From:	Johnson, Perry
To:	Weiss, Rachel
Cc:	Chris Tweeten (c.tweeten@bresnan.net); Bolger, Katrina; Tony Harbaugh (tharbaugh@ccsomt.com); Keune, Mary Ann; Gray, Carolyn
Subject:	POST legislative issues
Date:	Wednesday, June 11, 2014 3:54:48 PM
Attachments:	image001.png

Rachel,

The following is an outline of the legislative changes that POST will be asking for next year. If this is the correct format, please forward to the Law & Justice Interim Committee for their review and consideration.

• 7-32-303 provides for basic training of law enforcement officer recruits. It requires either a high school diploma or a GED certificate. OPI no longer recognized the GED test instrument, so POST proposes to delete the reference to the GED. POST has proposed rules to require either a certificate from OPI or a diploma without specifying which test instrument is used for the HS equivalency certificate from OPI.

• 7-32-303 provides that a basic certificate issues from POST only on request of the officer. POST proposes to delete this provision so an officer cannot challenge POST's jurisdiction to administer discipline by arguing that he or she did not request a certificate. POST's proposed rules will provide for issuance of a certificate to all officers who complete the basic course whether requested by the officer or not.

•. POST proposes to change the process for required mental health evaluations for applicants for the basic course. Counties and towns in eastern MT find it difficult to get these evaluations done due to a lack of local mental health professionals. POST suggests amendments to MCA 7-32-303 to allow employing law enforcement to use valid mental evaluations done by professionals over distance.

• POST proposes to amend MCA 44-4-403 to make POST a "criminal justice agency" for purposes of the Criminal Justice Information Act. By statute all of the licensing boards in Title 37 of the Code are criminal justice agencies authorized to use confidential criminal justice information for purposes of licensing and enforcement. POST seeks the same treatment for its certification and enforcement powers for public safety officers.

Please let me know if I need to change or edit this!

Thanks!

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