

**DEPARTMENT OF SAFETY AND HOMELAND SECURITY**  
**DIVISION OF STATE POLICE**

**2400 BOARD OF EXAMINERS OF CONSTABLES**

Statutory Authority: 10 Delaware Code, Chapter 27 (10 **Del.C.** Ch. 27)

**PROPOSED**

**PUBLIC NOTICE**

Notice is hereby given that the Board of Examiners of Constables, in accordance with Del. Code Title 10 Chapter 27 proposes to amend Rule 3.0 – Law Enforcement Exemption and Rule 4.0 – Employment. These amendments give the Board of Examiners the authority to oversee all training for Constables. If you wish to view this adoption, contact Ms. Peggy Anderson at (302) 672-5304. Any persons wishing to present views may submit them in writing, by September 30, 2009, to Delaware State Police, Detective Licensing, P.O. Box 430, Dover, DE 19903. The Board will hold their regular meeting in May 2010, at the Delaware State Police Headquarters Conference Room, 1441 North DuPont Highway in Dover, Delaware.

**2400 Constables**

**1.0 Experience**

- 1.1 A constable must meet the minimum training standards as established by the ~~Council on Police Training Board~~.

Adopted 09/10/86

Amended 05/16/00

Amended 01/11/09

**2.0 Appeal**

- 2.1 Any applicant who is rejected for a commission as a constable may, within 30 days of such notice of rejection, submit a written notice of appeal.
- 2.2 A hearing date, to be determined by the Board, will be convened to take relevant evidence on the appeal.
- 2.3 Such proceedings shall be conducted in accordance with the administrative procedures act (Title 29).
- 2.4 The Board decision, in writing, will be mailed to the applicant within ten working days after the hearing.

Adopted 09/10/86

**3.0 Law Enforcement Exemption**

- 3.1 Applicants, who were prior law enforcement officers in any jurisdiction and have been away from police work for not more than five (5) years, will be considered for commissions on a case-by-case basis.
- 3.2 Applicants, who have been law enforcement officers in the past but have been away from active law enforcement for more than five (5) years, will be required to take either the MMPI (Minnesota Multiphasic Personality Inventory) or the PAI (Personal Assessment Inventory), under the conditions noted in Rule 4.0, and a comprehensive, multiple-choice examination, ~~equivalent to the C.O.P.T. exam to identify weaknesses in their knowledge of law enforcement~~ of the minimum standards established by the Board to identify weaknesses in their knowledge of the duties of a Constable. Once those shortcomings have been identified, the individual officer will be required to take the requisite training where the deficiency was noted.

Adopted 10/16/96

Amended 05/16/00

**12 DE Reg. 977 (01/01/09)**

#### **4.0 Employment**

- 4.1 All applicants must submit written testimony from five (5) reputable citizens attesting to good character, integrity, and competency.
- 4.2 All applicants must submit to either the MMPI (Minnesota Multiphasic Personality Inventory) or the PAI (Personal Assessment Inventory) evaluation performed by a licensed psychologist who has knowledge of the requirements of the duties of the Constable position, that the applicant is psychologically fit to function as a competent Constable.
- 4.3 All applicants shall be required to submit an application and their fingerprints to the Director of Detective Licensing on the appropriate forms. The Director of the State Bureau of Identification shall set the processing fee.
- 4.4 No full-time police officer may apply for a commission as a constable.
- 4.5 All applicants seeking a new commission as a constable shall be required to submit a \$100.00 application fee.
- 4.6 A \$50.00 annual renewal fee shall be required to accompany the renewal application each year thereafter.
- 4.7 A constable shall not be a member or employee of any Delaware law enforcement organization, as defined by the council on Police Training, or a member or employee of a law enforcement organization of any other state or federal jurisdiction.

Adopted 05/16/00

#### **12 DE Reg. 977 (01/01/09)**

#### **5.0 Firearm's Policy**

- 5.1 No person licensed under Title 24 Chapter 13 Sections 1315 & 1317 shall carry a firearm unless that person has first passed an approved firearms course given by a Board approved certified firearms instructor, which shall include a minimum 40 hour course of instruction. Individuals licensed to carry a firearm must shoot a minimum of three (3) qualifying shoots per year, scheduled on at least two (2) separate days, with a recommended 90 days between scheduled shoots. Of these three (3), there will be one (1) mandatory "low light" shoot. Simulation is permitted and it may be combined with a daylight shoot.
- 5.2 Firearms - approved type of weapons
  - 5.2.1 9mm
  - 5.2.2 .357
  - 5.2.3 .38
  - 5.2.4 .40
- 5.3 All weapons must be either a revolver or semi-automatic and must be double-action or double-action only and must be maintained to factory specifications.
- 5.4 Under no circumstances will anyone be allowed to carry any type of shotgun or rifle or any type of weapon that is not described herein.
- 5.5 All individuals must qualify with the same type of weapon that he/she will carry.
- 5.6 All ammunition will be factory fresh (no re-loads).
- 5.7 The minimum passing score is 80%. All licenses are valid for a period of one (1) year.

Adopted 05/20/02

#### **13 DE Reg. 388 (09/01/09) (Prop.)**