

Qualifications

There are standards and qualifications that must be met to be a Peace Officer in the State of Utah. Below is a list of legal requirements and disqualifiers to be aware of. The following conditions **WILL** disqualify you from being accepted into any law enforcement training academy or from becoming employed, in a sworn peace officer position, with any public safety agency within the State of Utah:

- Not being a U.S. Citizen – U.S. Citizenship is required by State Law; not being a legal permanent resident (LPR)
- Falsification of any information on a POST application
- Any felony conviction – Exceptions: Juvenile convictions for felony crimes will be considered but are not an automatic disqualifier
- Being dismissed from the armed services under dishonorable conditions
- Being unable to possess a firearm under state or federal will disqualify a person from being certified as a law enforcement officer

The following conditions **MAY** disqualify you from being accepted into any law enforcement training academy or becoming employed, in a sworn capacity, with any agency within the State of Utah:

- Conviction of or involvement in misdemeanor crimes concerning drugs/controlled substances- requires a two (2) to four (4) year waiting period from the date of conviction or involvement,, depending on the type of drug/controlled substances involved. (Note: a common question is “When submitting an application to POST for training, do I need to report using someone else’s prescription drugs or using prescription drugs that were not prescribed to me? The answer is **Yes**. (Please refer to UT Code Annotated 58-37-8).
- Involvement in a felony crime for which you were not convicted of a felony requires a four (4) year waiting period from the date of involvement.
- Conviction of or involvement in class A misdemeanor crimes involving physical violence requires a four-year waiting period from the date of conviction or involvement.
- Conviction of or involvement in class A misdemeanor crimes that do not involve an act of violence requires a three (3) year waiting period from the date of conviction or involvement.
- Conviction of or involvement in class B misdemeanor crimes involving an act of violence, possession, or use of a controlled substance or providing false information to obtain certification requires a two-year waiting period from the date of conviction or involvement.
- Conviction of or involvement in class B misdemeanor crimes involving sexual acts, harassment, theft, crimes of dishonesty, the use of alcohol, or the use of

prescription drugs requires a one-year waiting period from the date of conviction or involvement.

- Conviction of or involvement in class B misdemeanor crimes, not including any of the things listed above, requires a six-month waiting period from the date of conviction or involvement.
- Conviction of or involvement in class C misdemeanor crimes or infractions requires a three (3) month waiting period from the the date of conviction or involvement.

Legal Requirements

Utah Code Ann. § 53-6-203 outlines the requirements for admission to basic law enforcement training programs.

- (1) Before being accepted for admission to the training programs conducted by a certified academy and before being allowed to take a certification examination, each applicant for admission or certification examination shall meet the following requirements:

(b) be a United States citizen or [legal permanent resident \(LPR\)](#)

(c) be at least

(i) 19 years old at the time of certification as a special function officer correctional officer or

(ii) 21 years old at the time of certification as a law enforcement officer;

(d) be a high school graduate or furnish evidence of successful completion of an examination indicating an equivalent achievement;

(e) have not been convicted of a crime for which the applicant could have been punished by imprisonment in a federal penitentiary or by imprisonment in the penitentiary of this or another state;

(f) have demonstrated good moral character, as determined by a background investigation, and

(g) be free of any physical, emotional, or mental condition that might adversely affect the performance of the applicant's duties as a peace officer.

- (2) (a) An application for admission to a training program shall be accompanied by a criminal history background check of local, state, and national criminal history files and a background investigation.

(b) The background check and investigation costs shall be borne by the applicant or the applicant's employing agency.

- (3) (a) Notwithstanding any expungement statute or rule of any other jurisdiction, any conviction obtained in this state or other jurisdiction, including a conviction that has been expunged, dismissed, or treated similarly to either of these procedures, may be considered for purposes of this section.

- (b) This provision applies to convictions entered both before and after the effective date of this section.
- (4) Any background check or background investigation performed pursuant to the requirements of this section shall be to determine eligibility for admission to training programs or qualification for certification examinations and may not be used as a replacement for any background investigations that may be required of an employing agency.
 - (5) An applicant shall be considered to be of good moral character under Subsection (1)(e) if the applicant has not engaged in conduct that would be a violation of Subsection [53-6-211](#)(1).
 - (6) An applicant seeking certification as a law enforcement officer, as defined in Section [53-13-103](#), shall be qualified to possess a firearm under state and federal law.

NOTE!

[POST's Policy and Procedures](#) address convictions or involvement in criminal offenses.

- 1. If the applicant has been convicted of a felony, they will not be accepted into law enforcement training.
- 2. If an applicant's conviction or involvement is for a misdemeanor, they may not be accepted. However, POST will examine individual records once the applicant furnishes all documentation, including police reports, court dockets,, and a detailed written letter of explanation from the applicant on the arrest circumstances.
- 3. This documentation will only be considered after the appropriate waiting period outlined on the previous page.
- 4. If, after reviewing Utah Code Ann. § 53-6-203, you find you do not meet one or more of the requirements, do not proceed with the application. Applicants with questions about whether they meet the POST requirements should contact the Bureau Chief over Investigations before proceeding.

Please contact Major Travis Rees (tgrees@utah.gov), POST director for more information regarding POST eligibility.