



Florida Department of
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July 14, 2014

**CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION
TECHNICAL MEMORANDUM 2014-11**

TO: Criminal Justice Agency Administrators
Criminal Justice Training Center Directors
Criminal Justice Selection Center Directors

FROM: Director Dean Register 
Criminal Justice Professionalism

SUBJECT: New Florida Administrative Code Rules effective May 29, 2014

Effective May 29, 2014, several changes were made to the Florida Administrative Code (F.A.C.) Rule Chapters promulgated by the Commission. Some of the substantive changes are included in this technical memorandum. The full rule language can be accessed via the FDLE web site at <http://www.fdle.state.fl.us/Content/CJST/Publications/CJSTC-FAC-Rules.aspx>

Rule 11B-14, F.A.C.

No Changes

Rule 11B-18, F.A.C.

11B-18.004 Regional Training Areas

All revisions in this section are updates to the names of Commission-certified training schools.

Rule 11B-20, F.A.C.

11B-20.0013 Commission Instructor Certification Categories

11B-20.0013(3)(a) This revision adds Criminal Justice Diving Instructor Certification as an instructor certification category.

11B-20.0014 Minimum Requirements for High-Liability and Specialized Instructor Certifications

11B-20.0014(3)(a) This revision adds the requirements for a person to become certified as a Criminal Justice Diving Instructor. These requirements include possessing General Instructor Certification or be eligible for and apply for General Instructor Certification at the time of application for Criminal Justice Diving Instructor as well as possessing and maintaining a current Scuba Instructor Certification. Additionally, an applicant must have worked in the capacity of a public safety diver within this past four years or have instructed the Underwater Police Science and Technology course within the past four years. Lastly, the applicant must have passed the Underwater Police Science and Technology course as a student.

11B-20.0014(3)(c)2 This revision changes the minimum number of years of criminal justice canine team experience from three to five.

11B-20.0014(3)(c)5 This revision adds completion of the new Canine Team Instructor Performance Evaluation, form CJSTC-20 to the list of requirements to be eligible to apply for Canine Team Instructor Certification.

Rule 11B-21, F.A.C.

11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification

11B-21.005(4)(a) This revision incorporates changes to the Driving Range Facility and Equipment Requirements, form CJSTC-202 to allow the use of slide recovery devices in lieu of skid pad.

11B-21.005(5) This revision incorporates changes to the Defensive Tactics Facility and Equipment Requirements form CJSTC-203 to add a set of flexible cuffs and removal tool as required equipment.

Rule 11B-27, F.A.C.

11B-27.0011 Moral Character

11B-27.0011(3) This revision clarifies what documentation must be submitted if available if a petition is filed with the Commission to reinstate the certification of a previously sworn officer. This documentation includes all prior Commission disciplinary records, agency disciplinary records, victim statements, or citizen input.

11B-27.0011(4)(c)14 This revision adds misuse of electronic databases as a violation and defines what misuse is and what evidence constitutes bad intent.

11B-27.00211 Fingerprint Processing and Criminal Record Results

11B-27.00211(2)(a) This revision adds the Florida Department of Children and Families as a state agency with which private correctional providers may contract with.

11B-27.004 Probable Cause Determination

11B-27.004(9)(e) This revision clarifies that a Letter of Acknowledgement shall not be issued to a respondent if the penalty guideline specifies suspension to revocation and the respondent was terminated from the employing agency.

11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

11B-27.005(5)(c)3 This revision changes the penalty guideline for misuse of official position to suspension to revocation.

11B-27.005(5)(c)13 This revision adds the penalty guideline of probation to suspension for Misuse of Electronic Database.

11B-27.005(5)(c)14 This revision adds the penalty guideline of suspension to revocation for Intentional Abuse of a Temporary Employment Authorization.

11B-27.005(5)(c)15 This revision adds the penalty guideline of suspension to revocation for any willful and offensive exposure or exhibition of his or her sexual organs in public or on the private premises of another or so near thereto as to likely be seen except in any place provided or set apart for that purpose.

11B-27.013 Canine Team Certification

(Note: Extensive revisions were incorporated to make the verbiage consistent throughout the rule by changing *patrol canine team* to *canine team*.)

11B-27.013(1)(a) This revision adds the definition of "handler" as the certified officer who trains and controls the canine.

11B-27.013(1)(b) This revision clarifies the role of the canine team evaluator as the person who reviews and determines if training other than the Commission-approved Canine Team Training Course is equivalent to the Canine Team Training Course.

11B-27.013(2) This revision updates the Canine Team Certification Application form CJSTC-70 and requires the employing agency submitting the form CJSTC-70 to provide documentation of training to a Commission-approved evaluator for review and approval if being submitted as equivalent training to the Canine Team Training Course.

11B-27.013(3) These revisions identify the documentation required to apply for certification of a canine team.

11B-27.013(3)(a) This revision clarifies that a completed Canine Team Certification Application form CJSTC-70 is required.

11B-27.013(3)(b) This revision identifies the training requirements for canine certification if the team completed the Commission-approved Canine Team Training Course at or through a Commission-certified training school. It requires a copy of the completion certificate issued by the Commission-certified training school and for a previously certified handler with a new canine, documentation showing completion of a course that complies with the objectives of the Canine Team Training Course with the exception of the academic block of instruction.

11B-27.013(3)(c) This revision identifies the training requirements for canine certification if the team completed the Canine Team Training Course, but not at or through a Commission-certified training school. It requires the course to be taught using Commission-certified canine instructors and documented on the new Canine Course Equivalency Checklist form CJSTC-70A.

11B-27.013(3)(d) This revision identifies the training requirements for canine certification if the team completed an equivalent course. It requires the training course to be a minimum of 480 hours, comply with the goals and objectives of the Canine Team Training Course, and documented on the new Canine Course Equivalency Checklist form CJSTC-70A. It also clarifies that the employing agency applying for a canine team certification shall submit training documentation to a Commission-approved evaluator to determine if it is equivalent to the Canine Team Training Course and that a Commission-approved evaluator shall not approve equivalent training that he or she taught.

11B-27.013(3)(e)1, 2 These revisions identify the performance evaluation requirements for a canine team and mandates the performance evaluation be conducted using the Canine Team Performance Evaluation form CJSTC-83. It allows the evaluator to administer the proficiency topic in random order or concurrently.

11B-27.013(3)(e)3 This revision adds the process by which a canine team is able to retest following the failure of one specific topic during the initial evaluation. It defines remediation and specifies the handler can remediate with the canine before being allowed to retest in one topic. It further clarifies that if the canine team fails the topic upon retesting or fails any subsequent topics, the team will have failed the performance evaluation.

11B-27.013(3)(e)4 This revision allows a canine team who has failed to demonstrate proficiency during the first performance evaluation to remediate in the specific topics failed and may retest following a minimum of 24 hours after the date of the first failure. It further mandates that two evaluators be used in the retest and one of the evaluators must have conducted the initial performance evaluation. The revision also identifies the documentation the handler must provide at the time of retesting related to the remedial training.

11B-27.013(3)(e)5 This revision allows a canine team who has failed to demonstrate proficiency during the initial retest to remediate in the specific topics failed and may retest following a minimum of 30 days after the date of the failure during the retest. It mandates that the canine team must complete the performance evaluation in its entirety under the supervision of two Commission-approved evaluators and that one of the evaluators shall be an evaluator who was involved in the initial proficiency failure of the canine team.

11B-27.013(3)(e)6 This revision mandates that a canine team who fails to demonstrate proficiency after a third attempt has failed the certification process and shall complete a new Canine Team Training Course or equivalent prior to applying for certification. It also requires the failure be documented on the Canine Team Performance Evaluation form CJSTC-83 with one of the evaluators submitting the form to FDLE.

11B-27.013(3)(e)7 This revision clarifies that a canine team must complete the Canine Team Training Course or an equivalent course prior to reapplying for canine team certification.

11B-27.013(4)(a) This revision changes the certification lapse date from December 31 to October 31.

11B-27.013(4)(c) This revision clarifies that if a canine team's certification has expired, the employing agency must submit a Canine Team Certification Application form CJSTC-70 marked as "Renewal" and document the team's proficiency on the Canine Team Performance Evaluation form CJSTC-83.

11B-27.013(5)(c) This revision clarifies that a canine team handler who has never been certified by the Commission shall document the canine team's compliance with this rules section regardless of prior certification of the canine and shall include lesson plans and signed attendance rosters.

11B-27.013(7)(b) This revision reduces the number of canine teams that a canine team evaluator applicant must have taught from twelve to six. It requires that the canine team evaluator applicant have taught the Canine Team Course in its entirety to all six teams and that they have successfully completed the Canine Team Certification process.

11B-27.013(7)(c) This revision adds the requirement that a canine team evaluator applicant has evaluated a minimum of twelve canine teams under the supervision of Commission-approved evaluators.

11B-27.013(7)(g) This revision adds the requirement that if a Commission-approved evaluator's approval expires, he or she must comply with the maintenance requirements in this rule section as an evaluator applicant under the supervision of two Commission-approved evaluators and must submit a new request for evaluator status.

Rule 11B-30, F.A.C.

11B-30.008 State Officer Certification Examination Site Administration

11B-30.008(1)(b) This revision removes the geographic requirement for computer labs at Commission-approved training schools used as test centers.

11B-30.011 Examination Scoring and Grade Notification

This revision establishes that the official examination results are stored only in ATMS, students taking the Computer-Based State Officer Certification Examination will receive an unofficial grade notification at the conclusion of the examination, and that students who take the Paper and Pencil State Officer Certification Examination will be provided with an unofficial grade result within thirty days of the test date. It also removes the Applicant State Officer Certification Overall Test Results form CJSTC-516, as it is not needed due to implementation of the Computer-Based State Officer Certification Examination.

Rule 11B-35, F.A.C.

11B-35.001 General Training Programs; Requirements and Specifications

11B-35.001(6)(a) This revision removes the requirement for basic recruit students to be provided copies of the Florida Statutes and Florida handbook on jury instructions because these resources are available online.

11B-35.001(10) These revisions remove the implementation language for the Florida CMS Correctional Basic Recruit Program. It adds the implementation language for the new Correctional Probation Basic Recruit Training Program once completed and approved by the Commission and mandates that the new program be delivered in compliance with the requirements set forth in the new curriculum.

11B-35.001(15)(b) This revision moves the requirement for students to receive a physical examination and complete the Physical Fitness Assessment form CJSTC-75B prior to beginning a Florida CMS Law Enforcement, Florida CMS Correctional, or Florida Correctional Probation Basic Recruit Training Program from Rule 11B-35.0011(2), F.A.C., to this rule section.

11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and Correctional Basic Recruit Training Program

11B-35.0011(1)(i) This revision moves the American with Disabilities Act rule language to Rule 11B-35.0011(2), F.A.C.

11B-35.0011(2) This revision adds the American with Disabilities Act rule language and removes the language that was moved to Rule 11B-35.001(15)(b), F.A.C., requiring a basic recruit student to receive a physical examination prior to beginning a basic recruit training program.

11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation

11B-35.002(1) These revisions retire the Florida CMS Law Enforcement Basic Recruit Training Program effective June 30, 2014 and add the Florida Law Enforcement Academy effective July 1, 2014.

11B-35.002(5)(e) This revision removes the course list for the Florida CMS Law Enforcement Basic Recruit Training Program to be retired effective June 30, 2014.

11B-35.002(5)(f) These revisions add the course list and course hours for the Florida Law Enforcement Academy to be effective July 1, 2014.

11B-35.002(6)(f)3 This revision retires the Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program effective June 30, 2014.

11B-35.002(6)(f)4 This revision requires a law enforcement officer requesting certification as a correctional probation officer to complete the Florida Correctional Probation Basic Recruit Training Program and pass the State Officer Certification Examination to satisfy the training requirements.

11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration

11B-35.0021(4)(d) This revision adds the Canine Team Training Instructor Course as a Specialized Instructor course requiring a proficiency demonstration.

11B-35.0021(6) This revision adds the Canine Team Training Course as a course as a Specialized Training Program course requiring a proficiency demonstration.

11B-35.0021(8) This revision adds DUI Traffic Stops, High-Liability Instructor Training Courses, Specialized Instructor Courses, and a Specialized Training Program Courses category to those that require a proficiency demonstration.

11B-35.0021(8)(h) This revision adds the instructor to student ratio requirements for the Underwater Police Science and Technology course. It allows for the use of qualified safety divers to assist the instructor with water exercises. It defines "qualified safety diver" and "actively engaged." It clarifies that an Instructor Exemption form CJSTC-82 for qualified safety divers used in the course must be completed and maintained in the course file.

11B-35.0021(8)(i) This revision adds the instructor to student ratio requirements for the Canine Team Training Course. It allows for the use of other individuals approved by the training center director or designee to assist in the canine exercises and assist the instructor during the practical exercises, but does not allow these individuals to be included in the instructor to student ratio. It defines "actively engaged" and "canine team." It clarifies that an Instructor Exemption form CJSTC-82 for individuals who assist in the course must be completed and maintained in the course file.

11B-35.0021(8)(j) This revision adds the instructor to student ratio requirements for the Canine Team Training Instructor Course. It allows for the use of other individuals approved by the training center director or designee to assist in the canine exercises and assist the instructor during the practical exercises. It defines "actively engaged." It clarifies that an Instructor Exemption form CJSTC-82 for individuals who assist in the course must be completed and maintained in the course file.

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration

11B-35.0024(4) This revision adds Underwater Police Science and Technology Course, Canine Team Training Course, and Canine Team Training Instructor Course to the courses requiring demonstration of proficiency skills.

11B-35.0024(4)(j) This revision adds the written end-of-course examination and demonstration of proficiency skills requirements for the Underwater Police Science and Technology Course and identifies the passing score for each. It requires the results of the demonstration of proficiency skills to be recorded on the Criminal Justice Diver Performance Evaluation form CJSTC-19 and that a copy of the form be provided to the student and the original be maintained in the course file.

11B-35.0024(4)(k) This revision adds the written end-of-course examination and demonstration of proficiency skills requirements for the Canine Team Training Course and identifies the passing score for each. It requires the results of the demonstration of proficiency skills be recorded on the Canine Performance Evaluation form CJSTC-83 and that a copy of the form be provided to the student and the original be maintained in the course file.

11B-35.0024(4)(l)1 This revision clarifies that in order to instruct the Canine Team Training Course or the Canine Team Training Instructor Course, the instructor student must complete the Canine Team Instructor Certification requirements.

11B-35.0024(4)(I)2 This revision adds the written end-of-course examination as well as requirements to demonstrate instruction in one classroom topic from the Canine Team Training Course and demonstrate instructing field exercises in obedience, criminal apprehension, building search, area search, and tracking and trailing from the Canine Team Training Course. It requires the results of the demonstration of instruction skills be recorded on the Canine Team Instructor Performance Evaluation form CJSTC-20 and that a copy of the form be provided to the student and the original be maintained in the course file.

11B-35.007 Specialized Training Program

11B-35.007(3) This revision retires Canine Team Training Instructor Course 1107 effective November 6, 2013 and adds Canine Team Training Instructor Course 1199 effective November 7, 2013.

11B-35.007(4) These revisions retire Canine Team Training Course 1112 effective November 6, 2013 and add the Canine Team Training Course 1198 effective November 7, 2013 and the STEP Course for Red Light Cameras course 1197.

11B-35.009 Exemption from Basic Recruit Training

11B-35.009(3)(a) This revision updates the topics required for out of state or federal law enforcement training to be comparable to the Florida Law Enforcement Academy.

11B-35.009(3)(b) This revision updates the topics required for out of state or federal corrections training to be comparable to the Florida CMS Correctional Basic Recruit Training Program.

11B-35.009(3)(c) This revision updates the topics required for out of state or federal correctional probation training to be comparable to the Florida Correctional Probation Basic Recruit Training Program.

If you have any questions regarding these rule changes, please contact Training and Research Manager Terry Baker, Bureau of Standards, at 850-410-8688 or terrybaker@fdle.state.fl.us.

DR/tb/jgh

cc: Criminal Justice Standards and Training Commission Members