



# County Technical Assistance Service

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## Minimum Qualifications

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Minimum Qualifications

**Reference Number:** CTAS-1226

After July 1, 1981, any person employed as a full-time deputy sheriff shall:

1. Be at least 18 years of age;
2. Be a citizen of the United States;
3. Be a high school graduate or possess its equivalency which shall include a general educational development (GED(R)) certificate;
4. Not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor, controlled substances or controlled substance analogues;
5. Not have been released or discharged under any other than honorable discharge from any of the armed forces of the United States;
6. Have their fingerprints on file with the Tennessee Bureau of Investigation;
7. Have passed a physical examination by a licensed physician;
8. Have a good moral character as determined by a thorough investigation conducted by the employing agency; and
9. Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological field as being free from any impairment, as set forth in the current edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association at the time of the examination, that would, in the professional judgment of the examiner, affect the applicant's ability to perform an essential function of the job, with or without a reasonable accommodation.

T.C.A. § 38-8-106. *See also* Rules of the Tennessee Peace Officer Standards and Training Commission, Rule 1110-2-.03 (1).

The minimum standards set forth in T.C.A. § 38-8-106 and in Rule 1110-2-.03 (1) are mandatory and are binding upon the county. Any person who appoints an applicant, who, to the knowledge of the appointor, fails to meet the minimum standards as set forth in T.C.A. § 38-8-106 and in Rule 1110-2-.03 (1), and any person who signs the warrant or check for payment of salary of a person who, to the knowledge of the signer, fails to meet the qualifications as a deputy sheriff as provided in T.C.A. § 38-8-106 and in Rule 1110-2-.03 (1), commits a Class A misdemeanor and upon conviction shall be subject to a fine not exceeding \$1,000. T.C.A. § 38-8-105(a) and (b). This provision does not apply to any officer hired by a county prior to July 1, 1982. T.C.A. § 38-8-105(c). *See also* Rules of the Tennessee Peace Officer Standards and Training Commission, Rule 1110-2-.01 and Rule 1110-2-.02. Nothing in Title 38, Chapter 8, precludes an employing agency from establishing qualifications and standards for hiring and training deputy sheriffs that exceed those set by the POST Commission. T.C.A. § 38-8-109.

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