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Should Anaconda-Deer Lodge require police chief candidates to have experience?

By **BILL HEISEL JR**
of The Montana Standard

A NACONDA - If someone wants to run for the lead law enforcement position in 55 of Montana's 56 counties, they need only have a clean criminal record, the requisite filing fee and the desire.

In Anaconda-Deer Lodge County, however, the nonpartisan race for chief of law enforcement is restricted to those with five years of law enforcement experience, a requirement that even many of the local police officers can't meet.

"It's ripe for a challenge," says Anaconda-Deer Lodge County Attorney Ed Beaudette, noting that some people might see the restriction as a violation of their right to participate in local government.

In defense of the experience requirement, Cheryl Beatty, the city-county chief executive, maintains Anaconda-Deer Lodge County's unique local charter, adopted in 1977, allows it to restrict candidates, much in the same way state law sets standards for those who can run for county attorney, city mayor and district judge.

"If there is not a state or federal law that says we can't put a restriction on the chief of law enforcement, then we can," Beatty says.

Currently, incumbent Chief Jim Connors, Capt. Joe Guiberson and Sgt. Mark Blaskovich, the three candidates so far in this year's election, all have well over five years of experience. But they differ on whether the restriction is good.

Connors says anyone should be able to run and has suggested the position become a sheriff's post, as in the consolidated police forces in Powell, Granite and Butte-Silver Bow counties, where anyone can file for election.

But Blaskovich disagrees, saying the restriction makes for better-qualified chiefs.

Former Missoula police chief Jim Oberhoffer of the Peace Officers Standards and Training office at the state Department of Justice says Anaconda-Deer Lodge County is actually the envy of some sheriff's departments.

"In most counties, you can have someone go in to lead a force of experienced officers without having any skills or training in law enforcement themselves," Oberhoffer says.

He and others supported a bill in the 1995 Legislature to require all newly-elected sheriffs to go through basic training at the state law enforcement academy, much like elected magistrates who have to attend two training classes each year.

The bill was killed in a Senate committee, partly because of the vocal opposition of Sen. J.D. Lynch, D-Butte.

"I think any interested citizen who wants to be sheriff should be able to run," Lynch says, explaining that he had been especially opposed to the physical training required in the academy. "Sheriffs in most instances are administrators; they don't necessarily have to be physically capable of beating up people or restraining people."

Local lawyer Mike Grayson says he and other members of the Anaconda-Deer Lodge County Study Commission only have glanced at the five-year requirement while studying the chief of law enforcement's duties.

"Basically it's a nice textbook point for people to think about, but I don't think it has any real ramifications until someone decides to challenge it," Grayson says.