicial punishment? | Yes | No |
| 2. Has a judgement ever been issued against you? | Yes | No |
| 3. Have you ever declared bankruptcy? | Yes | No |
| 4. Have you ever been arrested or charged with a crime? | Yes | No |
| 5. Have you ever received any alternatives to sentencing such as probation before judgement, pretrial diversion, non-adjudication of guilt or have you ever had an expungement? | Yes | No |
| 6. Have you ever been found guilty or pled guilty or no contest to a crime? | Yes | No |
| 7. Have you ever been refused a surety bond or turned down for employment that required a surety bond? | Yes | No |
| 8. Have you ever: (a) been suspended for any reason from any employment; (b) been terminated from any employment; (c) resigned to prevent termination from any employment; (d) resigned prior to, during or at the conclusion of any such investigation into your activities? | Yes | No |
| 9. Have you ever been addicted to or hospitalized for the use of alcohol or drugs? | Yes | No |
| 10. Have you ever had a certificate, license or privilege removed, revoked, suspended, or voluntarily relinquished the same under state, federal or other laws? | Yes | No |

I, the undersigned do hereby authorize and direct any duly authorized representative of a public safety agency to provide the POST full and complete disclosure of any information, public and private, pertaining to myself or my employment as required by the POST regarding my certification and my qualifications to be a certified law enforcement officer. It is my intent to provide full and free access to all information about me including my: work record, background and reputation, military records, educational records, financial status, criminal history and/or arrest record, information in investigatory files, job performance, attendance records, complaints or grievances, records or recollections of attorneys whether representing me or another person in any case in which I have had an interest, polygraph examinations, internal affairs investigations, discipline files and files which are deemed to be confidential and/or sealed.

I further authorize and direct the POST to provide copies of said records and/or any other record or document contained or related to my certification application and record to any duly authorized representative of a public safety agency.

I hereby release the POST and its authorized agents, the public safety agency and its authorized agents and all others, individually and collectively, from any and all liability or damages that may result from furnishing the information requested, including any liability or damage pursuant to any state or federal laws. I understand that should any information of a criminal nature surface, the information may be turned over to the appropriate authorities.

I, the undersigned, do hereby swear and affirm that I am a citizen of the United States, by birth or naturalization, that I have never been convicted, pled guilty, pled nolo contendere, fined, ordered into probation or pre-trial diversion in relation to a felony or a misdemeanor involving moral turpitude, that I have a valid high school diploma or its equivalent, that my discharge (if any) from the Armed Forces was under honorable conditions, that I am of good moral character, **that I have provided my employer with a full explanation (without any omissions) of each and every "yes" answer to the above questions, one (1) through ten (10) of Part II of the "Application for Certification" form, and that these explanations (if any) are attached to this form,** that I am at least eighteen (18) years old, that I have read and understand this form, all the instructions contained therein and do hereby confirm that all of the information contained in this application and/or all other information I furnish in conjunction with my application is true and correct.

Witness my signature this, the _____ day of _____, 20__.

Applicant's Signature

Print Applicant's Name

NOTARY PUBLIC

I, the undersigned authority in and for _____ County and State, do hereby attest that the above individual did personally appear before me. Who being by me first duly sworn on oath, depose and state that he or she is the individual named in Part II of the "Application for Certification and Background

Jail Officers Training Program Enabling Legislation

Investigation Review" form, and that the said individual signed Part II of the foregoing "Application for Certification and Background Investigation Review" form.

GIVEN under my hand and official seal this, the day of , 20 .

Notary Public

PART III - AGENCY BACKGROUND INVESTIGATION REVIEW

Warning: MCA § 97-7-10 "Fraudulent Statements and Representations" provides for severe penalties for misrepresentations or fraudulent statements to a Board. This statute authorizes a fine of up to ten thousand dollars (\$10,000) and a jail sentence of up to five (5) years. Further, the Jail Officers Training Program authorizes the Board in MCA § 45-4-9 (5)(b) to cancel and recall any certificate obtained through misrepresentation or fraud.

The agency head or authorized signatory must initial (ex. - JD 1. A personnel ...) the procedures that have been completed on the applicant named in this form. **All the procedures are required to be completed with the possible exception of procedures 4 and 7.** If the applicant has not served in the military enter N/A in the space provided.

- initial 1. A personnel file on the applicant has been created and is being maintained at this agency. The file includes a release of information form or a letter allowing the release of information signed by the applicant. Copies of all the documents referenced below, in items two (2) through seven (7) of Part III of the "Application for Certification" form, are included in this file. This file will be maintained as long as the applicant is employed with this agency, and the file will be made available to the BJOST upon receipt of a written request.
- initial 2. A complete background investigation on the applicant has been performed, has been reviewed by me and a copy of the background investigation is included in the applicant's personnel file.
- initial 3. The applicant's fingerprints have been submitted to the Criminal Information Center of the Mississippi Department of Public Safety as a part of the background investigation and a copy of the FBI report will be included in the applicant's personnel file.
- initial 4. The applicant's official Certificate of Release or Discharge From Active Duty (D.D. Form 214) has been reviewed by me and a copy is included in the applicant's personnel file.
- initial 5. The applicant's official documentation certifying successful completion of high school or completion of the General Educational Development (GED) Testing Program has been reviewed by me and a copy is included in the applicant's personnel file.
- initial 6. I have reviewed appropriate official documents certifying the applicant's age and citizenship and copies of said documents are included in the applicant's personnel file.
- initial 7. The applicant has completed a medical examination by a licensed practitioner and the results have been reviewed by me. A copy of said examination is included in the applicant's personnel file.
(For applicants employed on or after January 1, 2000 only.)

I, the undersigned, do hereby swear and affirm that I or individuals under my supervision have made a thorough background investigation of this applicant, (print applicant's name) , including any answers of "yes" to questions one (1) through ten (10) in Part II of this form and written explanations for those answers are attached. I certify that all the procedures in Part III, one (1) through seven (7), that are applicable to the officer in question have been completed, that to the best of my knowledge the applicant is physically qualified to perform duties as a detention officer, that the applicant is at least eighteen (18) years of age, that I have contacted each of the applicant's past employers (if any), that I am satisfied that the applicant is of good moral character, that the applicant has never been convicted of a felony or of a misdemeanor involving moral turpitude, and that the applicant is a detention officer as defined by the Board on Jail Officer Standards and Training (BJOST).

Witness my signature this, the _____ day of _____, 20__ .

Agency Head's/Authorized Signatory's Signature

Title

NOTARY PUBLIC

I the undersigned authority in and for _____ County and State do hereby attest that the above individual did personally appear before me. Who being by me first duly sworn on oath, depose and state that he or she is the individual named in Part III of the "Application for Certification and Background Investigation Review" form, and that the said individual signed Part III of the foregoing "Application for Certification and Background Investigation Review" form.

Jail Officers Training Program Enabling Legislation

GIVEN under my hand and official seal this, the day of , 20 .

Notary Public

Signature of Agency/Department Head

Date Signed

INSTRUCTIONS

This form is to be completed by the employing agency/department and returned to this office within thirty days of receipt. Make as many copies of this form as needed. You may use your own computer-generated form(s) only if it contains all the information that is requested on this form.

1. When completing this form type or print in ink.
2. Type the name of the employing agency/department and the phone number.
3. Enter the department's mailing address and the department's fax number (if applicable).
4. Enter N/A in the first space under Name if your department does not employ anyone who would be considered a jail officer and return the form to the address listed below.
5. Record each officer's full name (last, first and middle names), social security number, position or rank, date of employment as a detention officer (month/day/year) and his/her certificate number found in the bottom left hand corner of the Board on Jail Officer Standards and Training (BJOST) Professional Certificate. If the officer has not yet been certified by BJOST, then enter **N C**. If the officer meets the required standards for certification, but your department has not yet received his/her certificate, then call this office for the certificate number.
6. This form must be signed and dated by the head of the agency, or the form must be signed and dated by someone with the authority to do so. If the later is the case, then we must have a letter on file at this office stating specifically who has such authority. This letter will have to be authorized by the head of the agency.
7. Once completed, signed and dated return the form to the address below.

MS Dept. of Public Safety/Div. Of Public Safety Planning/
Office of Standards and Training
3750 I-55 Frontage Rd N
Jackson, MS 39211-6323

Telephone (601) 987-3096; Facsimile - (601) 987-3086



MISSISSIPPI PEACE OFFICER STANDARDS & TRAINING

DETENTION OFFICER TERMINATION/REASSIGNMENT REPORT

SEE INSTRUCTIONS ON REVERSE

Department:

Telephone:

Address:

Post Office Box or Street Number

City & Zip Code

Name of
Officer:

SSN:

Date of Termination/Reassignment / /

Is the officer certified? Yes No
If yes, please return the original certificate.

Reason for termination.

Deceased.

Discharged. (Please explain below.)

Reassigned to non local correctional duties.

Resigned in good standing/eligible for re-hire.

Resigned in good standing/ineligible for re-hire.
(Please explain below.)

Resigned to prevent termination.
(Please explain below.)

Resigned prior to, during or at the conclusion of an investigation. (Please explain below.)

Retired.

Other. (Please explain below.)

Comments:

(Use additional 8.5 x 11 sheets of paper if necessary)

Signature of Agency/Department Head

Date

INSTRUCTIONS

Please complete this form on all detention officers who have left detention officer duty by reassignment, retirement or resignation, etc.

1. Type or print in ink when completing this form.
2. Type the name of the employing agency/department and telephone number.
3. Enter the employing department's mailing address.
4. Record the full name of the officer concerned and his/her social security number.
5. Enter the date of termination/reassignment. Indicate whether or not the officer is certified. If the officer is certified then return his/her original certificate with the form. Specify the reason for termination. Sign and date the form where indicated and return to the address below.
6. This form must be signed and dated by the head of the agency, or the form must be signed and dated by someone with the authority to do so. If the later is the case, then we must have a letter on file at this office stating specifically who has such authority. This letter will have to be authorized by the head of the agency.
7. Once completed, signed and dated return the form to the appropriate address below within ten (10) working days.

MS Dept. of Public Safety/Div. Of Public Safety Planning/
Office of Standards and Training
3750 I-55 Frontage Rd N
Jackson, MS 39211-6323

Telephone (601) 987-3096; Facsimile - (601) 987-3086



MISSISSIPPI PEACE OFFICER STANDARDS & TRAINING

DETENTION OFFICER REQUEST FOR INFORMATION & TRAINING NOTIFICATION

DATE: _____

NAME OF OFFICER(S): _____ SSN(S): _____

NOTE: In accordance with the Jail Officers Training Program (JOTP) MCA § 45-4-1 et al. MCA § 45-4-5 (a) states that in addition to powers conferred upon the board elsewhere in this chapter, the board shall have power to promulgate rules and regulations for the administration of this chapter, including the authority to require the submission of reports and information by law enforcement agencies of the state and its political subdivisions.

REQUEST FOR INFORMATION

THE FOLLOWING INFORMATION OR FORM IS NEEDED ON THE PERSON(S) LISTED ABOVE.

() Application for Certification and Background Information form(s) () A copy of the above's training certificate
() Termination/Reassignment Report () Return the above's original professional certificate
() Complete the attached form(s) & return # _____
() Sign & return the enclosed form(s) () Other (see below)

Comments: _____

TRAINING NOTIFICATION

YOUR OFFICER WILL BE CERTIFIED UPON COMPLETION OF THE FOLLOWING RECOMMENDED TRAINING.

() **Basic Course Training** - Your officer must complete a basic course *within* two (2) years from his or her date of detention officer employment. Please plan a primary and an alternate training cycle for your officer to ensure compliance with the two-year probationary period. Contact a training facility to enroll your officer in training.

- () **Equivalency of Training** - Action will be taken, at the next scheduled BJOST board meeting, on what will be required in order for your officer to meet certification standards. You will be notified of the board's decision as to what training will be required.



MISSISSIPPI PEACE OFFICER STANDARDS & TRAINING

DETENTION OFFICER COURSE CERTIFICATION REQUEST

Agency Submitting Request:

Agency Address:

Course Title:

Course Location:

Course Length:
/hours

Format: _____ Hours Per Day _____ Days Per Week

Number of Weeks of Presentations: _____ from Date(s) of Course to _____

Enrollment Restrictions: _____ Maximum Number of Students: _____

Lodging Accommodations:
_____ On Campus _____ Commercial _____ Not Applicable Cost: \$ _____

Meal Arrangements:
_____ On Campus _____ Commercial _____ Not Applicable Cost: \$ _____

Address of Course: _____ Tuition: \$ _____

Method of Presentation (indicate all techniques used)
___ Lecture ___ Demonstration ___ Simulation ___ Role Playing ___ Conference ___ Other

Course Objectives and Narrative Description of Course (use additional paper if necessary)

Training Aids Used: _____ Number of Instructors: _____

Text and Reference Materials:

Required Projects: _____ Method of Student Evaluation: _____

Name & Title of Person Making Request

Date of Request:

BJOST USE ONLY

Received:

Outline

Resumes

Course Evaluation
Reason

Action

Roster

Certificates

Disapproval

Reviewed by:

Course Number:



INSTRUCTIONS FOR COMPLETION OF THE COURSE CERTIFICATION REQUEST

The Certification Request form is to be submitted by the coordinator to BJOST to be conducted.

Instructions of the form as indicated below.

Agency Submitting Request: Self-explanatory.

Agency Address: Self-explanatory.

Course Title: Enter the names of the course as it will be presented to trainees.

Course Location: Enter the physical location of the course (i.e., MLEOTA or Hattiesburg Days Inn).

Course Length: Enter the total number of training hours.

Format: Enter the number of hours per days and the number of days per week and number of weeks the course will be conducted. If the course is to be repeated indicated how many times.

Date(s) of Course: Self-explanatory.

Enrollment Restrictions: Enter any restrictions the class may have placed upon trainees. If none, so state.

Maximum Number Students: Enter the total amount of students allow in the class. If no maximum, enter none.

Lodging Accommodations: Self-explanatory.

Lodging Cost: Enter the amount being charged for lodging.

Meal Arrangements: Self-explanatory.

Meal Cost: Enter the amount being charged for meals.

Address of Course: Enter the street address.

Tuition: Enter the amount being charged for tuition.

Method of Presentation: Self-explanatory.

Course Objectives and Narrative Description of Course: List the objectives that will be covered during presentations. Provide a short narrative of the course. Use additional paper if necessary.

Training Aids Used: Enter the types of training aids that will be used during this course.

Number of Instructors: Self-explanatory.

Text and Reference Materials: Enter the names of source material used in this course.

Required Projects: Enter any projects required of the trainees.

Method of Evaluation: Enter the type of method use to evaluate the trainees completion of the course.

Name and Title of Person Making Request: Self-explanatory.

Date of Request: Self-explanatory.

Please return Course Certification Request ten (10) days in advance of training to:

Mississippi Department of Public Safety/
Division of Public Safety Planning/
Office of Standards and Training
3750 I-55 Frontage Rd N
Jackson, MS 39211-6323

Telephone (601) 987-3096; Facsimile - (601) 987-3086



PEACE OFFICER STANDARDS & TRAINING

DETENTION OFFICER COURSE EVALUATION INSTRUMENT

Location of
Course:

Course #:

Date:

This questionnaire is a primary means used by BJOST to gather information to assist in maintaining high quality courses. Your cooperation in completing this form is appreciated.

Agency and Rank Information The first two questions regarding your agency and rank will provide BJOST information as to the composition of this class.

1. Please circle the number representing the type of agency where you are employed.
Campus Police Sheriff's Juvenile
1. Police 2. Department 3. Department 4. Detention Agcy 5. State 6. Other
2. Please circle the number representing the response which most nearly describes your rank.
Patrolman/
1. Deputy 2. Sergeant 3. Lieutenant 4. Captain and above 5. Other

Using the following rating scale, please indicate the extent to which you agree or disagree with the following statements. Space is provided at the end of the questionnaire for your comments and/or suggestions. If you rate an item low, we would appreciate your comments in order that improvement may be made.

1. Strongly Disagree 2. Disagree 3. Neither Agree nor Disagree 4. Agree 5. Strongly Agree

1. The course material was well organized and presented in a systematic manner.
2. The course content was relevant and up to date.
3. The course objectives and expectations for student achievement were clearly stated at the beginning of the course.
4. The course met the stated objectives.
5. The course provided me skills and/or knowledge which will help me in my current or future assignment.
6. The course was free from outside distractions (e.g., noise, interruptions).
7. The physical comforts were conducive to learning (e.g., seating arrangements, desk space, classroom conditions).
8. The course site was convenient (e.g., accessible to lodging, meals, transportation).
9. The instructor(s) clearly demonstrated a command of the subject matter.
10. The instructor(s) lectured at a level the student could understand.

11. The instructor(s) used a variety of methods of instruction in the course (e.g., lecture, class discussion, media, and role play).
12. The instructor(s) encouraged student(s) questions and generally answered them satisfactorily.

Page 2 of 2

Please identify any instructor(s) and/or block of instruction that may have been deficient and briefly describe the deficiency or deficiencies.

COMPLETE QUESTIONS 13 AND 14 ONLY IF AN EXAMINATION WAS GIVEN.

13. The examination was well prepared and it stressed important course material.
14. There was consistency between course content and examination questions.

OVERALL EVALUATION

15. How would you rate this course?
1. Very poor 2. Poor 3. Fair 4. Good 5. Very good
16. How would you generally rate the effectiveness of the instructor(s)?
1. Very poor 2. Poor 3. Fair 4. Good 5. Very good

Please use this space for general comments or suggestions.

Signature of Coordinator:	Date:	Phone Number:	Fax Number:
--------------------------------------	--------------	--------------------------	------------------------

INSTRUCTIONS FOR COMPLETING THE COURSE ROSTER FORM

The Course Roster form is to be completed and submitted by the course coordinator to BJOST within ten working days following completion of the course.

Complete each section of the form for each trainee attending the course. Ditto marks may be used where appropriate. Make as many copies of this form as needed.

Page Of : Record the current page number followed by the total number of pages submitted.

Course Name and Location: Enter the title of the course and location where the course was conducted.

Name(s) of Instructor(s): Enter the name(s) of the instructor(s) who presented the course.

Course Date: Enter the date the training began and ended.

Name of Trainees: Enter the names of all trainees enrolled in this course by last name, first name, and middle name or initial.

Social Security Number: Enter each trainee's social security number. This number will be used as a reliable identifier.

Certified Telecommunicator: Enter an "X" in the "Yes" column for each certified trainee. Enter the trainee's BJOST certification number (if known). Enter an "X" in the "No" column for each non-certified trainee. This information will be used primarily for future classes after initial certification is completed.

Name of Department/Agency: Enter the name of the trainee's employer.

Hours Attended: Enter the total number of hours attended by the trainee. It is important that the instructor(s) keep a daily account of each trainee's hours of attendance. Credit will not be given to any trainee who misses five percent or more in attendance.

Satisfactorily Completed: Enter an "X" in the appropriate column. An "X" in the "Yes" column denotes that the trainee satisfactorily completed all the requirements of the course. Give a brief explanation for each trainee that does satisfactorily complete training.

Signature of Coordinator: The roster must be verified by signature. Only the course coordinator or instructor should sign the Course Roster form.

Date: Enter the date the Course Roster was signed.

Please return Course Roster and Course Evaluation Instrument within 10 working days to the address below:

MS Dept. of Public Safety/Div. Of Public Safety Planning/
Office of Standards and Training
3750 I-55 Frontage Rd N
Jackson, MS 39211-6323

Telephone (601) 987-3096; Facsimile - (601) 987-3086

Appendix B
Instructor Application and Evaluation Forms

Note: Only subjects listed in the following portion of the application require MS POST instructor certification.

LEGAL

Legal Foundations of Incarceration
Reference Use of the Codes
Constitutional Rights, Civil Rights, and Case Law
Legal Issues Regarding Confidentiality and Accessing Records
Screening and Monitoring of Visitors
Legal Issues with Professional Visitation
Legal Issues Screening and Distribution of Mail
Preparation for Testifying in Court
Court Appearances

ASSAULTIVE BEHAVIOR AND RESTRAINT TECHNIQUES

Principles of Use of Force
Principles of Use of Restraints
Defensive Tactics - Footwork and Balance
Defensive Tactics - Falling
Defensive Tactics - Control Holds
Defensive Tactics - Take-Downs
Defensive Tactics - Ground Control Techniques
Handcuffing and Searching a Handcuffed Inmate
Mechanical Restraints and Safety Cell
Defensive Tactics - Escaping Techniques
Cell Extractions

MAINTAINING SECURITY

Basic Precautions
Searching the Facility
Security Rounds
Counting and Locating Inmates
Conducting Searches of Inmates
Identifying Contraband
Handling Contraband
Evidence

REPORTING AND RECORD KEEPING

Assessment and Overview
Writing for Local Corrections - Content
Writing for Local Corrections - Organization
Information Gathering and Note Taking
Writing for Local Corrections - Mechanics
Report Writing - Practice
Report Writing - Testing

TACTICAL AND PRACTICAL COMMUNICATIONS

Interpersonal Communications
Communications with Co-Workers
Responding to Telephone Calls
Professionalism and Ethics

OPERATIONS

Classification of Inmates
Factors Affecting Classification
Implications of Classification
Gangs and Subcultures in Institutions
Receiving Inmates
Booking Inmates
Processing New Inmates Prior to Housing
Orienting New Inmates
Issuing Supplies to New Inmates
Verifying Identity Prior to Release
Returning Property Prior to Release
Reviewing Bail Bonds
Processing Release on Own Recognizance
In Custody Releases
Time Served Releases
Supervising Inmates
Movement Within the Facility
Transport Outside of Facility
Preparation for Transport
Transport Procedure
Supervising Meals
Supervising Cleaning of Cells
Supervising Recreation
Supervising Use of the Telephone
Disturbances and Disputes
Progressive Discipline
Inmate Grievances
Manipulation of Staff By Inmates
Emergency Planning
Fire and Life Safety

MONITORING HEALTH

Legal Issues
Mental Health Issues
Suicide Issues
Indicators of Substance Abuse
Indicators of Physical/Medical Problems
Assisting Medical Personnel in the Distribution of Medication

- A. Do you hold professional credentials (excluding MS POST professional certification) recognized by ST?
Yes No

If yes, attach copy of degree, license, professional credentials or other documentation. If no, proceed to questions "B" and "C".

- B. Have you completed a MS POST 40 hour instructor techniques course or an approved equivalent?
Yes No If so, attach the appropriate certificates.

- C. Have you completed an instructor internship of at least two (2) hours in length with your nomination official?
Yes No

If "yes", attach a copy of the appropriate documentation. If "no" to questions "B" or "C", you do not meet the requirements for instructor certification as stated in the MS POST Policy and Procedures Manual,

Instructor Certification.

III. Designated Special Subjects

MS POST certification is required to instruct each of these subject areas and is awarded upon documentation of specific training or education.

For each of these subjects you must answer "yes" to at least one (1) question in order to receive certification in that subject area.

A. Emergency Medical Procedures

1. Have you completed an acceptable emergency medical system instructor's course?
Yes No
2. Are you currently registered by the American Red Cross or other agency as an instructor for First Aid and/or CPR? Yes No If yes to either question, attach copy of certificate(s).

B. Defensive tactics

1. Have you completed an acceptable law enforcement defensive tactics instructor course?
Yes No
2. Do you have substantial training and experience in teaching defensive tactics?
Yes No If yes to either question, attach documentation of training, attestation of experience and a letter from the academy director indicating demonstrated instructional competency.

IV. Renewal of Certification

- A. Have you conducted training in your certified area(s) of instruction in a Board approved curriculum during the previous certification period? Yes No If yes, attach documentation. If no, you do not meet the requirements for instructor re-issuance as stated in the MS POST Policy and Procedures Manual, Instructor Certification, Section III.
- B. Have you provided documentation of continuing knowledge in the requested area of re-certification? Yes No If yes, attach documentation.

APPLICANT'S AFFIDAVIT

I hereby testify that all the information contained in this application and the copies of all materials and certificates that I have furnished with this application are true and correct. I have met the requirement as stated in the BJOST Policy and Procedures Manual, Instructor Certification, Section III. I also affirm that I am a citizen of the United States, by birth or naturalization, that I have never been convicted of a felony or a misdemeanor involving moral turpitude, that my discharge (if any) from the armed forces was under honorable conditions and that I am of good moral character. I understand that any misrepresentation of information on this application is cause for revocation.

Signature of Applicant

Date of Application

BELOW TO BE COMPLETED BY THE NOMINATING OFFICIAL

I have checked the background, reviewed the credentials and evaluated the instructional abilities of this applicant as required in the MS POST Policy and Procedures Manual, Instructor Certification, Section III, and recommend certification as an instructor. If this is an application for renewal, this applicant has documented instructional activity of MS POST certified programs during his current period of certification. I am satisfied with the continuing knowledge of this individual in the area(s) of re-certification. I understand it is my responsibility to utilize this instructor only in the areas of his/her expertise and provide stewardship of his/her certification.

INSTRUCTIONS

Please read these instructions before completing the "Instructor Application". All documentation of education, training and experience should be attached to insure speedy process of your request. Return to the address below.

Type or print in ink when completing this form.

1. Record your full name, title, date of birth and social security number, your employer (the organization the you are employed with, not the organization you will be teaching for, unless they are one and the same), and the agencies mailing address and telephone number.
2. Check whether or not if you have ever been a certified detention officer in Mississippi.
3. If you have never been issued an instructor certificate by the Board on Jail Officer Standards and Training (BJOST) check New certification. If you have previously held an instructor certificate issued by BJOST check Renewal of certification. If you currently hold an instructor certificate issued by BJOST and wish to have certification in additional areas check Certification in an additional subject area.
4. Indicate the highest level of education and experience you have achieved (attach documentation of education and experience). If none are applicable, you do not meet the education and experience requirement for BJOST instructor certification.
5. Check the subjects that you desire the BJOST to recognize as your area if instructor certification. Also provide any documentation as to your qualifications or knowledge in the requested subject areas.
6. Provide the requested information asked in questions "A", "B" or "C". Question "A" applies to applicants that hold professional credentials other than BJOST issued certificates (e.g., attorneys, state certified teachers, certified public accountants, etc.). Provide copies of professional membership cards, certificates, etc. if you have checked "yes" to this question. If you do not qualify under question "A" then you must qualify under both questions "B" and "C". Provide a copy of the Board-approved instructor development or techniques course you attended and a copy of you "**Instructor Evaluation**" form.
7. Instructor certification in a designated special subject area has specific requirements for each subject area. If you do not meet the stated requirement and are not able to document the training, certification will not be issued in the area.
8. The renewal of instructor certification will require that an instructor provide documentation of instruction in Board-approved training programs during the previous three (3) year period for which the expiring certificate was issued. This can be shown by a letter from the academy director or a copy of the training schedule. Instructor renewal will also be based on the continued education of the instructor in the area of requested renewal.
9. This form must be signed and dated by the head of the agency, or the form must be signed and dated by someone with the authority to do so. If the later is the case, then we must have a letter on file at this office stating specifically who has such authority. This letter will have to be authorized by the head of the agency.
10. Once completed, signed and dated return the form to the address below.

MS Dept. of Public Safety/Div. Of Public Safety Planning/
Office of Standards and Training
3750 I-55 Frontage Rd N
Jackson, MS 39211-6323

Telephone (601) 987-3096; Facsimile - (601) 987-3086



MISSISSIPPI PEACE OFFICER STANDARDS & TRAINING

DETENTION OFFICER INSTRUCTOR EVALUATION INSTRUMENT

The MS POST "Instructor Evaluation" form is to be used when conducting the two (2) hour internship evaluation required for instructor certification. Enclose a copy of this form with the "Instructor Application for Certification" form.

The following information should be completed by the nominating official. During the two hour internship indicate the degree of effectiveness of the instructor candidate as determined by the nominating official. A copy of the evaluation form should be provided to the instructor candidate prior to his/her presentation.

Name of Instructor:

Name of Evaluator:

Location where evaluation took place:

Date of Evaluation:

Subject Presented:

PREPARATION

Was a complete lesson plan presented?

Was a lesson plan available for the evaluator?

Did the instructor explain how the course material would be introduced and evaluated?

PRESENTATION

Did the instructor's choice of vocabulary led to clear and concise communications with the students?

Did the instructor make frequent eye contact with different students?

Did the instructor keep his/her voice at the proper volume and pitch for the room?

Was the course material presented in a logical learning sequence?

Were the most important points of the presentation emphasized?

Did the instructor use personal experiences to illustrate points during his/her presentation?

		Rate of Effectiveness (most effective to least effective)				
		5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1

Yes	No	5	4	3	2	1
-----	----	---	---	---	---	---

Were the students actively encouraged to comment?

Did the instructor demonstrate respect for all students?

APPLICATION

Were the students given opportunities to put newly learned ideas and skills to work?

Did the instructor communicate with the students to see if they understood the practical uses of the course material?

EVALUATION

Were any formal test questions directly based on the learning objectives?

Were the test questions clear and unambiguous?

SUMMARY AND REVIEW

Did the instructor end his presentation with a summary and review of the course materials?

		Rate of Effectiveness (most effective to least effective)				
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1
Yes	No	5	4	3	2	1

Comments:

Acceptable

Unacceptable

Signature of Evaluator

Date

Appendix C
Application for Academy Accreditation and Program Monitoring Guide



MISSISSIPPI PEACE OFFICER STANDARDS & TRAINING

BJOST ACCREDITATION OF TRAINING FACILITY APPLICATION COVER PAGE

Name of
Applicant Agency:

Mailing
Address:

P.O. Box or Street Address

Contact
Person:

City/State
Telephone
Number:

Zip Code

Type of Application:

Original Accreditation

Accreditation Renewal

Date of Application:

FACILITY APPLICATION INSTRUCTIONS

1. LETTER OF REQUEST FOR ACCREDITATION

The applicant agency must submit a letter of request for accreditation. This letter must originate from the agency head and commit both financial and administrative support for the program.

2. APPLICATION COVER PAGE

The BJOST "Application Cover Page" must accompany the completed application.

3. APPLICATION TEXT

The narrative text of the application must demonstrate the ability of the applicant agency to comply with requirements as outlined in the BJOST Policy and Procedures Manual and those listed below. Supporting documentation, consisting of copies of required information, should be submitted in this section of the application. If information is not available, then the method of complying with the requirement should be addressed in this section.

1. ADMINISTRATIVE REQUIREMENTS

1. ADMINISTRATIVE STAFFING

This section of the application should address the entire staff (full or part - time). The qualification and assignment of the staff should be delineated to include an organizational chart. Where staff are assigned to other activities or agencies as their primary duty, a letter under signature of that individual's supervisor authorizing participation as needed in the training program must be included.

2. FACILITY POLICY AND PROCEDURES MANUAL

A copy of the applicant facility's "Policy and Procedures Manual" should be provided in this section.

3. FACILITY RECORDS

A copy of each of the records below should be enclosed. If no record exists, please enclose a sample of how you propose to maintain the required information.

- | | |
|----|---------------------------------|
| 1. | Facility administrative records |
| 2. | Class records |
| 3. | Student records |

4. SAFETY REQUIREMENTS

Provide documentation of compliance with this requirement.

2. PHYSICAL REQUIREMENTS

1. PHYSICAL FACILITIES

Please provide physical descriptions, diagrams, maps or any other information that may assist our office in determining the adequacy of the facility's physical facilities that are listed below. It should be noted that an inspection of these facilities will be conducted prior to any determination as to accreditation.



PEACE OFFICER STANDARDS & TRAINING

BJOST PROGRAM MONITORING GUIDE

Location of Program:

Date Program was presented:

Name of Instructor:

Subject presented:

Name of Observer:

Name of Sponsoring Agency:

The below listed areas are to be reviewed upon the monitoring of BJOST approved training programs.

Preparation:

YES NO N/A

- 1. Is the instructor using a complete lesson plan?
 - a. Are learning objectives included?
 - b. Is an evaluation method included?

Y N
Y N
Y N

2. Did the instructor or sponsor provide a lesson plan for the monitor?

Y N

3. Is the training area prepared for the scheduled activity?

Y N

4. Do the course objectives follow the current BJOST uniform learning objectives?

Y N

Presentation:

1. Does the material being presented reflect the content of the lesson plan?

Y N

2. Does the instructor communicate the lesson plan to the class?

Y N

3 Does the instructor encourage class participation?

Y N

4. Does the instructor demonstrate respect for all students?

Y N

5. Is the subject matter being presented correspond with the posted schedule of events?

Y N

Evaluation:	YES	NO	N/A
1 Is the evaluation method appropriate to the type of training received?	Y	N	
2. Are the test questions based on the learning objectives?	Y	N	
3. Are the test questions clear and understandable?	Y	N	
4. If a skill test is conducted:			
a. Are the directions clear?	Y	N	
b. Are the questions answered?	Y	N	
c. How many trainees successfully completed the skill test?	Y	N	
d. How many trainees did not successfully complete the skill test?	Y	N	

Comments: (all areas marked "no" must be explained)

Course Rating: Acceptable Unacceptable

Are additional comments attached? Yes No

Signature of Monitor

Date

Signature of Agency Representative

Date

Appendix D
Background Investigations

Background Investigations

adopted - 09/2001; rev - 06/2004

- 100** **PURPOSE** The Office of Standards and Training has prepared this handbook to **provide a useful guide for developing a policy** for use by criminal justice investigators and executives to assess the ability of an individual to perform the duties of detention officer in a competent and reliable manner. This section is not intended to be a stand alone manual for the conduct of background investigations. Individual agencies must develop local policies to accomplish background investigations for their department.
- 101** **POLICY** The detention employer is responsible for insuring that officers meet the minimum standards for employment. Agencies must conduct an adequate background investigation to ensure these standards are met.
- 101.1 Administrators must determine the individual's age, education, experience, physical condition, mental condition and moral character. Of these areas, the latter two are probably the most difficult to evaluate. There is no form, certificate or test that will definitively state whether an applicant's mental condition, moral character and/or subsequent behavior will be acceptable for employment as a detention officer or other public safety employee. Factually, no one can accurately predict another's behavior under the stressful and often life threatening conditions encountered by detention officers. Yet that very behavior or response is a critical factor in successfully protecting the health, safety and welfare of the citizens and officers involved.
- 101.2 Although we cannot accurately predict behavior, agencies can identify those individuals who have the greatest potential for failure. Thankfully there are many tools available to the public safety and criminal justice community to aid in screening applicants in order to identify and reduce the risks of unacceptable behavior. Some of the more commonly used tools are:
1. Psychological screening by trained mental health professionals incorporating such test instruments as the Minnesota Multi phasic Personality Inventory (MMPI), Intelligence Quotient and an interview.
 2. Background Investigations,
 3. Polygraph testing,
 4. And probationary period evaluation.
- 101.3 These tools have each been used by diverse agencies with varying degrees of

success. Each technique has inherent drawbacks and disadvantages, therefore agencies may seek to mitigate the inherent problems by combining some or all of the tools in their applicant screening policies.

1. The critical element in using these techniques is the development and use of a policy tailored to the unique requirements of a particular detention facility. A good policy will maximize utilization of available resources and exploit the benefits offered through each technique selected. The Board recommends that every agency develop and implement a screening policy that encompasses one or more of the aforementioned techniques. A good background policy should:
 - a. Increase the likelihood of uncovering job related facts that may influence the employment decision,
 - b. And decrease the likelihood of using employment practices that are not job related which could adversely affect an individual's employment opportunity.
2. The background investigation is one of the most useful techniques for evaluating the qualifications of a detention officer applicant. A thorough background investigation is within the capabilities of every detention facility in the state.

101.4 This policy section does not establish standards beyond those required by the statute and the Board. The information in this section is in the form of guidelines and recommendations for policy on background investigations. These guidelines should not be confused with mandated procedures.

1. The word routine is used in a specific way in this manual. The recommended practices and procedures in this section are descriptive of those actions that would be included or excluded in a typical policy for a routine background investigation. Due to the great diversity of detention facilities and among officer applicants, there will probably be justifiable and job-related reasons for going beyond the "routine" investigation.
2. Nothing in this manual should be interpreted as preventing the employer from delving into any background area which the employer believes can be justified as being job-related.

101.5 The evaluation of background information as it relates to a detention officer candidate is difficult and must be done on an individual basis. No one can predict what facts and circumstances constitute an individual's background; therefore a specific background investigation model would not be feasible. Nevertheless, steps can be taken to improve the efficiency and effectiveness of

the background investigation and to reduce the potential for using the information in an inappropriate manner:

1. **What kind of person do I want in my organization?** Establish job dimensions and desired personal characteristics which can be used as a bench mark in evaluating applicants.
2. **What kind of person do I not want to represent me and my department?** Establish written guidelines for the kind of past behavior which is rationally incompatible with acceptable detention officer performance.
3. **How can I best determine whether an applicant can meet my standards?** Establish procedure to *gather data, evaluate data, develop information* relevant to the job dimensions/personal characteristics and *make use of the information* in the decision making process.
4. **Why do I need job dimensions/personal characteristics? Can't I just do the background investigation and employ the officer if I like what I see?** It is very important from a legal point of view that you establish some guidelines for your detention positions. Each of your requirements must be a "bona fide occupational qualification". Any decision not to employ an individual based on information developed in the background investigation should be directly related to a bona fide occupational qualification.
5. **What can I do to reduce problems that may occur from not hiring an applicant?** Establish procedure to provide an appeals process to handle complaints resulting from adverse employment decisions.

101.6 There are several legal considerations in the conduct of background investigations.

1. In the enactment of the Jail Officers Training Program, the Legislature finds that the administration of jails and youth detention facilities is of statewide concern, and that the activities of jail officers are important to the health, safety and welfare of the people of this state and are of such nature as to require education and training of a professional nature of jail officers. It is the intent of the Legislature to provide for the coordination of training programs and the establishment of standards for jail officers.
2. The Board on Jail Officer Standards and Training established minimum employment standards requiring officers to:
 - a. Be at least eighteen (18) years of age,
 - b. Be a high school graduate or obtain a General Educational Development

(GED) Diploma,

- c. Be a United States citizen,
 - d. Be of good physical and mental condition, capable of performing the duties under conditions inherent to the profession as verified by a licensed practitioner,
 - e. And be of good moral character as evidenced among other things by having neither a conviction nor a plea of guilty or nolo contendere, probation, pre-trial diversion, or payment of any fine for a felony or a misdemeanor involving moral turpitude. Individuals discharged from the Armed Forces must have served under honorable conditions and not been removed from the service under a dishonorable or bad conduct discharge. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.
3. In general, any act or conduct may be explored which is related to an applicant's fitness for the job and/or qualifications mandated by the Board under state law. There are certain areas of investigation prohibited by various state and federal laws, rules and regulations. The judicial branch has been active in establishing case law in this arena.
- a. The primary engine driving this activity has been Title VII of the Civil Rights Act of 1964 which prohibits employment discrimination on the grounds of race, color, religion, sex or national origin and the Age Discrimination in Employment Act of 1967 (ADEA). Other important acts include the Americans with Disabilities Act(ADA), and the Civil Rights Act of 1991 which eliminated norming on race, gender, religious creed or ethnicity.
 - b. A full discourse on all the law and rule of employment practices is beyond the scope of this manual. The recommendations of this manual reflect a consideration of applicable laws. Any agency should seek the advice of counsel before enacting policy on employment practices.

102 PROCEDURE The intent of this section is to aid policy makers in developing policy to provide a structured procedure for the systematic acquisition, organization and reporting of information from the background investigation (“BI”).

102.1 Considerations - The “BI” should be an objective process which entails descriptive rather than evaluative reporting. The role of the background investigator is different from that of a criminal investigator in that the criminal investigation is usually oriented on development of information to obtain a

conviction. The criminal investigator usually ignores evidence of extenuating or mitigating circumstances. The opposite is true of the background investigator's mission. The mere fact of a negative item discovered as a part of the "BI" is rarely indicative of the individual's qualifications for the job. The facts, extenuating/mitigating circumstances and past behavior are important pieces of the total picture. As a result, the "BI" report should provide sufficient information about the applicant to enable the employer to judge the significance of past behavior and the possible outcomes of a decision to hire the applicant.

1. Each agency should develop a list of desired personal characteristics. The list should be provided to every contact made during an investigation. With the list, the investigator will be able to assist the contacts in providing relevant information about the applicant's ability to be a detention officer. Rarely will a contact have information about each and every characteristic and most do not have the qualifications to evaluate a candidate in every listed area. The investigator must weigh the knowledge and qualifications of every contact to determine which areas the contact is most likely to have relevant and accurate information.
2. Confidentiality of information developed pursuant to a background investigation should be safeguarded. It is the investigator's responsibility to avoid any unwarranted invasion of the applicant's privacy while ensuring a fair and thorough "BI" is conducted. All information given by the applicant and obtained by the investigator is private and confidential. Only authorized persons designated in unit policy should be given access to the information. As a general rule, information should not be revealed to the applicant.
3. No attempt has been made to list specific disqualifying characteristics, such as, undesirable behavior or unlawful activity. Practically speaking, there is a wide range of possible examples of aberrant/deviant behavior that may be indicative of a mental disorder or behavior that may violate the public sense of propriety. Where a single offense may be acceptable, the repeated instances of the same offense would indicate disregard for authority. The Areas of Inquiry section of this manual covers this decision process in more detail. Decisions concerning whether an applicant fulfills the requirements of the Board and the agency can best be made after consideration of the relevant facts. Indications of illegal, aberrant, deviant or outrageous behavior should be fully investigated and evaluated to determine if the applicant is of good mental condition and moral character.
4. In the course of conducting the background investigation, investigators may discover that the applicant has committed a crime for which no arrest has been made. Appropriate action should be taken in accordance with agency policy. Additionally, investigators may discover that the applicant has made fraudulent statements on submitted documents. Such activity is a felony

under Mississippi Code as Annotated § 97-7-10 **"Fraudulent Statements and Representations"** (1972). Generally, this statute provides that any person who, with intent to defraud the government, knowingly makes false statements shall be punished by a fine of not more than ten thousand dollars (\$10,000.00) and/or imprisonment of not more than five years.

5. A fair selection system should include a mechanism for appealing the employment decision. Each department should develop policy to outline the steps an applicant may take to appeal a disqualification based upon the **"BI"**. In handling appeals, the department should consider two main aspects of the **"BI"** decision:
 - a. **The information upon which the disqualification is based should be verified and determined to be accurate,**
 - b. **And a rational connection between the disqualification and the job requirements should be established (bona fide occupational qualification, BFOQ).**

102.2 **Beginning the Investigation** - The applicant is the primary source of information in a **"BI"**. One of the basic essentials to the investigation effort is the personal history statement.

1. The personal history statement provides the basis of information the investigator will use to plan and conduct interviews, research records and conduct mail surveys.
 - a. Personal history forms are essentially similar to employee application forms with the exception that the personal history form usually contains more detail than an application. The subsection contains a typical personal history statement form for agencies to use in developing forms useful for their department.

TIP: The personal history statement could be useful in completing forms required by the Board.

- b. Applicants should be given a personal history form along with a list of necessary documents. Ample time should be given the applicant to complete the form and obtain the documents.
- c. Some of the paperwork the candidate should be required to provide are those items that verify the department's standards such as:
 - i. Birth Certificate,

- ii. High School Diploma (or GED),
 - iii. Driver's License,
 - iv. Military Discharge Form (DD Form 214),
 - v. And transcripts, Diplomas and Certificates for any other education or training.
2. The investigator should arrange a preliminary interview. This phase is critical to the investigator because it will lay the foundation for the rest of the "BI". The investigator should prepare for the interview by preparing a folder and a checklist of required documents, release forms and probable contacts. At the meeting:
- a. The investigator should scrutinize all submitted materials to ensure all needed documents are present and valid. Official documents such as birth certificates and transcripts should be logged on the checklist, photocopied and returned to the applicant for safekeeping,
 - b. Prepare and submit fingerprint cards,
 - c. Ensure the personal history statement is complete and that all omissions, inconsistencies and conflicting statements are resolved. If any unusually favorable or unfavorable information is discovered in the materials submitted by the applicant, the investigator should obtain full details of each incident or event. Special care should be taken to ensure names, addresses and telephone numbers for possible contacts are included in the personal history statement,
 - d. And obtain signatures on a sufficient number and type of release of information forms. The investigator should have a good estimate of the number and type of releases needed following the review of the personal history statement. Many organizations and institutions must have a signed release of information form before they will provide any assistance to a background investigator. See the subsection for examples of the various types of release forms.

102.3 Information Gathering - Immediately following the interview, the investigator should evaluate the materials gathered thus far and begin planning the information gathering phase. This phase will be the most time consuming portion of the "BI". Planning and organization are critical to insuring that resources are used wisely and efficiently during this phase.

- 1. The personal interview is the preferred method of contacting an information

source. However, such interviews are often impractical and alternative methods must be adopted. The investigator should determine which sources should be interviewed in person, via the telephone, and which should be contacted in writing.

2. Any written inquiries or requests for information should be prepared and mailed prior to initiating other activities due to the inherent delays in the postal system.
 - a. The letter should address specific questions relating to the job dimensions and personal characteristics of a detention officer. Suggested questionnaires for the various contacts are included in the subsection.
 - b. Investigators should be sure to enclose a signed release form and a list of the desired personal characteristics. The inclusion of a stamped and self-addressed envelope will aid immensely in obtaining responses.
 - c. Replies should be reviewed as they are received. Questionable areas to be pursued should be incorporated with the remaining information gathering plans.
3. The remaining contacts should be arranged in a logical sequence to map the personal interviews. Such organization should serve to improve the efficiency and timeliness of the investigation.
 - a. The investigator should make appointments with each personal contact in advance and build in flexibility in the daily schedule.
 - b. The investigator should review the department's interview procedure, evaluate data gathered to date and develop a question list prior to each interview. Possible interview questions are discussed in the subsection entitled **Areas of Inquiry**.
 - c. During the interview the investigator should:
 - i. Obtain specific facts to support any general statements given by a contact.
 - ii. Quote or paraphrase remarks rather than make subjective conclusions.
 - iii. Record name, address, telephone, date, time, location and relationship of the contact for each interview conducted.

102.4 **Evaluating the Data** - Once all possible sources of information have been

contacted or checked, the investigator must then complete the process of sorting the data gathered to develop a useful report.

1. At this point, the investigator should attempt to resolve any discrepancies, inconsistencies or contradictions developed during the "BI". A discrepancy interview may be scheduled with the applicant to attempt to resolve the problems. During this interview, the investigator should not reveal the source of any information obtained during the "BI".
2. The final step in the process is reporting to the chief/sheriff or other officer designated to make the hire/no hire decision. This report should be a concise narrative evaluation of the applicant's qualifications with regard to bona fide occupational qualifications. Every effort should be taken to ensure the report is factual and free of bias or opinion.
3. The investigator should include the following items with the report:
 - a. Copies of all official documents.
 - b. Any verifying documents collected.
 - c. Any unused signed authorizations.
 - d. Returned questionnaires and letters.
 - e. The investigator's notes.
 - f. Other pertinent material.

Appendix E
Areas of Inquiry

Areas of Inquiry

adopted - 09/2001; rev - 06/2004

- 100** **PURPOSE** This subsection to the background investigation (“BI”) manual lists typical areas of inquiry and provides rationale for and against asking specific questions.
- 101** **POLICY** Nothing in this “BI” manual should be construed as establishing a standard for the conduct of investigations. The manual was constructed to serve as a guideline in the development of local investigation procedure. Although the Board has attempted to provide sufficient instruction in this area, the areas of inquiry listed herein are not inclusive or exclusive. Further, where specific examples are cited, there is always an exception wherein the employer believes there is a bona fide occupational qualification.
- 102** **PROCEDURE** Each of the areas of inquiry are listed along with comments.
- 102.1 **Applicant Identification** - The personal information requested on the personal history form is sought primarily for the purpose of verifying the identity of the applicant and to provide a means of contacting the applicant during the selection process.
1. All names used by the candidate should be noted. If the investigator finds that the applicant has used other names for fraudulent purposes, this could reflect unfavorably on the applicant's integrity or credibility as a witness.
 2. The use of religious or ancestral names, the use of two last names with a hyphen, the use of a single name without a first or last designation or the decision of a woman not to use her husband's name should not be considered improper action by the candidate. The law permits individuals to use any name as long as the change of name is not for fraudulent purposes.
- 102.2 **Citizenship** - An applicant must be a citizen of the United States of America.
1. U.S. citizenship can be verified by review of common documents.
 - a. Citizens of this country by birth may be verified by a copy of a birth certificate, copy of court documentation attesting to citizenship in the absence of a record or a current valid passport.
 - b. A child born of American parents on foreign soil has the option of being a citizen of that country or the United States. Neither is legally recognized until declared by the individual. To be recognized as a U.S. citizen, the

individual must have one of the following documents:

- i. A Certificate of Naturalization from the Department of Immigration and Naturalization Service (INS) (form N-550),
 - ii. Report of Birth Abroad of a Citizen of the United States issued by a consular officer,
 - iii. Current valid U. S. passport,
 - iv. Or department of Immigration and Naturalization Form G-641 (Application for Verification of Information from Immigration and Naturalization Service Records.)
- c. Immigrants to this country who obtain U. S. citizenship are known as naturalized citizens. Documentation of citizenship status would include:
- i. A Certificate of Citizenship from the Department of Immigration and Naturalization Service (INS),
 - ii. A Birth Card wallet identification issued by INS,
 - iii. Or a current and valid U. S. passport.
- d. Documentation of citizenship status should be verified by independent sources. The U. S. District Court keeps a record of citizenship records. The New Orleans, Louisiana office of the INS (504-589-6527) serves this area. The INS is able to verify documents offered up by candidates as proof of citizenship upon receipt of a written request accompanied by a signed waiver/release of information.
- e. The INS publishes a pamphlet entitled "Handbook for Employers" (M274) that offers additional information on this subject. Please write the INS at:

U. S. Immigration and Naturalization Service
Attn.: Employment Sanctions Unit
701 Loyola Avenue, Room T-8011
New Orleans, Louisiana 70113

2. The Board recommends that inquiries not be made into the applicant's lineage, ancestry, national origin, descent, parentage, or mother tongue. In addition to these areas, inquiries are not recommended into the nationality of the applicant's parents or spouse or how the candidate acquired the ability to read, write or speak a foreign language. [Prohibited by Title VII of the Civil Rights Act of 1974, 42 U. S. C. 2000 (e)]

102.3 **Photograph** - A photograph may be solicited from the candidate to help identify the candidate when references are contacted. Investigators should carefully document the specific request or necessity for applicant photographs. To ensure that a photograph is not improperly used, certain cautionary steps should be taken. Foremost, the photograph should only be used for identification purposes. Where possible, the photograph should be removed from the file prior to forwarding the background investigation material to the decision maker authorized to make the employment decision. Remember, there are many laws and relevant court decisions at both the state and local level which prohibit non-job related inquiries which express, directly or indirectly, any limitation, specification or discrimination as to age, race, religion, color, national origin, ancestry, physical or mental handicap, or sex. [Prohibited by Title VII of the Civil Rights Act of 1974, 42 U. S. C. 2000 (e)]

102.4 **Residences** - The reason for requesting an applicant to list current and previous residences is to contact neighbors, landlords, apartment managers, anyone acquainted with the candidate by reason of residence, in order to gather information about the applicant's qualifications. The residence list, coupled with the work history, also provides the investigator a list of all relevant criminal justice agencies which should be checked.

Note: The courts have upheld residency requirements by governmental employers.

1. Current and previous neighbors and landlords who are familiar with the applicant may be able to provide information on any of the desired personal characteristics. The key to appropriateness of contacting these people is the degree and recency of their interaction with the applicant. A contact with whom the candidate has had only a casual intermittent relationship would not be a good choice as a source of information. The investigator must determine the extent of the contact with the applicant. Information developed from these sources must be carefully evaluated before making any conclusions about the applicant's qualifications.

a. When interviewing neighbors and landlords, the investigator might ask such questions as:

How long have you known the applicant?

How well do you know the applicant?

Do you know how well the applicant gets along with neighbors?

Can you think of any reason why the applicant might not

be qualified to become a detention officer?

Can you recall anything about the applicant that would question their reputation for truthfulness and respect for the law?

Can you suggest any other persons who might have information about the applicant?

Does the applicant make rent (mortgage) payments promptly?

b. It is acceptable to inquire into the reasons for changes in the applicant's residence. Inquiries may reveal something about the applicant's interpersonal sensitivity, dependability or integrity. If there appears to be a pattern of frequent moves, further investigation may be indicated.

2. Asking neighbors and landlords about an applicant's style of living as it relates to such matters as the number of persons living in the residence, housekeeping habits, condition of home, yard, or vehicle should generally be avoided because of the subjectivity involved. However, where condition of the home borders on health violations or indicates other illegality, the situation warrants further investigation. No conclusions should be drawn from the mere fact of the applicant either owning, renting or living with relatives or friends.

102.5 Experience and Employment - An investigation into the applicant's experience and employment history is one of the most important areas in the background investigation. The employment setting may have given the applicant the opportunity to learn and demonstrate behaviors relating to several job dimensions. Self control, dependability, truthfulness and respect for law are personal characteristics to look for in such an investigation. The applicant should provide a complete listing of all employments, summer jobs or volunteer work and indicate whether contact with the current employer would jeopardize continued employment. The investigator should contact current and past employers, supervisors and co-workers. The investigator must be careful to evaluate the degree and recency of contact between a contact and the applicant. For example, information from a past employer who only dimly recalls the applicant from a summer job five years ago, should be viewed cautiously.

1. When interviewing employers or supervisors the investigator may ask:

Why was the applicant's employment terminated?

Was the applicant punctual and dependable?

Do you have any record of disciplinary problems with the applicant?

Do you know how the applicant got along with other employees?

Do you know if the applicant is honest and truthful?

Do you have any record of salary garnishments or other financial problems of the applicant?

Did the applicant have any extended or frequent work absences?

Did the applicant ever file a claim for worker's compensation?

Is the applicant eligible for rehire?

Can you think of any reason why the applicant might not be qualified to become a detention officer?

2. When interviewing past or present co-workers, the investigator may ask:

How did the applicant get along with co-workers?

Do you know if the applicant is dependable?

Can you think of any reason why the applicant may not be qualified to become a detention officer?

Can you suggest any other persons who may have information about the applicant?

Are you aware of any substance abuse by the applicant?

3. There are several specific areas of inquiry the investigator should consider:

- a. It is appropriate to inquire into the reason for an applicant's having no previous employment or long periods of unemployment. Such an inquiry might lead to information concerning the applicant's willingness to confront problems, dependability and desire for self-improvement. However, there are many legitimate reasons for unemployment and no conclusions about the applicant should be drawn from that mere fact alone. The investigator must look into the circumstances of the applicant's lack of employment.
- b. Receipt of welfare assistance, unemployment compensation or worker's compensation is legal and generally no judgement about the applicant

should be based upon the applicant's having received such assistance. However, if the investigator finds that the applicant has received assistance through fraudulent means, that would reflect upon the applicant's integrity. Additionally, information garnered about the applicant's worker's compensation claims history would provide some indication about the applicant's physical ability.

- c. Extended or frequent work absences may reflect adversely on the applicant's dependability. The investigator should inquire into the circumstances of the absences to determine if they were reasonable or justifiable.
 - d. Having been fired or asked to resign from employment may reflect on an applicant's integrity or dependability. Information from a previous employer who fired or asked the candidate to resign must be carefully evaluated and should be balanced against the applicant's explanation of the occurrence.
 - e. A candidate's interpersonal sensitivity or willingness to confront problems might be revealed by an inquiry into the applicant's reason for leaving a job.
 - f. The investigator should inquire into the reasons for the rejection of the applicant from another criminal justice or closely related position. Obviously, this type of information may be highly relevant to the applicant's qualifications as a detention officer. Such information must be carefully verified and evaluated.
4. Some types of employment information have little relevancy to employment as a detention officer and should be avoided unless a bona fide occupational qualification for such areas can be established. Some of these areas include:
- a. Routine inquiries concerning the number of persons the applicant has supervised are usually irrelevant since entry-level criminal justice positions are non-supervisory.
 - b. No conclusions should be drawn from the current salary of the applicant. Salaries do not indicate anything about a person's qualifications to be a detention officer.
 - c. Inquiries should not be routinely made about whether the applicant has been a member of a labor or employee organization. Membership in an employee organization is not related to job performance as a detention officer.

102.6 **Legal** - The applicant's relationship with the law is obviously an important area of inquiry for the background investigator. Non-criminal justice employers must establish business necessity as narrowly interpreted in order to make employment decision based on criminal history. However, criminal justice employers may consider convictions and disqualify applicants for employment based on criminal history. The courts have upheld good moral character as a standard for detention officers provided adequate safeguards are present to ensure protection of the applicant's privacy, freedom of speech and association. These rights are balanced against the government's interest in having a work force that can be relied upon and which can maintain the public's confidence. It is recommended that the investigator inquire whether the applicant has ever been arrested or detained, charged with a crime or convicted of a crime.

1. No conclusions should be drawn from the mere fact that an applicant has been arrested or detained without consideration of other factors.
2. Inquiring into the applicant's involvement as a plaintiff or defendant may lead to information concerning the applicant's integrity, dependability or credibility as a witness in a court of law.
3. The policy and statute prohibit employment of officers convicted of a felony and/or a crime involving moral turpitude. This prohibition extends to anyone who has entered either a plea of guilty or nolo contendere to such crimes. Should an investigator discover that an applicant has been convicted of such crimes, the agency head should be consulted as to whether to continue the investigation.
4. The 1996 amendment to the Gun Control Act of 1968, more commonly known as the Lautenberg Amendment, prohibits possession of a firearm or ammunition by anyone who has been convicted of domestic violence. This includes any case of simple assault where the victim is a person described in the amendment (current or former spouse, parent or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent or guardian or a person similarly situated as a spouse, parent, or guardian of the victim). Check all reports of assault and verify the relationship of the victim to the perpetrator.
 - a. Not all states use the terms felony or misdemeanor to differentiate between crimes. Further, a felony in one state, may not be a felony in other jurisdictions. In jurisdictions where the felony/misdemeanor system is not used, the maximum sentence that could be imposed for the crime is your guide for determining eligibility regardless of the actual sentence imposed. Where the maximum prison sentence is over one-year, the crime would exclude service as a detention officer in this state.

- b. Investigators should not consider crimes that have been expunged which may include felonies or crimes involving moral turpitude. All other classes and types of convictions and/or relief for such crimes are open for consideration. For example, an individual who has been pardoned is not eligible for service as a detention officer unless that pardon also includes an expungement. Other forms of ineligible applicants would be, non-adjudication of guilt where the plea entered was guilty or nolo-contendere, suspended sentences, pre-trial diversion, or finding of guilty with no imposition of a sentence.
 - c. Access to sealed juvenile records by a criminal justice agency varies from jurisdiction to jurisdiction. In Mississippi, criminal justice agencies may release records to other criminal justice agencies. Otherwise, investigators must obtain an order from the youth court to disclose records. Where an investigator finds that an applicant's record is sealed, the investigation must concentrate on other sources to complete the background investigation.
5. Drug and alcohol offenses should key the investigator to explore the extent of the applicant's history of drug and alcohol usage. The courts generally allow drug prohibitions as long as they are job related and take into consideration such things as frequency of prior use, type of drugs used, and the length of time since last use. For example, marijuana usage varies widely among the population. In Mississippi, marijuana possession in small quantities is a misdemeanor. Investigators should weigh all factors in considering whether the applicant has a drug problem, lacks moral character or simply exercised poor judgement in experimenting with an illegal substance.
- a. Agencies should establish a substance abuse policy including a pre-employment section. The substance abuse prior to employment standard should provide a realistic assessment of the applicant's character. While agencies may desire that all their successful applicants have never used any illegal drug, abused prescription drugs or alcohol, that desire may not be practical and many otherwise qualified candidates may be eliminated from employment consideration. Policies should consider the type of substance abused, frequency of use, length of sobriety and any long term physical affects of use. Your physician can be of assistance in explaining the potential long term effects of abuse of the different types of drugs and alcohol. Your policy should be explained to the applicants during any initial interview. A zero tolerance policy for pre-employment use may result in candidates simply withholding any information about their prior use. If applicants understand that your policy may consider employment of substance abusers who have a clear record of abstinence and a low

probability or recurrence, the applicants will be more forthcoming.

- b. Substance abuse treatment may take many forms. Persons who complete a formal program under supervision of trained and licensed practitioners and have two or more years of sobriety have a very good record of maintaining that sobriety. Psychological testing and assessment can evaluate the level of permanent impairment to memory and function. Many organizations consider self referral to substance abuse treatment as a positive indicator of character and provide encouragement and assistance for the abuser to complete treatment. In many cases, the self referred abuser is given immunity for undisclosed acts related to the substance abuse. Such immunity can not be granted for any crimes which have been prosecuted or are facing prosecution.
6. Homosexual offenses normally would be cause for rejection as illegal conduct. However, if the applicant has merely established a particular sexual orientation, adverse action cannot be taken unless there is a showing that homosexuality has a relationship to the ability to perform the job.
7. Criminal records may be obtained by returns from the fingerprint cards submitted to the State Bureau of Investigation and the FBI. In order to ensure a complete records check, the investigator should also check the applicant's local record where they have worked or resided.

102.7 Motor Vehicle Operation - The operation of a motor vehicle may be an integral part of a detention officer's duties. The investigator should be thorough in inquiries in this area. It is recommended that the investigator inquire into the applicant's driving record to include traffic infractions, motor vehicle accidents, reasons for the refusal of any state to grant a license to the applicant and whether the applicant is complying with law regarding insurance, licensing, inspection stickers and tags.

1. The applicant's driving record can reveal past behavior concerning operation of a motor vehicle, observation skills, or dependability. Further, the applicant's driving record could be a very important indicator of attitudes toward authority, judgement and maturity.
2. Offenses involving alcohol should be fully checked for any indication of a pattern of abuse. DUI offenses by themselves do not automatically eliminate a candidate from consideration for certification unless the candidate has been convicted of a felony DUI offense. Investigators should consider all elements of the DUI offenses along with the applicant's total background investigation in making a recommendation to the employing official. Factors such as the frequency of DUI, length of time since the last offense, attempts at alcohol rehabilitation and insurability should all be considered in determining the probability of the applicant's successful job performance.

3. In evaluating the applicant's driving habits, the investigator should rely primarily on a review of driving records. Remember that all local records should be checked in addition to the state repositories. It is not uncommon to discover traffic offenses and DUI's that do not exist on the state level driver history.

102.8 **Military Service** - An inquiry into the applicant's military history can lead to information concerning many desired personal characteristics of a detention officer. Most notably, the nominee's reputation for honor and truth, respect for law, ability to work within a structured environment and performance of duty in the face of adversity can be derived from the military records. It is recommended that the investigator inquire into the applicant's military history, determine the type of discharge the applicant received, inquire whether the applicant has ever been the subject of any judicial or non-judicial disciplinary action while in the military.

1. Much of the information about an applicant's military service can be gleaned from examining one document, the DD Form 214, "Report of Transfer or Discharge". All individuals separated from the military receive a copy of this document. Criminal justice agencies should require that applicant's produce this document along with other required documentation. In addition to the DD 214, applicants should sign a "Request Pertaining to Military Records", GSA Form 180. The nearest recruiting office can provide you with copies of this form.
 - a. There are several copies of the original DD 214. The "member" copy or long copy should be the only acceptable document as this document includes discharge information and re-enlistment codes. It is important to note that many individuals have more than one period of military service, therefore the DD 214 should be submitted for each period of military service. The dates of service should be carefully compared to the dates noted on the personal history statement. Members may attempt to submit earlier DD 214's under which they were honorably discharged and omit recent periods of service that resulted in a less than honorable discharge.
 - b. Investigators should also be aware that all service obligations should total six years. For example, most active duty enlistments are four years in length followed by a two-year period in the reserve component. Periods of service that are considerably shorter than the norm should cause the investigator to query deeper into the service record to determine why the applicant left before expiration of the enlistment period.
 - c. Promotions in the military are based on a number of factors to include

seniority and duty performance. Advancement in the enlisted grades of E-1 to E-3 is practically automatic. Most individuals should be able to earn the rank of E-4 within two to three years of active duty. Individuals who leave the service after four years of active duty with the rank of E-1 have probably experienced problems which should be examined further to determine the full extent and nature of the situation.

- d. Each individual has been assigned skill codes and attended training related to their assigned skill area. Many of these codes have additional extenders which relate to additional skill areas or qualifications. Investigators should familiarize themselves with the skill codes for military police in each of the branches to enable immediate verification when applicants claim military police/detention specialist as a skill area. Again, your local recruiting office should be able to provide you with up to date information on the various codes.
2. The candidate's original application and DD 214 should be reviewed to see if they have ever been tried, punished, reprimanded, or reduced in rank for any infraction of military rules. If disciplinary problems are indicated, it could be a reflection on the candidate's unwillingness to adhere to limitations or an unwillingness to comply with orders.
 - a. It should be noted that there is a very distinct difference between an Honorable Discharge and those classified as discharged under honorable conditions. In many cases, a service member may apply for an upgrade of a less than honorable discharge which would be reflected on the DD 215.
 - b. Only applicants with Honorable Discharges or General Discharges under Honorable Conditions should be considered for criminal justice service. Lesser discharges to include any discharge which has been upgraded to a discharge under honorable conditions are generally indicative of disciplinary problems or criminal activity.
 - c. All discharges are based on a particular chapter which is descriptive of the overall nature of the discharge. This information is usually entered in the separation authority block. A final indicator of the individual's service is the re-enlistment code. This code tells recruiters whether the service member is eligible for re-enlistment.
 3. Information on the DD 214, DD 215, and other military records may be obtained by sending the release form GSA 180, to the appropriate military record's center listed on the back of the form. Former commanders, supervisors and military acquaintances may be contacted by letter using the World-wide locator service. Any contact with such personnel should be evaluated as to the degree and recency of contact with the applicant.

102.9 **Education** - Inquiries into the applicant's educational background can lead to information concerning the applicant's integrity, learning ability, communication skills and desire for self-improvement. Generally the most productive areas would be high school and post-secondary school levels. Grammar school and junior high experiences would normally be too remote to be relevant. It is recommended that the investigator validate whether the applicant possesses a high school diploma or GED and validate any higher degrees claimed by the candidate. The investigator should also inquire into the applicant's educational background, and inquire into the applicant's disciplinary incidents such as expulsion or suspension from school.

1. The socialization process of maturing is largely cemented during the high school and post-secondary years. The applicant's success in this all important area may be reflected in academic successes or failures, extra-curricular activities, demonstration of leadership, dependability or erratic behavior. Much of this information can be gleaned from official school records, administrators and teachers.
2. It is important to consider the time element which has elapsed since the applicant was a student. Data developed from school days should be considered along with the rest of the story.

102.10 **Financial** - The applicant's behavior regarding the handling of finances is an important area of investigation. Inquiries into this area can lead to information bearing upon an applicant's integrity, problem-solving and dependability.

1. A credit reporting agency is quite often a valuable source of information regarding a candidate's financial condition. For a nominal fee, most will provide a comprehensive credit history for all places of residence.
2. Areas that should be evaluated are the applicant's debt ratio, garnishments, bankruptcies, repossessions, delinquent taxes and child support payments. A pattern of indebtedness, outstanding judgements or failure to meet obligations would be indicative of the candidate's inability to live within one's means.

102.11 **Relatives, References, Acquaintances, Clubs and Organizations** - Anyone who knows the applicant is a potential source of relevant information. The degree and recency of contact along with the nature of the relationship will be critical factors in determining the relevancy of information developed from such sources. Interviews with relatives, references and acquaintances should be carefully prepared from the agencies' desired list of personal characteristics.

1. Potentially, a relative could comment on any of the desired personal

characteristics. However the investigator may find it more useful to center interviews with relatives around the applicant's willingness to solve problems, interest in people, interpersonal sensitivity, dependability and integrity. The investigator may ask a relative to describe a situation in which the applicant demonstrated dependability.

2. References and acquaintances are potential sources of both information about the officer and additional sources of information such as other acquaintances. Close friends, Sunday school teachers, Scout masters and the like may tend to emphasize the positive aspects of a candidate due in part to the circumstances of their acquaintance. A more balanced evaluation of the candidate may be gathered by interviewing other acquaintances not provided by the applicant.
3. Conclusions from the mere fact of membership or office holding in any legal club or organization should be avoided. Routine inquiries into membership in organizations which some feel may indicate a lack of interpersonal sensitivity are not recommended. Illegal behavior in connection with membership in clubs and organizations is relevant to an applicant's qualifications and should be investigated.

Sample Personal History Statement

adopted - 09/2001

The Board has developed a sample personal history statement for use in conducting **background investigations** ("BI's"). The sample may be extracted and photocopied for your agency's use or you may elect to develop your own history statement. This document should provide the start point for conducting a "BI".

Notice: This form is for the agency's use only. Do not send this form or similar forms to the Board. This form may serve as the basis for completing the mandatory "Application for Certification" form Parts I, II and III.

Personal History Statement

A. Applicant Identification - Information Provided in this Section Is Used for Identification Purposes Only.

1. Name:

Last

First

Middle

2. Address:

Street Address or Post Office Box Number

City

State

Zip

3. Phone #:

4. Birthday:

Month / Day / Year

5. Nickname(s), maiden name, or other names by which you have been known:

6. Social Security No.:

7. Place of Birth:

City

County

State

8. Driver's License No.:

Expiration Date:

State of Issue:

9. Height:

10. Weight:

11. Eye Color:

12. Hair Color:

13. U.S. Citizen? Yes No

14. Scars, tattoos, or other distinguishing marks:

B. Residences - List all addresses where you have lived during the past 10 years, beginning with your present address. List date by month and year. Attach extra page if necessary.

From	To	Address

C. Work History - Beginning with your present or most recent job, list all employment held for the past ten years, including part-time, temporary or seasonal employment. Include all periods of unemployment. Attach extra pages if necessary. Please indicate if you are fearful that your present job would be in jeopardy if inquiries are made.

1. From To Employer

Address

Phone Number Job Title

Duties

Supervisor Name of a Co-worker

Reason for leaving

2. From	To	Employer
Address		
Phone Number		Job Title
Duties		
Supervisor		Name of a Co-worker
Reason for leaving		

3. From	To	Employer
Address		
Phone Number		Job Title
Duties		
Supervisor		Name of a Co-worker
Reason for leaving		

4. From	To	Employer
Address		

Phone Number	Job Title
Duties	
Supervisor	Name of a Co-worker
Reason for leaving	

5. From	To	Employer
Address		
Phone Number		Job Title
Duties		
Supervisor		Name of a Co-worker
Reason for leaving		

D. Military Record

1. Have you served in the U.S. Armed Forces? Yes (include National Guard service)	No
2. Date of Service: From	To
Branch of Service:	Military Service No.:
Highest Rank Held:	Unit Designation:
	Type of Discharge:

3. Were you ever disciplined while in the military service (include court-martials, captain's masts, company punishment, etc.)?

Yes No

Charge	Agency	Date	Age at Time	Disposition

If you received a discharge other than honorable, give complete details.

E. Educational History

1	School or College Attended	City & State	Dates Attended		Graduated		Major
			From	To	Yes	No	

2. List any detention training attended. Give name and dates of any schools or courses.

3. List other schools attended (trade, vocational, business, etc.) give name and address of school, dates attended, course of study, certificate, and any other pertinent information.

F. Special Qualifications & Skills

1. List any special licenses you hold (such as pilot, radio operator, scuba, etc.), showing licensing authority, original date of issue, and date of expiration.

2. List any specialized machinery or equipment which you can operate.

3. If you are fluent in a foreign language, indicate in each area your degree of fluency (excellent, good, fair).

Language	Reading	Speaking	Understanding	Writing

4. List any other special skills or qualifications you may possess.

G. Convictions, Arrests, Detentions and Litigation

1. Have you ever been convicted, arrested, detained or summoned into court?

Yes No If yes, complete the following (list juvenile as well as adult occurrences):

Crime Charged	City & State	Date	Disposition of Case

2. Have you ever been involved as a party in civil litigation?

Yes No If yes, give details.

H. Traffic Record

1. Has your driver's license ever been suspended or revoked?

Yes No If yes, give date, location and reasons.

2. With what company do you carry auto insurance?

3. List to the best of your memory all driving citations you have received as an adult or juvenile, excluding parking tickets.

Month & Year	Charge	City & State	Disposition

4. Describe in a brief narrative any traffic accidents in which you have been involved, giving approximate dates and locations.

I. Marital & Family History

1. Are you? Single ; Married ; Separated ; Divorced ; Widowed

If married: Date of Marriage City & State

Spouse's maiden name

Separated, or divorced (circle one if applicable):

Date of Order or Decree

Court & State where Issued

Present Address

Phone Number

2. List all children related to you or your spouse. (Natural, in-vitro, step-children, adopted & foster children)

Name	Relation	Date of Birth	Address	Supported by whom

3. List all other dependents.

Name	Relation	Address

4. List other relatives in the following order: father, mother (include maiden name), brothers & sisters. If deceased, so indicate.

Name	Relation	Date of Birth	Address	Phone Number

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J. References or Acquaintances - list five persons who know you well enough to provide current information about you. Do not list relatives or former employees.

Name:	Address:	
Home	Work	Years
Phone No.:	Phone No.:	Known:

Name:	Address:	
Home	Work	Years
Phone No.:	Phone No.:	Known:

Name:	Address:	
Home	Work	Years
Phone No.:	Phone No.:	Known:

Name:	Address:	
Home	Work	Years
Phone No.:	Phone No.:	Known:

Name:	Address:	
Home	Work	Years
Phone No.:	Phone No.:	Known:

K. Financial History

1. What is your present salary or wages?

2. Do you have income from any source other than your principal occupation?

Yes No If yes, how much?

Monthly, bi-monthly, or weekly (circle one) Other:

The source:

3. Do you own any real estate? Yes No If yes, state it's value:

Location:

4. Do you own any bonds, government or other? Yes No Value:

5. Do you own any corporate stock? Yes No Value:

6. Do you have a bank account? Yes No

Savings: Average Balance -

Name & Address of Bank

Checking: Average Balance -

Name & Address of Bank

7. Give names and addresses of the individuals, companies, or others to whom you are indebted, and the extent of your debt. Include rent, mortgages, vehicle payments, charge accounts, credit cards, loans, child support payments, and any other debts and payments. Include account numbers where applicable.

Name and Address of Creditor	Reason for Debt or Item Purchased	Account Number	Total Balance	Monthly Payments

L. Membership in Organizations (Past And/or Present)

Name and Address of Organization	Type of Organization (social, fraternal, professional, etc.)	Dates of Membership	
		From	To

M. Personal Declarations

1. Describe in your own words the frequency and extent of your use intoxicating liquors.

2. Have you ever used marijuana or any other drug not prescribed by your physician?

Yes No If yes, what were the circumstances?

3. Have you ever sold or furnished drugs or narcotics to anyone?

Yes No If yes, explain in detail.

4. Are there any incidents in your life or details not mentioned herein which may influence this department's evaluation of your suitability for employment as a detention officer?

Yes No If yes, explain.

Personal History Statement Agreement

See Instructions on Reverse

I hereby certify that the answers and statements in the foregoing personal history statement are true and correct without consequential omissions of any kind. I hereby agree that any falsification contained in this information shall be considered good and sufficient cause for rejection of this application and/or discharge. I understand that a complete background investigation will be conducted as a condition of this employment. I authorize the aforementioned companies, persons and/or public institutions to give any information concerning me or my employment whether or not it is on their records. I hereby release said companies or persons from all liability for any damages whatsoever from issuing this information.

As a part of this investigative process, I will submit the following documents:

Proof of U.S. Citizenship, proof of age, verification of my identity, a social security card, and a discharge certificate or separation papers. (For applicants who have served in the Armed Forces only)

I will accept employment for a temporary period depending upon my ability to satisfy the requirements of: this agency, the Jail Officers Training Program (Section 45-4-1 et al), and the Board on Jail Officer Standards and Training.

I hereby authorize the employing agency to deduct from my wages due me at anytime, the value of monies or property advanced to me or on my behalf for which I am accountable, such as, but not limited to, travel advances, agency credit cards, and/or agency property damaged, lost or misappropriated by me.

If employed on either a permanent or temporary basis, I agree to abide by all rules, policies, and regulations of the agency now in force or, that may be hereafter established.

ONLY SIGNED APPLICATIONS ARE CONSIDERED VALID

Signature

Date

INSTRUCTIONS

Note: Read these instructions carefully before proceeding.

These instructions are provided as a guide to assist you in properly completing your Personal History Statement. It is essential that the information be accurate in all respects. It will be used as the basis for a background investigation that will determine your eligibility for employment.

1. Your Personal History Statement should be printed legibly in ink.
Answer all questions to the best of your ability.
2. If a question is not applicable to you, enter N/A in the space provided.
3. Avoid errors by reading the directions carefully before making any entries on the form.
Be sure your information is correct and in proper sequence before you begin.
4. You are responsible for obtaining correct addresses. If you are not sure of an address, check it by personal verification. Your local library may have a directory service or copies of local phone directories.
5. If there is insufficient space on the form for you to include all information required, attach extra sheets to the Personal History Statement. Be sure to reference the relevant section and question number before continuing your answer.
6. An accurate and complete form will help expedite your investigation. On the other hand, deliberate omissions or falsifications may result in disqualification.

Sample Release Forms and Questionnaires

adopted - September 2001

The Board has developed a sample set of release forms and questionnaires. Your agency may use these or elect to develop your own forms.

The following pages consist of:

- A cover letter to be sent with any mailed requests for information.
- A letter to be sent to Law Enforcement Agencies for record checks.
- A general information release form.
- A medical information release form.
- A questionnaire for employers, references, schools, landlords and physicians.
- A telephone check.

These pages should be reproduced on agency letterhead whenever possible. Any mailings needed to conduct an investigation should be mailed as soon as possible to avoid any delays. Enclosing a stamped/self-addressed envelope will assist in getting a timely response.

Areas of Inquiry

Notice of Authorization to Release Information

To Whom it May Concern:

The _____ (name of agency/department) is considering for employment, as a jail officer, the individual whose name appears on the attached questionnaire. The applicant has informed us that you may have information which might be of assistance to us in reaching a decision as to whether or not this individual should be employed. I am sure you will recognize the need to guarantee that persons appointed as jail officers are fully qualified to undertake the important responsibilities of that position. You may be of substantial assistance to us in this regard. Please note that the applicant has authorized the release of the information requested and a copy of that authorization is attached.

We are quite anxious to expedite the processing of this applicant and would very much appreciate it if you would complete and return the attached questionnaire as promptly as possible. Please mail the questionnaire in the stamped/self-addressed envelope which is enclosed.

You have my assurance that any and all information that you provide concerning this applicant will be held in strict confidence. If you have pertinent information concerning this applicant, but would rather not put it in writing, please contact:

Investigator's Name

Telephone Number

Your assistance is greatly appreciated.

Very truly yours,

Signature of Agency Head

enclosure: Authorization to release information

Authorization to Release Information

(Please print or type in ink)

TO:

Name of Agency/Department from which information is being requested

I hereby request and authorize you to furnish the (agency/department) with any and all information they may request concerning my work record, educational history, military record, financial status, criminal record, general reputation, and my past/or present medical condition. This authorization is specifically intended to include any and all information of a confidential or privileged nature as well as photocopies of such documents, if requested. The information will be used for the purpose of determining my eligibility for employment as a jail officer.

I hereby release you and your organization from any liability which may or could result from furnishing the information requested above or from any subsequent use of such information in determining my qualifications to serve as a jail officer. This release will expire 60 days after the date signed.

Signature of Releaser

Date

Request for Local Records Check

(Please print or type in ink)

Name:

DOB:

SSN:

Height:

Weight:

Fingerprint Class:

The above person is an applicant for a jail officer position in this department and at one time resided or was employed in your jurisdiction.

It will be greatly appreciated if you will cause a check to be made of your files and let us know whether or not this individual has ever come to your attention. A brief synopsis of any derogatory information will materially assist in determining his/her suitability for employment. You may use the bottom or reverse side of this sheet in replying.

Thank you for your cooperation. If we can be of similar service to you at any time, please call upon us.

Very truly yours,

Signature of Agency Head

Title

Jail/Detention Agency

Authorization to Release Medical Records

(Please print or type in ink)

Dear Sir:

I am an applicant for the position of _____ with
the _____ (name of agency/department), and it is
essential for the department to evaluate my medical background.

For the purpose of this evaluation, the above mentioned department requires that I furnish
them with a list of all injuries and illnesses for which I have been treated.

Please forward to me, in care of the agency's personnel division, any information you may
have regarding my medical background.

This is a matter of great importance to me, and your prompt reply will be greatly
appreciated.

This release will expire 60 days after the date signed.

Signature of Applicant

Date

Agency/Department's Mailing Address

(use extra sheets of paper if necessary)

5. Is this person eligible for rehire? Yes No If not, why?

(use extra sheets of paper if necessary)

Areas of Inquiry

6. What was the reason for termination of employment?

7. If the person resigned, was the resignation voluntary? Yes No If not, explain.

8. Was there any problem with absenteeism or excessive use of sick leave?

Yes No If yes, please explain.

9. Did this person get along well with supervisors, co-workers, and/or the public?

Yes No If not, please explain.

10. Was there ever any reason to doubt this person's honesty? Yes No

If yes, please explain.

11. Has this person ever collected Worker's Compensation or other disability payments?

Yes No If yes, for what reason?

Areas of Inquiry

12. Did he/she ever have any personal, domestic or financial problems which interfered with work? Yes No If yes, please explain.

13. Please describe this person's general reputation among co-workers and supervisors.

Signature of Supervisor

Title

Date

Telephone Number

THANK YOU FOR YOUR ASSISTANCE!

Confidential Questionnaire to Personal References

(Please print or type)

Name of Reference:

Address:

Name of Applicant:

Address:

Please answer the following questions to the best of your knowledge or recollection. Your cooperation is sincerely appreciated.

1. How long have you known the applicant?
2. Does this person work regularly? Yes No
3. Has he/she ever been unemployed for an unusually long period of time?
Yes No If yes, what were the approximate dates?
4. Has he/she ever been fired from a job? Yes No If yes, what were the circumstances, and when did it occur?

(use extra sheets of paper if necessary)

Areas of Inquiry

5. Does he/she get along well with other people? Yes No If not, please explain.

6. Has this person ever had any significant academic or disciplinary problems while in school? Yes No If yes, please explain.

7. Has he/she ever been arrested or convicted of a criminal offense, or been a party to civil litigation? Yes No If yes, please give details.

8. Has this person ever had domestic problems? Yes No If yes, please give details.

9. Does he/she generally pay his/her bills on time? Yes No

Areas of Inquiry

10. Has he/she ever had any significant financial problems? Yes No If yes, please give details.

11. Has this person ever been seriously ill or injured? Yes No If yes, explain.

12. Does this person take medication of any kind, prescription or nonprescription? Yes No If yes, what is the medication for?

13. Have you ever known this person to use alcohol to excess? Yes No If yes, please describe the circumstances.

14. Have you ever known this person to use any illegal drugs? Yes No
If yes, please describe the circumstances.

15. Have you ever known this person to intentionally engage in an unlawful activity?
Yes No If yes, please explain.

16. How would you describe this person's general reputation among his/her friends and associates?

Areas of Inquiry

17. Please list the names of two other persons who may also know the applicant.
(Please include addresses and telephone number, if known).

Name

Name

Address

Address

Address

Address

Phone Number

Phone Number

Signature of Personal Reference

Date

Telephone Number

THANK YOU FOR YOUR ASSISTANCE!

Confidential Questionnaire to Educational Institutions

(Please print or type in ink)

Name of School:

Name of Applicant:

Social Security No.:

Last Year Attended:

1. What were the dates during which this individual was enrolled?

(use extra sheets of paper if necessary)

2. Was a diploma or degree awarded to this person? Yes No If yes, please provide the details.

3. What was this person's overall grade point average or class standing?

4. Was he/she ever suspended or placed on probation? Yes No If yes, please describe the circumstances.

5. Did this person ever have difficulty getting along with students, instructors or administrators? Yes No If yes, please explain.

Print Name

Signature

Title

Date

Telephone Number

THANK YOU FOR YOUR COOPERATION!

Confidential Questionnaire to Landlords

(Please print or type in ink)

Name of Landlord:

Address:

Name of Applicant:

Address:

Dates of Residence: From

To

Please answer the following questions to the best of your knowledge or recollection. Your cooperation is sincerely appreciated.

1. How long have you known this person?
2. Did this person pay his/her rent regularly? Yes No If not, please explain.

(use extra sheets of paper if necessary)

3. Did the applicant get along well with the neighbors? Yes No If not, please explain.
4. Why did this person leave your housing?
5. Did this person display any prejudices towards any racial, ethnic, or religious groups?
Yes No If yes, please explain.
6. Would you recommend this person for a position in a jail facility? Yes No
7. Are you aware of any circumstances which might disqualify the person from public service? Yes No If yes, please explain.

8. Please give any other pertinent facts which may occur to you on a separate sheet of paper.

Signature of Landlord

Date

THANK YOU FOR YOUR ASSISTANCE!

Confidential Questionnaire to Physicians

Name of Physician:

Name of Applicant:

Social Security No.:

Current address:

1. Is this individual currently receiving treatment or taking medication for any medical problem, including emotional disorders? Yes No If yes, please explain.

(use extra sheets of paper if necessary)

2. Does this individual have any permanent disability or medical problem?
Yes No If yes, please explain.

3. Do you know of any medical or other reason why this individual should perhaps not be employed as a jail officer? Yes No If yes, please explain.

Signature of Physician

Date

THANK YOU FOR YOUR COOPERATION!

Telephone Check

Name of Applicant:

Suggested Wording for Telephone Conversation

I'm calling to verify the previous employment of (name the applicant), who has authorized us to discuss this with you.

1. Was the applicant employed by your organization? Yes No
2. Can you tell me the dates of employment? No Yes - /
3. What was the nature of the work?

(use extra sheets of paper if necessary)

4. He stated that he earned \$. Is this correct? Yes No If not, then how much? \$
5. Was he promoted while employed with you? Yes No
6. Did he follow instructions satisfactorily? Yes No
7. Did the applicant lose any significant time due to poor health? Yes No
8. How did he get along with people?

9. What were his/her reasons for leaving?

(use extra sheets of paper if necessary)

10. Would you rehire this person? Yes No If not, why?

(use extra sheets of paper if necessary)

11. Were there any aspects of the applicant's character, reliability or honesty that adversely affected his or her job performance?

(use extra sheets of paper if necessary)