



# POST MANUAL



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# MISSION

The mission of Colorado POST is to establish and maintain standards for peace officer training and certification that are relevant, realistic and responsive to our ever-changing world.

## ***Law Enforcement Code of Ethics***

*As a Certified Peace Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and, to respect the Constitutional rights of all men to liberty, equality and justice.*

*I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided in me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

*I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force of violence and never accepting gratuities.*

*I recognize the badge of my office as a symbol of public faith and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.*

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# **CURRICULUM BIBLIOGRAPHY**

## **Colorado POST Basic Academy Training Program Curriculum Required Source Material**

The following materials are required by Rule 21 to be on hand in POST Basic Training academies. Although they are listed by course in the curriculum, they are provided here in alphabetical order for easier reference. It is not necessary to have print copies of internet content. Please notify POST if any source is found to be out of print or no longer available online.

*1 CCR 212-1 Rules regarding the sales, manufacturing, and dispensing of medical marijuana* (Colorado Department of Revenue, Marijuana Enforcement Division)

*1 CCR 212-2, Permanent rules related to the Colorado retail marijuana code* (Colorado Department of Revenue, Marijuana C-21 Return to Table of Contents Enforcement Division)

*ADA Update: A Primer for State and Local Governments*

[https://www.ada.gov/regs2010/titleII\\_2010/title\\_ii\\_primer.html#generalnonreq](https://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html#generalnonreq)

*Americans with Disabilities Act*, [www.ada.gov](http://www.ada.gov)

CDPHE: Registry Portal Login <https://medicalmarijuana.colorado.gov/state-co-entellittrak/> Colorado Department of Agriculture

*Colorado Constitutional Amendment Rights of Victims* (Amendment 16a)

*Colorado Department of Public Health and Environment* (CDPHE):

<http://www.colorado.gov/pacific/cdphe/law-enforcement-medical-marijuana-registry>

*Colorado Jury Instructions – Criminal* (available online provided by LexisNexis)

Colorado Organization for Victims Assistance. [www.coloradocrimevictims.org](http://www.coloradocrimevictims.org)

*Colorado Peace Officer's Legal Sourcebook* [Colorado District Attorney's Council (CDAC)/Colorado Attorney General]

*Colorado Peace Officer's Statutory Source Book*

*Colorado Peace Officers Handbook with Search and Seizure*, (current edition - Blue360° Media).

*Colorado Rules of Criminal Procedure, Rule 41* (available online provided by

*LexisNexis)*

*Colorado Rules of Evidence (available online provided by LexisNexis)*

*Colorado State Constitution, including Amendments (available online provided by LexisNexis)*

Commission on Improving First Responder Interactions with Persons with Disabilities Toolkit, <https://post.colorado.gov/training/>

Commonly Asked Questions About the Americans with Disabilities Act and Law Enforcement, [https://www.ada.gov/q%26a\\_law.htm](https://www.ada.gov/q%26a_law.htm)

*Criminal Investigation, Latest Edition.* Hess, Orthmann, and Cho (Cengage Learning)

*FBI/U.S. Department of Justice Civil Rights Program,*

Hague v. Committee for Industrial Organization, 307 U.S. 496 (1939)

<https://www.colorado.gov/pacific/agplants/pesticide-use-cannabis-production-information>

<https://www.justice.gov/hatecrimes>. Sections 1981,1981a, 1982, 1983.

*IS-100.C: Introduction to the Incident Command System, ICS 100*

<https://training.fema.gov/is/courseoverview.aspx?code=IS-100.c>

*IS-700.B: An Introduction to the National Incident Management System*

<https://training.fema.gov/is/courseoverview.aspx?code=is-700.b>

*Police Operations Theory and Practice.* Latest Edition. Hess, Orthmann, and Cho. (Cengage Learning)

*POST MMIR Instructor Guide 319.1 Resources* (Peace Officer Standards and Training)

*State of New Jersey v. Henderson*, 27 A.3d 872 (2011) (review of scientific studies regarding eyewitness identification procedures).

*Title 18 USC*

*Title 42 USC*

*United States Constitution, including Amendments*

**Landmark Cases**

- Mapp v. Ohio, 367 U.S. 643 (1961)
- Florida v. Jardines, 569 U.S. 1 (2013)
- Riley v. California, 573 U.S. 373 (2014)
- Carroll v. United States, 267 U.S. 132 (1925)
- Arizona v. Gant, 556 U.S. 332 (2009)
- Terry v. Ohio, 392 U.S. 1 (1968)
- Chimel v. California, 395 U.S. 752 (1969)
- Pennsylvania v. Mimms, 434 U.S. 106 (1977)
- Rodriguez v. United States, 575 U.S. 348 (2015)
- Miranda v. Arizona, 384 U.S. 436 (1966)
- Escobedo v. Illinois, 378 U.S. 478 (1964)
- Gideon v. Wainwright, 372 U.S. 806 (1963)
- Mincey v. Arizona, 437 U.S. 385 (1978)
- Brewer v. Williams, 430 U.S. 387 (1977)
- Manson v. Brathwaite; 432 U.S. 98 (1977)

**Recommended Reading for Academy Directors**

- Brown, Peter C., Henry L. Roediger, and Mark A. McDaniel. 2014. *Make it Stick: The Science of Successful Learning*, Belnap Harvard.
- Clark, Ruth C. 2020. *Evidence-Based Training Methods, 3rd Edition: A Guide for Training Professionals* 3rd Edition, ASTD Press.
- Murray, Kenneth R. 2006. *Training at the Speed of Life Volume One: The Definitive Textbook for Military and Law Enforcement Reality Based Training*. Gotha: Armiger.
- Neelen, M and Kirschner, PA. 2020 *Evidence-Informed Learning Design: Creating Training to Improve Performance*, 1st Edition, Kogan Page.
- Quinn, Clark N. 2018 *Millennials, Goldfish & Other Training Misconceptions: Debunking Learning Myths and Superstitions*, American Society for Training and



Development.

Quinn, Clark N. 2021 *Learning Science for Instructional Designers: From Cognition to Application*, Association for Talent Development.

Shank, Patti O., 2017. *Practice and Feedback for Deeper Learning: 26 evidence-based and easy-to-apply tactics that promote deeper learning and application*, CreateSpace Independent Publishing Platform

Shank, Patti O., 2021, *Write Better Multiple-Choice Questions to Assess Learning: Measure What Matters— Evidence-Informed Tactics for Multiple-Choice Questions*, Independently Published.

# OTHER

## MISDEMEANORS WHICH WILL AFFECT CERTIFICATION

*Revised October 26, 2018*

Per § 24-31-305 C.R.S., the POST Board shall deny certification to any person who has been convicted, on or after July 1, 2001, of any of the following:

<b>C.R.S.</b>	<b>Cite</b>
18-3-204	Assault in the third degree
18-3-402	Sexual Assault
18-3-404	Unlawful sexual contact
18-3-405.5	Sexual assault on a client by a psychotherapist
18-3-412.5	Failure to register as a sex offender
18-6-403(3)(b.5)	Sexual exploitation of a child (as it existed prior to July 1, 2006)
18-7-201	Prostitution prohibited
18-7-202	Soliciting for prostitution
18-7-203	Pandering
18-7-204	Keeping a place of prostitution
18-7-302	Indecent exposure
18-7-601	Dispensing violent films to minors
18-8-102	Obstructing government operations
18-8-103	Resisting arrest
18-8-104	Obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer
18-8-108	Compounding
18-8-109	Concealing death
18-8-111	False reporting to authorities
18-8-113	Impersonating a public servant
18-8-114	Abuse of public records
18-8-117	Unlawful sale of publicly provided services or appointments
18-8-201	Aiding escape
18-8-204.2	Possession of contraband in the second degree
18-8-208	Escapes
18-8-208.1	Attempt to escape

<b>C.R.S.</b>	<b>Cite</b>
18-8-212	Violation of bail bond conditions
18-8-304	Soliciting unlawful compensation
18-8-305	Trading in public office
18-8-308	Failing to disclose a conflict of interest
18-8-403	Official oppression
18-8-404	First degree official misconduct
18-8-503	Perjury in the second degree
18-8-611	Simulating legal process
18-8-612	Failure to obey a juror summons
18-8-613	Willful misrepresentation of material fact on juror questionnaire
18-8-614	Willful harassment of juror by employer
18-8-802	Duty to report use of force by peace officers
18-9-111	Harassment
18-9-121	Bias-motivated crimes
18-18-404	Unlawful use of a controlled substance
18-18-405	Unlawful distribution, manufacturing, dispensing, or sale
18-18-406	Offenses relating to marijuana and marijuana concentrate
18-18-411	Keeping, maintaining, controlling, renting, or making available property for unlawful distribution or manufacture of controlled substances

Any misdemeanor in violation of federal law or the law of any state that is the equivalent of any of the offenses specified; or any local municipal ordinance that is the equivalent of any of the offenses.

**The P.O.S.T. board must deny certification to any person who entered into one of the following for a crime listed in paragraph (a) of the subsection (1.5) if the P.O.S.T. board determines that certification is not in the public interest:**

- (I) A deferred judgment and sentencing agreement or deferred sentencing agreement, whether pending or successfully completed;**
- (II) A deferred prosecution agreement, whether pending or successfully completed; or**
- (III) A pretrial diversion agreement, whether pending or successfully completed.**

*Please note that juvenile adjudication/criminal history is not relevant unless the juvenile was tried as an adult through the adult criminal court system.*

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BEFORE THE PEACE OFFICER STANDARDS AND TRAINING BOARD  
DEPARTMENT OF LAW, STATE OF COLORADO

No.

04-01

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**Declaratory Order**

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**In re:**

**The Peace Officer Standards and Training Board, Peace Officer Levels  
Recodification Subcommittee**

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House Bill 03-1266 was a direct response to a problem identified by the Colorado State Legislature in House Bill 02-1313. Specifically, in House Bill 02-1313, the legislature declared (Page 3, HB02-1313) ‘that the current levels of peace officers established pursuant to section § 18-1-901, C.R.S. need to be reevaluated to ensure that persons in each category are properly categorized. Accordingly, the POST Board has reevaluated such current levels of peace officer.

The Committee found that there was great disparity in protections for peace officers. It was the consensus of the committee that the peace officers levels system be abolished and a system developed that identified each peace officer job description/position and that position’s intended authority. As a result of the committee’s actions House Bill 03-1266 was proposed and passed into law. The Bill accomplished the following:

- Abolished the level (stratification) system of officer classification;
- Identified by name all peace officer categories currently found in statute in Colorado;
- Identified appropriate enabling legislation (where applicable);
- Provided the same legal protections for all peace officers in Colorado;
- Clearly delineated the authority for each identified peace officer;
- Identified (based on the current level system) peace officers who must be POST certified;
- Allows future expansion or deletion with minimal conforming legislation;
- Importantly, the changes should have no state or local fiscal impact;
- Where appropriate, impacted statutes were reviewed and amended as needed;
- There were no changes in authority currently granted peace officers and no new groups were added that were not currently identified in statute.

House Bill 03-1266 makes a number of important changes to POST’s organic act for the purposes of this Petition. First, the Bill clarifies who shall be certified as a peace officer. Second, the Bill recognizes those peace officer positions that may be certified allowing a voluntary choice that individual officers and law enforcement agencies may make if they so

wish. And, the Bill recognizes peace officer positions in which the officers serving in those positions derive authority as a peace officer through particular and specific enabling legislation.

The committee met on August 25, 2003, to discuss the intent of HB03-1266; past practices of the POST Board in recognizing peace officer job titles; and, recognized service in those positions as qualifying for continuing service recognition to keep an officer's Colorado POST peace officer certificate current. The committee accomplished a review and discussion of the POST Board's 1998 Declaratory Order 98-045, based upon Senate Bill 98-20. The 1998 Declaratory Order directed POST Staff to recognize the *continuing service* of all Level Ia and Level II peace officers as meeting the standard of service to maintain a peace officer's certificate as current and active. Historically, and since enactment of Declaratory Order 98-045, the Board has always treated continued service as a Level I, Level Ia, Level II, and Level IIIa peace officer equivalent for the purposes of meeting the continuing certification service requirements. The central point of committee discussion, and the resulting resolution of the committee, was to recognize the accomplishments of those attaining Colorado peace officer certification. And, to recognize appointment as a peace officer within Title 16, Article 2.5 of the Colorado Revised Statutes as *continuing service* for the purposes of holding a peace officer certificate in current status.

On September 26, 2003, the members of the POST Peace Officer Levels Recodification Committee made the following recommendations to the POST Board:

- POST shall recognize the service of Colorado certified peace officers identified in § 16-2.5-103 through 143, C.R.S. (2003). Recognition of *continuing service* is for the purposes of maintaining the peace officer's certification in current status.
- Allow persons currently working in a defined "Peace Officer" position within § 16-2.5-103 through 143, C.R.S. (2003), to become POST certified upon successful completion of an approved POST Basic Peace Officer Academy, and after passing the POST Certification Examination.

At that time, the Colorado Peace Officer Standards and Training Board voted unanimously to accept the recommendations of the POST Peace Officer Levels Recodification Committee.

In light of the foregoing analysis and recommendation, a basic peace officer certificate will not have expired if the certificate holder has served at least six months in the preceding three year period as a peace officer identified in § 16-2.5-103 through 143, C.R.S. (2003).

Dated this 11<sup>th</sup> day of February 2004.

KEN SALAZAR  
ATTORNEY GENERAL AND POST CHAIRPERSON