

West's Arkansas Code Annotated

Title 12. Law Enforcement, Emergency Management, and Military Affairs

Subtitle 2. Law Enforcement Agencies and Programs (Chapters 6 to 24)

Chapter 9. Law Enforcement Officer Training and Standards (Refs & Annos)

Subchapter 1. Commission and Advisory Board on Standards and Training (Refs & Annos)

A.C.A. § 12-9-120

§ 12-9-120. Imposition of administrative penalties

Effective: August 1, 2017

[Currentness](#)

(a) When determining the amount of an administrative penalty assessed against a law enforcement agency or governmental entity under subsection (b) of this section for violation of a rule of the Arkansas Commission on Law Enforcement Standards and Training, the commission shall consider:

- (1) The seriousness of the violation;
- (2) The law enforcement agency's or governmental entity's history of violations;
- (3) The amount the commission believes is necessary to deter future similar violations;
- (4) Efforts made by the law enforcement agency or governmental entity to correct the violation, including the immediacy and degree of corrective action; and
- (5) Any other consideration that the commission believes important.

(b)(1) An administrative penalty may be assessed under this section in the following amounts:

(A) For appointing a person who does not meet minimum standards as a law enforcement officer, an administrative penalty of no more than one thousand dollars (\$1,000); and

(B) For failing to timely submit any required appointment or separation documents, an administrative penalty of no more than three hundred fifty dollars (\$350).

(2) The administrative penalties authorized under this subsection may be assessed on a per-day basis, with each day considered a separate violation.

(c) The presence of mitigating factors does not require the commission to dismiss a violation of commission rules.

(d)(1) The Director of the Division of Law Enforcement Standards and Training may enter into an agreed-upon order concerning administrative penalties under this section with a law enforcement agency or governmental entity, subject to final approval of the commission.

(2) The agreed-upon order under subdivision (d)(1) of this section may be in an amount that differs from the amounts in subdivision (b)(1) of this section.

(e)(1) The commission shall provide written notice to a law enforcement agency or governmental entity of an alleged violation of a rule, and the law enforcement agency or governmental entity shall respond in writing within thirty (30) days of receipt of the written notice.

(2) A law enforcement agency's or governmental entity's failure to respond within thirty (30) days of the written notice under subdivision (e)(1) of this section may result in the entry of a default order of assessment of an administrative penalty.

(f) A law enforcement agency or governmental entity may request a hearing before the commission to contest the allegations set forth in the written notice under subsection (e) of this section within thirty (30) days of receipt of the written notice.

Credits

[Acts of 2017, Act 497, § 10, eff. Aug. 1, 2017.](#)

A.C.A. § 12-9-120, AR ST § 12-9-120

The constitution and statutes are current through the 2023 Regular Session and the 2023 First Extraordinary Session of the 94th Arkansas General Assembly. Some statute sections may be more current; see credits for details. Also included are changes made by the Arkansas Code Revision Commission received through March 21, 2024.