

**RULES
OF
THE TENNESSEE PEACE OFFICER STANDARDS
AND TRAINING COMMISSION**

**CHAPTER 1110-08
PART-TIME/TEMPORARY/AUXILIARY LAW ENFORCEMENT OFFICERS**

TABLE OF CONTENTS

1110-08-.01	Definitions	1110-08-.04	In-Service Training Requirements
1110-08-.02	Preemployment Requirements	1110-08-.05	Records Kept by Employing Agency
1110-08-.03	Training Requirements	1110-08-.06	Audit

1110-08-.01 DEFINITIONS.

- (1) Part-time/Temporary/Reserve/Auxiliary Law Enforcement Officer is defined as any person employed by any municipality or any political subdivision of the state of Tennessee whose primary responsibility is to support the full-time law enforcement officers in the prevention and detection of crime, apprehension of offenders, assisting in the prosecution of offenders for appropriate remuneration in measure with specifically assigned duties and/or job description. Part-time law enforcement officers will work no more than twenty (20) hours per week or a total of no more than one hundred hours per month. Any law enforcement officer who works in excess of the maximum hours as specified herein will be reclassified to a full-time status and must meet all requirements for standards/training as mandated under the law and Peace Officer Standards and Training Commission rules.

Provided however, in any situation where an officer is temporarily assigned for a period of one (1) month or less, to work more than twenty (20) hours per week or a total of more than one hundred (100) hours per month, such officer shall not be reclassified to a full-time status.

- (2) Special Deputy is defined within this section as any person who is assigned specific law enforcement functions as to the prevention and detection of crime and general laws of this state on a volunteer basis, whether working alone or with other law enforcement officers. Any law enforcement officer working on a volunteer basis shall receive no pay or benefits except for honorariums and may be utilized for an unlimited number of hours.

Authority: T.C.A. § 38-8-101. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002.

1110-08-.02 PRE-EMPLOYMENT REQUIREMENTS.

- (1) After January 1, 1989, any person employed/utilized as part-time/temporary/reserve/auxiliary law enforcement officer or as a special deputy shall:
- (a) Be at least eighteen (18) years of age;
 - (b) Be a citizen of the United States;
 - (c) Be a high school graduate or possess equivalence. No waivers will be granted for minimum education requirements;
 - (d) Not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances;

(Rule 1110-08-.02, continued)

1. The commission may consider a waiver from pre-employment requirements for a person who has been convicted of, or entered a plea of nolo contendere to any violation of any federal or state laws or city ordinances (excluding felony charges) relating to force, violence, theft, dishonesty, gambling, liquor (including driving while intoxicated), or controlled substances when the offense was classed as a misdemeanor.
 2. No waiver shall be granted while officer is under the jurisdiction of the court or considered on probation, whether supervised or unsupervised, and in the case of "driving while intoxicated" the officer shall have met all the requirements of the Tennessee Department of Safety and have been restored his/her permanent driving privileges under the laws of the State of Tennessee.
 3. A person who has had misdemeanor charges expunged may be considered for certification. It is the responsibility of the officer and employing agency to present information and court documents relating to expungement to the Commission.
 4. No waiver will be granted for felony convictions or a narcotics violation that could result in a felony charge.
 5. The agency must present a written request for waiver for these charges and provide a copy of the final court disposition of the case.
- (e) Not have been released or discharged under any other than honorable discharge from any of the armed forces of the United States;
 - (f) Have his fingerprints on file with the Tennessee Bureau of Investigation;
 - (g) Have passed a physical examination by a licensed physician;
 - (h) Have good moral character as determined by a thorough investigation conducted by the employing agency; and
 - (i) Have been certified by a Tennessee Licensed Health Care Provider qualified in the psychiatric or psychological fields as being free from any impairment, as set forth in the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association at the time of the examination, that would, in the professional judgment of the examiner, affect the person's ability to perform an essential function of the job, with or without a reasonable accommodation. If applicable, refer to Tenn. Comp. R. & Regs. 1110-09 Criteria for Waivers.
- (2) Part-time/temporary/reserve/auxiliary law enforcement officers and special deputies who were employed prior to January 1, 1989 and have had continuous service are exempt from pre-employment requirements as long as they remain on active service with the department by which they are originally employed. Any part-time/temporary/reserve/auxiliary law enforcement officer or special deputy who has a break in service of any length whatsoever will be required to meet pre-employment and training standards.

Authority: T.C.A. §§ 38-8-101 and 38-8-106. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective February 28, 2007. Emergency rule filed January 28, 2014; effective through July 27, 2014. Emergency rule expired effective July 27, 2014; rule reverted to previous status. Amendment filed July 24, 2014; effective October 22, 2014.

1110-08-03 TRAINING REQUIREMENTS. Training Requirements. After January 1, 1989, any person newly employed/utilized as a part-time/temporary/reserve/auxiliary law enforcement officer or special deputy shall receive eighty (80) hours of training in whatever duties they are required to perform by the employing agency. This training shall be accomplished during the first calendar year of employment. During this initial period, prior to receiving eighty (80) hours of training, the part-time/temporary/reserve/auxiliary law enforcement officer must be paired with a field training officer or other certified officer. Any part-time/temporary/reserve/auxiliary law enforcement officer who is hired within five years of having served as a full-time, certified law enforcement officer will continue to be exempt from the requirement that he/she be paired with a full-time, certified officer as long as he/she completes in-service training each year and has no break in service.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002. Amendment filed October 2, 2006; effective December 16, 2006.

1110-08-04 IN-SERVICE TRAINING REQUIREMENTS. After the initial training has been completed, all part-time/temporary/reserve/auxiliary law enforcement officers and special deputies will be required to attend forty (40) hours of in-service training each calendar year. This training may be spread over a twelve (12) month period; however, it must be completed during the calendar year.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989. Amendment filed April 19, 2002; effective August 28, 2002.

1110-08-05 RECORDS KEPT BY EMPLOYING AGENCY. All records pertaining to preemployment must be kept by the employing agency. The following data and information should be on file at the law enforcement agency:

- (1) Birth verification.
- (2) Proof of citizenship.
- (3) Copy of high school diploma or GED certificate.
- (4) Background investigation report.
- (5) Application for certification.
- (6) Confidential Psychological Evaluation report.
- (7) Physical Examination.
- (8) Copies of all Military DD-214s, DD215s, DD-875s (if applicable).

All records pertaining to initial training and subsequent in-service training must be kept by the employing agency. This information should include (but not be limited to):

- (a) Dates and location of training.
- (b) Type of training and instructors.
- (c) Test and firearm scores.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989.

1110-08-.06 AUDIT. All employment and training records must be on file at the law enforcement agency and available for inspection and audit by any member of the Commission or designated representative.

Authority: T.C.A. § 38-8-104. **Administrative History:** Original rule filed January 6, 1989; effective May 1, 1989.