



**Title 31: Public Safety**

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

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## Part 101 Chapter 1

### *Rule 1.1 Definitions*

Herein are defined certain terms used in these Policy and Procedures.

1. **Administrative Hold** - Shall mean the withholding of all training funds and certification certificates due to non-compliance with Board policy or official requests for information.
2. **Board** - Shall mean the Board on Jail Officer Standards and Training.
3. **Board Director** - Shall mean the Director of the Office of Standards and Training.
4. **Break in Service** - Any period of time when an individual is not a detention officer as defined in this policy.
5. **Certificates** - Shall mean certificates issued only to fully qualified detention officers.
6. **Certified** - Shall mean the Board has acknowledged that all requirements mandated by this policy and the Jail Officers Training Program have been achieved and that a certificate has been issued as documentation of the same.
7. **Chief of Police/Sheriff** - Shall mean the chief law enforcement officer of the municipality/county, who shall have control and supervision of all detention officers employed by the municipality/county. The officer in charge of detention officers, regardless of title, is acting as the Chief of Police/Sheriff.
8. **Criminal Record** - Shall mean any type of felony or misdemeanor conviction. Criminal Records that are specific and directly related to the duties and responsibilities of a jail officer may only be considered when evaluating applicants. Factors to determine disqualifying criminal convictions are: the nature and seriousness of the crime for which the individual was convicted; the passage of time since the commission of the crime; the relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of a jail officer; and any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against a direct relation.
9. **Employment Standards -All detention officer applicants must meet the following guidelines to be employed as a detention officer.** They must be at least eighteen (18) years of age; be a high school graduate (or obtain a General Educational Development (GED) Diploma); be a United States citizen; be of good physical and mental condition, capable of performing the duties, under conditions inherent to the profession, as verified by a licensed physician, and be of good moral character as evidenced among other things by having neither a conviction, a plea of guilty, a plea of nolo contendere, probation, pre-trial diversion or the payment of any fine for a felony or a misdemeanor involving moral turpitude. Individuals must have been discharged from the Armed Forces under honorable conditions. Fitness for service as it relates to moral character must be verified by an appropriate background investigation.

10. **“Grand-fathered” or exempt detention officers** – Shall mean full-time detention officers already 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.
11. **Lateral Transfer** - A transfer by a certified detention officer to a different law enforcement agency.
12. **Detention Officer Employer** - Shall mean the agency which employs the detention officer.
13. **The Board on Jail Officer Standards Detention Officers** – 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.
14. **Detention Officer Trainee** - Shall mean any person appointed or employed in a full-time or part-time capacity by the state or any political subdivision thereof for the purposes of completing all the selection and training requirements established by the board to become a detention officer.
15. **Moral Turpitude** - Any conduct, or pattern of conduct, contrary to justice, honesty, honor, modesty, or good morals that would tend to disrupt, diminish, or otherwise jeopardize public trust and fidelity in law enforcement.
16. **Probationary Period** - A period of two years from the initial date of hire as a detention officer trainee, in the original appointment. The probationary period cannot be enlarged by additional or multiple appointments. Individuals acquire an additional two-year period following a break in-service of more than two years.

History: adopted – 05/11/2021

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

## **Part 101 Chapter 2: Applicant Evaluation, Employment and Certification Procedures**

### *Rule 2.1 Purpose*

1. This section establishes policy and procedure for certification of detention officers.

Source: Miss Code Ann. § 45-4-9

### *Rule 2.2 Policy*

1. The board shall certify as detention professionals those persons who meet the employment guidelines established in accordance with Mississippi Code as Annotated Section 45-4-9.
  - A. Certification under the Jail Officers Training Program (ETTP) 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.
  - B. 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.
  - C. 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 grandfathered 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.
  - D. All detention applicants with the noted exception in paragraph (C) 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.
- E. Individuals who meet both the definition for a detention officer in (A) 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 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 to two years or more.
- F. 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 requirements. 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. Illness 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 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 medial 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.
- G. 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.

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

*Rule 2.3 Procedures*

1. All detention employers shall follow these steps in the employment and certification of detention officers.
  - A. 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. 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 MS Department of Public Safety (DPS/CIC) as a part of the background investigation.

<p>Criminal Information Center/MJIC Department of Public Safety "Fingerprints" 3891 Highway 468 West Pearl, Mississippi 39208 Telephone # - (601) 933-2600; Fax # - (601) 933-2676</p>
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**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.
- B. 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, and documentation of the background investigation and the medical exam (i.e., official diplomas, birth certificate, DD Form 214, naturalizations 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.
- C. 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 thirty days whenever any individual is employed as a detention officer. Part II lists questions with a choice of “yes” or “no” answers 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 prossed, 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.
- D. 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 a 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.
- E. 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.
- F. 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**

**Subject**

**Hours**

<u>1. Introduction &amp; Course Overview .....</u>	<u>1</u>
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**96-HOUR STANDARDIZED DETENTION OFFICER COURSE (Cont.)**

**Subject**

**Hours**

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<u>e. Escorting inmates</u>	
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<u>g. Take down</u>	
<u>h. Inmate searching techniques</u>	
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<u>b. Initial health screening</u>	
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**96-HOUR STANDARDIZED DETENTION OFFICER COURSE (Cont.)**

**Subject**

**Hours**

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**96-HOUR STANDARDIZED DETENTION OFFICER COURSE (Cont.)**

**Subject**

**Hours**

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<u>b. Being a role model</u>	
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<u>16. Scenarios &amp; Practical Application Exercises 7 .....</u>	<u>4</u>
<u>17. Closing Comments, Critique, &amp; Graduation .....</u>	<u>1</u>
<b><u>TOTAL .....</u></b>	<b><u>96</u></b>

1. Importance of having and following such important documents as policies, procedures, and lawful instructions
2. Based on the Interpersonal Communications Skills Program developed by National Institute of Corrections. Emphasis is on Total Participant Involvement
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**

**Subject**

**Hours**

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<u>c. Juvenile programs</u>	
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<u>c. Active patrolling</u>	
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<u>4. Scenarios, Application of Knowledge &amp; Skills 8 .....</u>	<u>4</u>
<u>5. Closing Comments, Critique, &amp; Graduation .....</u>	<u>1</u>
<b><u>TOTAL .....</u></b>	<b><u>24</u></b>

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                  |   |

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

Source: Miss Code Ann § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

## Part 101 Chapter 3: Professional Certificates

### *Rule 3.1 Purpose*

1. This section establishes policies and procedures governing professional certificates.

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

### *Rule 3.2 Policy*

1. 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.

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

### *Rule 3.3 Procedures*

1. All detention officer employers included under the Emergency 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.
  - A. 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.
  - B. 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 photo static copy of the certificate.
  - C. The certificate, if defaced, destroyed, misplaced, or stolen while in the stewardship of the employer, will normally be replaced with a photo static copy. The production of duplicate certificates shall be minimized. The staff will evaluate each incident prior to the issuance of a duplicate certificate.
  - D. The employer should return the certificate to the Board director, along with a complete "**Termination/Reassignment Report**" 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.
- E. 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.
- F. In the case of lateral transfer, the staff shall forward the certificate to the appropriate employer.
- G. 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.
- H. 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
- I. 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.

- J. 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.
- K. The Board hereby relegates to the staff the authority to certify all detention officers upon satisfactory completion and verification of all requisite training.
- L. 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.

History - Adopted – 12/2003; rev – 06/2004; 08/2006 and 01/2007

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

## **Part 101 Chapter 4: Hearings, Denial or Other Sanctions of Certificates**

### *Rule 4.1 Purpose*

- 1. This section establishes policy and procedures governing the recall or cancellation of the professional certificate of a detention officer.

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-13

### *Rule 4.2 Policy*

- 1. The Board reserves the right to 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, pled guilty, pled nolo contendere, fined, ordered into probation or pre-trial diversion in relation to a crime involving moral turpitude;
  - D. The holder has been convicted, pled guilty, pled nolo contendere, fined, ordered into probation or pre-trial diversion in relation to a felony; or
  - E. Or 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.
- F. 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.

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-13

#### *Rule 4.3 Procedures*

1. The procedures listed herein shall be followed to ensure a fair and expedient process consistent with law.
  - A. 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 assistant director or the 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 assistant director or the director that a certification review file be opened
      - a. All such requests in A(2) and A(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.

- B. 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.
- C. 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.)
- D. 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.
- E. 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.
- F. 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 detention 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.
- G. 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.
- H. 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.
- I. 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.
- J. 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.

History – adopted – 12/2003; rev – 06/2004

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-13

## **Part 101 Chapter 5: Compliance Monitoring and Noncompliance**

### *Rule 5.1 Purpose*

1. 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.

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-13

### *Rule 5.2 Policy*

1. The intent of the Legislature in enacting the County Jail Officers Training Program (CJOTP) 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 cannot 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.

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-13

### *Rule 5.3 Procedures*

1. The primary tools the Board will use in compliance monitoring are the various forms approved by the Board. 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.

- A. 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 the “**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 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 probationary 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 cannot achieve certification within the established time limit must reassign the affected individuals to other duties or terminate their employment.
- B. 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.
- C. 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.

D. 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.

E. 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.

History - Adopted – 12/2003

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-13

## **Part 101 Chapter 6: Certification Based on Re-qualification**

### *Rule 6.1 Purpose*

1. This section establishes the policy and procedures for certification of detention officers whose certification has lapsed and those officers who have training and experience in another jurisdiction.

Source: Miss Code Ann. § 45-4-9

### *Rule 6.2 Policy*

1. 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.
  - A. The certification of any detention officer shall lapse after a break in service of more than two years.
  - B. If a detention officer, who is grandfathered 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.
  - C. Detention officers trained or certified by other jurisdictions are required to meet all the requirements of the Jail Officer Training Program.
  - D. 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.
  - E. 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.
  - F. 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.

Source: Miss Code Ann. § 45-4-9

*Rule 6.3 Procedure*

1. 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.

History - Adopted – 04/2003; rev – 04/2009

Source: Miss Code Ann. § 45-4-5, 45-4-9

**Part 101 Chapter 7: Instructor Certification**

*Rule 7.1 Purpose*

1. This section establishes policy and procedures governing the standards and qualifications to be used to certify instructors for Board-approved training.

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

*Rule 7.2 Policy*

1. All persons instructing officers in any Board-approved training courses must be certified as an instructor by the Office of Standards and Training (ST).

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

*Rule 7.3 Procedures*

1. Minimum requirements for certification of training instructors.
  - A. 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 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 of experience in the subject area,
  - c. A bachelor's degree and one (1) or more years of experience in the 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. Defense 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.
- B. Expiration – All instructor certifications expire three (3) years from the date issued. Individual 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. 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.

History - Adopted – 03/2001; rev – 06/2004 and 10/2007

Source: Miss Code Ann. § 45-4-1, 45-4-3, 45-4-5, 45-4-7, 45-4-9

## **Part 101 Chapter 8: Training Accreditation**

### *Rule 8.1 Purpose*

1. This section establishes policy and procedures governing the standards and qualifications to be used to accredit training facilities for Board-approved detention officer training.

Source: Miss Code Ann. § 45-4-9, 45-4-11

### *Rule 8.2 Policy*

1. 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.

Source: Miss Code Ann. § 45-4-9, 45-4-11

### *Rule 8.3 Procedures*

1. 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.

## A. Administrative Requirements

1. Administrative staffing – Accredited facilities must provide full-time minimal 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:
    1. Scheduling and presentation of training programs,
    2. Selection and training of staff,
    3. 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 procedures manual.
  - a. This manual should provide guidance to all staff of the facility in the following policy areas:
    1. policy on the admission of students and class size,
    2. use and storage of any weapons, chemical munitions, and mock weapons,
    3. hours of operation of the academy
    4. policy regarding class hours, breaks, etc.,
    5. policy regarding student conduct and classroom procedures
    6. classroom rules and regulations,
    7. a description of the training delivery methods,



8. policy limiting student activities to those approved in curriculum,
  9. dress and uniform regulations of staff and students,
  10. security of testing materials, Testing and grading procedures,
  11. disciplinary procedures within the academy,
  12. Policy for reporting absences
- b. The manual should provide emergency operation plans to cover accidents or mishaps concerning:
1. defensive tactics,
  2. chemical spray,
  3. other approved student activities,
  4. medical,
  5. fire,
  6. and natural disaster. The use of students to augment or supplement the resources of a detention agency are prohibited. During time of emergency, the academy should postpone training activities and release student 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 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:
  1. A copy of the “**Academy Accreditation Application**”, as submitted and approved by the Board on Jail Officer Standards and Training
  2. The “**Academy Accreditation Certification**”
  3. Copies of the BJOST Monitoring Reports
  4. A copy of the “**Instructor Application**” form on each instructor employed,
  5. The “**Instructor Certificates**”,
  6. A copy of the instructors' training records,
  7. The “**Performance Objectives**” for all Board-approved training conducted at the facility.
  8. Any revision to the “**Performance Objectives**” shall be retained along with the original Performance Objectives (including the date of change),
  9. And a 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
  1. The rules and regulations of the academy
  2. The identification of the academy staff, their duties, and responsibilities
  3. A copy of the Jail Officer Training Program
  4. The academic requirements,
  5. 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:
  - 1. 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 and approved by BJOST ten (10) working days prior to class being conducted,
  - 2. Entrance roster of students and their agencies,
  - 3. 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,
  - 4. Attendance record of students and explanation for non-attendance
  - 5. 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,
  - 6. 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,
  - 7. Final roster of students completing the class and their ranking,
  - 8. 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,
  - 9. Copy of all correspondence to and from the Board on Jail Officer Standards and Training concerning this class,
  - 10. 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:
  - 1. Copy of Board on Jail Officer Standards and Training “Application for Training Academy”, and “Personal Information Summary”, if applicable,

2. Documentation of student's orientation to the "Student Handbook",
  3. Student's performance results on examinations, performance testing or any other means of evaluating the student's capabilities,
  4. Documentation of any and all counseling with the student while in attendance,
  5. Copy of any disciplinary action taken against the student,
  6. Authorization for student to take medication or for limited participation in structured program
  7. Copy of documentation of injury or accident concerning the student
  8. Copy of all correspondence between academy and student and/or department,
  9. Authorization of student to be absent from class, and
  10. 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:
1. The Director of Training and any instructors shall have current First-Aid and CPR certification,
  2. Every academy shall meet or exceed the fire and sanitation codes requirements of their locality
  3. Every academy shall be inspected on an annual basis by the appropriate public health and/or safety officials
  4. Every academy shall have a written emergency operation plan concerning
    - a. activity training and facilities,
    - b. Medical
    - c. Fire, and
    - d. Natural disaster.

## B. 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
    1. word processing, data base and other related software,
    2. Means to reproduce written documents on-site, and
    3. Additional office equipment as needed to perform common administrative duties.
  - b. Record Storage Area
    1. There shall be adequate space and method for storage of required academy records,
    2. Records may be stored in electronic format provided that an acceptable form of safe offsite records backup is in place.
    3. 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 workstation.
  - 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 law enforcement training facilities:
    1. Overhead projector
    2. Projector screen
    3. Transparency maker
    4. Video-tape recorder, playback unit and monitor
    5. Chalk/marker board at least 20 square feet (4' x 5'),

6. 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
1. 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.
  2. The Center shall have ample protective material for use to prevent injury from contact with the floor or walls during scheduled training activity.
  3. the area shall have adequate space for safe participation for every student. (Up to the expected maximum student load)
  4. There shall be a complete, industrial-type first aid kit with immediate accessibility to the students or instructors in or near the Center.
- C. 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.
- D. 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

History - Adopted – 03/2001

Source: Miss Code Ann. § 45-4-5, 45-4-9, 45-4-11

## **Part 101 Chapter 9: Official BJOST Forms**

### *Rule 9.1 Purpose*

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

Source: Miss Code Ann. § 45-4-5

### *Rule 9.2 Policy*

1. The agency head is responsible for ensuring 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.**

Source: Miss Code Ann. § 45-4-5

### *Rule 9.3 Procedures*

1. All employing agencies included under the JOTP as described in this manual shall follow these steps in submitting required forms:
  - A. **"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.
- 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.
- B. “**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.
- C. “**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.
- D. **"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 required in order to certify the named officer(s).
- E. **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.
- F. **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.
- G. **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.
- H. **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.
- I. **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.
- J. **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).

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

Source: Miss Code Ann. § 45-4-5