

Rule 31 – Administrative Sanctions

Effective May 15, 2021

- (A) The authority for the promulgation of this rule by the Colorado POST Board is set forth in §§ 24-31-303(1)(l), 24-31-303(1)(m), and 24-31-307(1) and (3), C.R.S.
- (B) The purpose of this rule is to provide for the assessment of administrative fines or other sanctions by the Attorney General for violations of Title 24, Article 31, Part 3.
- (C) The Attorney General, or the Attorney General's designee, may impose an administrative fine or other sanction against a certificate holder, law enforcement agency, or both as prescribed in this Rule 31. The imposition of an administrative fine does not preclude the Attorney General, or Attorney General's designee, from also pursuing other lawful enforcement actions against the certificate holder, law enforcement agency, or both, consistent with § 24-31-307.
- (D) The administrative fine or other sanctions assessed shall be reasonably based on the following criteria:
 - (I) Type of violation;
 - (II) Severity of the violation;
 - (III) Repetition of violations; and
 - (IV) Any other mitigating or aggravating circumstances.
- (E) Fine amounts.
 - (I) For failure to successfully comply with In-Service Training requirements by a law enforcement agency, individual certificate holder, or both:
 - (a) For a first offense, a violator may be fined up to \$100 per employed peace officer for law enforcement agencies, or up to \$300 per individual certificate holder, as applicable; and
 - (b) For a second or subsequent offense, a violator may be fined up to \$200 per employed peace officer for law enforcement agencies, or up to \$600 per individual certificate holder, as applicable.

- (II) For failure to successfully comply with Rule 17 requirements by an agency:
 - (a) For a first offense, a violator may be fined up to \$100 per employed peace officer, for each day in violation; and
 - (b) For a second or subsequent offense, a violator may be fined up to \$200 per employed peace officer, for each day in violation.
 - (c) For any other violation of a post board rule requiring compliance by a law enforcement agency or individual certificate holder: or a first offense, a violator may be fined up to \$100 per employed peace officer for law enforcement agencies, or up to \$300 per individual certificate holder, as applicable; and
 - (d) For a second or subsequent offense, a violator may be fined up to \$200 per employed peace officer for law enforcement agencies, or up to \$600 per individual certificate holder, as applicable.
- (F) Any fine assessed pursuant to this rule 31 to law enforcement agencies may be deducted from POST Training Grant-related awards.
- (G) In addition to fines prescribed pursuant to this Rule 31, the following additional penalties may be prescribed at the Attorney General's, or Attorney General's designee's, discretion:
 - (I) Suspension from participation in future regional training grant activities;
 - (II) Suspension or revocation of a certificate holder's certification; or
 - (III) Imposition of other fines, administrative sanctions, or both.
- (H) Upon receipt of notice of fines from the POST Board Director, the agency or peace officer receiving the fine must remit payment within 60 days. failure to timely comply with fines or other administrative sanctions is a violation of a Board Order and of this Rule.

- (G) Fine revenue collected pursuant to this Rule 31 shall be credited to the POST Board cash fund.
- (I) All implementation of this rule shall be in accordance with processes stated in Rule 5.