

Oregon Department of Public Safety Standards and Training
Rule 259-008-0010 Minimum Standards for Employment as a Law Enforcement Officer

(1) Citizenship.

(a) A person may not be employed as a corrections officer for more than one year unless the person is a citizen of the United States or a nonimmigrant legally admitted to the United States under a Compact of Free Association.

(b) A person may not be employed as a police officer or a parole and probation officer for more than 18 months unless the person is a citizen of the United States or a nonimmigrant legally admitted to the United States under a Compact of Free Association.

(c) A person may not be employed as a regulatory specialist for more than 18 months unless the person is a citizen of the United States.

(d) The citizenship requirement found in (c) does not apply to a person employed as a regulatory specialist on March 16, 2012, who continues full-time employment as a regulatory specialist without a lapse.

(2) Age. No law enforcement unit in this state may employ or utilize any person under the age of 21 years as a police officer, corrections officer, parole and probation officer, regulatory specialist or reserve officer.

(3) Fingerprints. Within 90 days of the date of employment in a certifiable position, each law enforcement officer must be fingerprinted on a standard applicant fingerprint card.

(a) The hiring agency is responsible for fingerprinting and must forward one card to the Oregon State Police Identification Services Section for processing and the assignment of an identification number.

(b) If any procedural change is made by either the Federal Bureau of Investigation or the Oregon State Police Identification Services Section, the Department must comply with the most current requirements.

(c) Applications for certification will not be processed until an applicant's fingerprints have cleared Oregon State Police Identification Services.

(4) Notification of Arrest or Criminal Citation to Appear. A law enforcement officer who is arrested, or receives a criminal citation to appear or its equivalent, for any offense punishable as a crime must notify the Department within five business days. Notification must be in writing and include the date of the arrest or citation, the location of the arrest or citation, the reason for the arrest or citation and the arresting or citing agency.

(5) Moral Fitness. All law enforcement officers must meet moral fitness standards for certification. The moral fitness standards defined in [OAR 259-008-0290 \(Denial of Public Safety Professional Certifications for Pre-employment Criminal Dispositions\)](#) and [OAR 259-008-0300 \(Grounds for Denial, Revocation or Emergency Suspension of Public Safety Professional Certifications\)](#) apply to law enforcement officers who are employed in a certifiable position but not yet certified, currently certified law enforcement officers and law enforcement officers with lapsed certification.

(6) Education:

(a) Applicants for the position of a law enforcement officer will be required to furnish documentary evidence of one of the following:

(A) High School diploma;

(B) Successful completion of the General Educational Development (GED) Test; or

(C) A four-year, post-secondary degree issued by an accredited, degree-granting college or university recognized by the Oregon Office of Degree Authorization under the provisions of [ORS 348.604 \(Exemption from ORS 348.594 to 348.615\)](#).

(i) For the purpose of determining high school graduation level as required by these rules, the applicant must have achieved a score no less than that required by the Oregon Board of Education before issuing an Oregon GED certificate.

(ii) Applicants holding a GED from another state may be required to obtain an Oregon certificate at the discretion of the Department.

(b) Evidence of the above must consist of official transcripts, diplomas, or GED test report forms. Other documentation may be accepted, at the discretion of the Department.

(c) Academic Proficiency Standard. Before beginning basic training or beginning the career officer development course, each applicant must provide evidence to DPSST that the applicant possesses the academic tools necessary to successfully complete basic training.

(A) The hiring agency is responsible for ensuring a law enforcement proficiency test or validated written test designed to evaluate predictors of job-related skills and behaviors has been administered. The hiring agency must verify the completion of the test and report the date of completion to the Department on a Form F-5 (Application for Training) prior to the applicant being admitted to basic training.

(B) Individuals submitting transcripts verifying that they possess at least a four-year academic degree from an institution recognized by the Department under the provisions of [OAR 259-008-0045 \(Education Credits\)](#) are exempt from this testing requirement.

(C) Individuals who have successfully completed training resulting in the award of certification in the discipline they are applying for training are exempt from this testing requirement. Individuals must submit proof of training and certification.

(7) Physical Standards.

(a) Prior to admittance into a basic training course, as described in [OAR 259-008-0025 \(Minimum Standards for Training\)](#), all law enforcement officers or applicants must demonstrate the physical abilities to perform the critical and essential tasks of a law

enforcement officer. The critical and essential tasks for law enforcement officers have been determined by the following:

- (A)** The 2015 DPSST Job Task Analysis for Police Officers;
- (B)** The 2015 DPSST Job Task Analysis for Parole & Probation Officers;
- (C)** The 2016 DPSST Job Task Analysis for Corrections Officers; and
- (D)** The 2013 Job Task Analysis for Liquor Enforcement Inspectors.

(b) The following minimum physical standards are required for all law enforcement officers:

(A) Visual Acuity.

(i) Monocular vision must be at least $\frac{20}{30}$ (Snellen) corrected in each eye and not worse than $\frac{20}{100}$ (Snellen) uncorrected in either eye.

(ii) Binocular vision must be at least $\frac{20}{20}$ (Snellen) corrected.

(iii) Officers or applicants whose uncorrected vision is worse than $\frac{20}{100}$ must wear soft contact lenses to meet the corrected vision requirement.

(B) Color Vision.

(i) Law enforcement officers or applicants must be able to distinguish red, green, blue, and yellow, as determined by the HRR Test, 4th Edition.

(ii) Red or green deficiencies may be acceptable, providing the officer or applicant can read at least nine of the first 13 plates of the Ishihara Test.

(iii) Officers or applicants who fail to meet the color vision standard may meet the standard by demonstrating that they can correctly discriminate colors via a field test conducted by the employer as approved by the examining licensed physician or surgeon.

(C) Depth Perception. Random Stereo Test equal to 60 seconds of arc or better.

(D) Peripheral Vision. Visual Field Performance must be 140 degrees in the horizontal meridian combined.

(E) Hearing.

(i) Law enforcement officers or applicants must have no average hearing loss greater than 25 decibels (db) at the 500, 1,000, 2,000 and 3,000-Hertz levels in either ear with no single loss in excess of 40 db.

(ii) Law enforcement officers or applicants who fail to meet the hearing standard must be examined by a licensed audiologist or otorhinolaryngologist to determine if an amplification device will allow them to meet the hearing standard.

(iii) An amplification device may be used to meet the hearing standard, if a licensed audiologist or otorhinolaryngologist determines an amplification device will allow the officer or applicant to meet the hearing standard.

(F) Cardiovascular.

(i) Resting blood pressure must be less than or equal to 160 mmHg systolic and 100 mmHg diastolic.

(ii) Law enforcement officers or applicants who fail to meet the cardiovascular standards must be examined by a general practitioner to address the issue.

(iii) Law enforcement officers or applicants who have a history of organic cardiovascular disease will necessitate further medical evaluation.

(G) Pulmonary Capacity. Officers and applicants with obstructive or restrictive spiograms (FVC or FEV1 less than 80% or FVC/FEV1 ratio of less than 70%) require further evaluation.

(H) Medications. The side effects of any prescribed medication must not interfere with the law enforcement officer's or applicant's ability to perform the critical and essential tasks of the job.

(I) Medical Recommendations.

(i) It is recommended that officers or applicants with a history of seizures or diabetes be evaluated following American College of Occupational and Environmental Medicine's Guidance for the Medical Evaluation of Law Enforcement Officers, to include post-employment monitoring.

(ii) It is recommended that officers or applicants with a history of hypertension (resting blood pressure exceeding 160 mmHg systolic and 100 mmHg diastolic ($^{160}/_{100}$)) have post-employment medical monitoring.

(8) Medical Examinations. To ensure that law enforcement officers and applicants meet the minimum physical standards listed in section (7) of this rule, all officers and applicants must be examined by a licensed physician or surgeon.

(a) The licensed physician or surgeon performing the medical examination must be provided with a current DPSST Medical Examination Report (Form F-2) for completion at the time of the examination.

(b) The medical examination must conform to applicable standards of the Americans with Disabilities Act (ADA) Title 42 USC 1210.

(c) The medical examination must be completed within 180 days prior to the start of employment as a law enforcement officer.

(d) Upon completion of the medical examination, the examining licensed physician or surgeon must sign the final page of the Form F-2 (Form F-2A) attesting that the officer or applicant has met or has not met the minimum physical standards listed in section (7) of this rule.

(e) The Form F-2A must be submitted to the Department no later than 90 days after the start of employment.

(f) Law enforcement officers and applicants will not be admitted into a basic course until the Department receives a Form F-2A attesting that the minimum physical standards have been met or a physical standard waiver has been granted, as described in section (9) of this rule.

(g) DPSST may require that a law enforcement officer or applicant take a subsequent examination by a licensed physician or surgeon of the Department's choice at the expense of the officer, the applicant or the hiring agency.

(h) Certified individuals who are hired into a discipline they are not certified for are required to successfully complete a new physical examination.

(i) A law enforcement officer whose certification has lapsed will be required to complete a new medical examination prior to re-applying for certification.

(j) Individuals employed in a limited duration, administrative position, as described in [OAR 259-008-0078 \(Eligibility Requirements for Limited Duration, Administrative Positions\)](#), are exempt from the medical examination requirement.

(k) Regulatory Specialists employed by OLCC prior to July 1, 2015 who have previously completed OLCC basic training are exempt from completion of the physical examination.

(9) Physical Standard Waivers.

(a) An individual or department head may request a waiver of any physical standard in section (7) of this rule by:

(A) Submitting a request to the Department in writing; and

(B) Providing documentation or pertinent testimony that supports the physical standard waiver request.

(C) If further clarification is needed, the Department may require additional documentation or testimony from the individual or department head requesting the physical standard waiver.

(D) The requesting individual may be required to demonstrate the ability to perform the critical and essential job tasks.

(E) If the Department finds that the physical standard waiver request would not prohibit the requesting individual's ability to successfully complete training and the performance of the critical and essential tasks, the waiver will be granted.

(F) Any expense associated with providing physical standard waiver documentation or testimony will be the responsibility of the requesting individual or the requesting agency.

(G) If an individual requests and is granted a medical waiver, but does not obtain employment within one year from the date the waiver is granted, the waiver will be void.

(H) If the Department denies a request for a waiver of any physical standard in section (7) of this rule, the Department will issue Notice and proceed as provided in section (9)(b) of this rule.

(b) Contested Case Hearing Process for Denial of Physical Standard Waivers.

(A) Initiation of Proceedings: A contested case notice will be prepared when the Department denies a physical standard waiver after determining that factual data meeting the statutory and administrative rule requirements justifies the denial.

(B) Contested Case Notice: The contested case notice will be prepared in accordance with the applicable provisions of the Attorney General's Model Rules of Procedure adopted under [OAR 259-005-0015 \(Rules of Procedures\)](#).

(C) Response Time: A party who has been served with a "Contested Case Notice of Intent to Deny a Waiver" has 60 days from the date of mailing or personal

service of the notice in which to file a written request for a hearing with the Department.

(D) Default Order: If a timely request for a hearing is not received, the Contested Case Notice will become a final order denying the requested waiver pursuant to [OAR 137-003-0672 \(Default in Cases Involving an Agency Order that May Become Final Without a Request for Hearing\)](#).

(E) Hearing Request: If a timely request for a hearing is received, the Department will refer the matter to the Office of Administrative Hearings in accordance with [OAR 137-003-0515 \(Agency Referral to Office of Administrative Hearings\)](#).

(F) Proposed and Final Orders: In cases where a hearing is requested, proposed orders, exceptions, and final orders will be issued pursuant to the applicable provisions of the Attorney General's Model Rules of Procedure adopted under [OAR 259-005-0015 \(Rules of Procedures\)](#).

(10) Police Officer and Reserve Officer Pre-employment Psychological Screening. Effective January 1, 2020, a law enforcement unit may not hire a police officer or a reserve officer without a pre-employment psychological screening conducted in accordance with this rule.

(a) This requirement applies to police officers and reserve officers hired on or after January 1, 2020, including:

(A) Police officers and reserve officers who move from one law enforcement unit to another law enforcement unit on or after January 1, 2020; and

(B) A reserve officer employed by a law enforcement unit prior to January 1, 2020, when the reserve officer becomes a police officer for the law enforcement unit on or after January 1, 2020, and the reserve officer has not completed a pre-employment psychological screening conducted in accordance with this rule.

(b) The psychological screening process is used to identify mental conditions, personality disorders, personality traits or behavior patterns that may adversely affect the officer's ability to perform the essential functions of a police officer or reserve officer with reasonable skill, safety and judgement based upon the pre-employment psychological screening criteria established by the law enforcement unit.

(c) The psychological screening must be conducted by a licensed mental health professional who can demonstrate, to the law enforcement unit's satisfaction, expertise in clinical assessment and the assessment of normal personality characteristics, skills and abilities relevant to public safety personnel selection. "Licensed Mental Health Professional" includes:

(A) A psychologist who is licensed by the Oregon Board of Psychology or the licensing body in the state where the person provides the psychological services; or

- (B)** A mental health professional who is licensed by the licensing body in the state where the person provides mental health services.
- (d)** The psychological screening must include the following:
 - (A)** A written psychological test battery relevant to the pre-employment psychological screening criteria established by the law enforcement unit. The results of the written test should be reviewed and verified by the licensed mental health professional prior to the in-person interview;
 - (B)** An in-person interview conducted by the licensed mental health professional; and
 - (C)** A report provided by the licensed mental health professional in the manner requested by the law enforcement unit.
- (e)** The psychological screening must conform to applicable standards of the Americans with Disabilities Act (ADA) Title 42 USC 1210.
- (f)** Psychological screenings older than one year are no longer valid for the purposes of satisfying the pre-employment psychological screening requirement.
- (g)** Hiring decisions are the responsibility of each law enforcement unit. The law enforcement unit hiring the police officer or reserve officer maintains the discretion to determine how the information provided in a psychological screening report impacts the hiring decision.