

12-9-602. Notice of employment, appointment, or separation – Response by the law enforcement officer – Duty of division

- (a) (1) An employing agency shall immediately notify the Division on Law Enforcement Standards and Training, in a manner adopted by the division, of the employment or appointment, or separation from employment or appointment, of any law enforcement officer.
- (2) Separation from employment or appointment includes any firing, termination, resignation, retirement, or voluntary or involuntary extended leave of absence of any law enforcement officer.
- (3) A submission to the commission related to the employment or appointment, or separation from employment or appointment, of a law enforcement officer is subject to the provisions of § 5-53-103 concerning false swearing.
- (b) (1) In a case of separation from employment or appointment, the employing agency shall notify the division in a manner adopted by the division, setting forth in detail the facts and reasons for the separation.
- (2) In a case of a separation from employment or appointment for one (1) of the following reasons, the notice shall state that:
 - (A) The law enforcement officer was separated for his or her failure to meet the minimum qualifications for employment or appointment as a law enforcement officer;
 - (B) The law enforcement officer was dismissed for a violation of state or federal law;
 - (C) The law enforcement officer was dismissed for a violation of the regulations of the law enforcement agency; or
 - (D) The law enforcement officer resigned while he or she was the subject of a pending internal investigation;
 - (E) The law enforcement officer was separated for excessive use of force; or
 - (F) The law enforcement officer was separated for dishonesty or untruthfulness.
- (3) Any law enforcement officer who has separated from employment or appointment shall be permitted to respond to the separation, in writing, to the division, setting forth the facts and reasons for the separation as he or she understands them.
- (c) (1) Before employing or appointing a law enforcement officer, a subsequent employing agency shall contact the division to inquire as to the facts and reasons a law enforcement officer became separated from any previous employing agency.

- (2) The division shall provide subsequent employing agencies with all information in the commission's possession resulting from the requirements of subsection (b) of this section.
- (d) (1) An administrator of an employing agency who discloses information under this section is immune from civil liability for such disclosure or its consequences.

(2) An employing agency is not civilly liable for disclosure of information under this subchapter or performing any other duties under this subchapter.
- (e) (1) The division and its employees who disclose information under this section are immune from civil liability for such disclosure or its consequences.

(2) The division and its employees are not civilly liable for:
 - (A) Disclosure of information under this subchapter; or
 - (B) Performing any other duties under this subchapter.