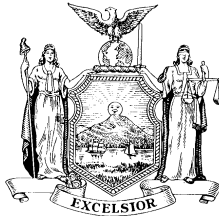




In-service Training Guide



STATE OF NEW YORK
Division of Criminal Justice Services
Office of Public Safety

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Preface

The *Criminal Procedure of the State of New York* defines the position and training requirements of Peace and Police Officers in the State of New York. Persons who are designated as such are required to be registered appropriately pursuant to *Executive Law sections 845 and 845-a*, and must complete a basic course of training based on the specific nature of their duties. Officers, who are armed, must complete annual training in the use of firearms and/or other weapons and the use of force/deadly physical force. However, neither police nor peace officers are mandated to complete any additional in-service training.

In-service training is intended to promote continued instruction and study in the attitudes, knowledge, skills, and procedures involved in carrying out the duties and responsibilities of law enforcement above and beyond the fundamentals covered in basic training and any mandated annual weapons training. Such training may be recorded by DCJS and maintained in the registry. This guide will define regulations that govern MPTC approval of in-service training, including the requirements for conducting and reporting training, as well as the responsibilities of the various parties involved.

ACKNOWLEDGMENTS

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Introduction

The Municipal Police Training Council (MPTC), created under Executive Law Section 839, determines minimally acceptable training and employment standards for law enforcement officers in New York State. The MPTC recommends rules and regulations for promulgation by the Governor. Once implemented, these rules and regulations carry the force of law.

This guide is designed to facilitate training professionals who would like to conduct in-service training courses which will be recorded by DCJS. Documentation of training which meets the standards outlined in this manual is acceptable to assessors verifying compliance with the New York State Law Enforcement Accreditation program.

It is the goal of DCJS to assist practitioners in providing quality training for law enforcement personnel. Training directors and/or officers are encouraged to review this guide and ask questions. DCJS will make every effort to help practitioners understand and deliver a quality product that meets, or exceeds, the standards established by the MPTC.

Division of Criminal Justice Services

The New York State Division of Criminal Justice (DCJS), Office of Public Safety, serves as the staff arm of the Municipal Police Training Council (MPTC). It is the responsibility of DCJS to assist in the planning and evaluation of basic and in-service training courses and to ensure that practitioners meet the minimum standards established by the MPTC.

Pursuant to the *Executive Law of the State of New York*, the rules and regulations for the administration in-service training are codified in *Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York Part 6022*. DCJS staff will make an individual written approval for courses when the information furnished warrants such action. Should the course curriculum fail to meet MPTC standards for content or instructors, notification will be made to the course director so that adjustments may be made and the curriculum brought into compliance. Courses that fail to obtain DCJS approval prior to commencement may not be certified. A course must receive DCJS approval to be certified.

Upon written notification from the course director that the students have satisfactorily met the standards for certification, DCJS will update the officers training records accordingly. If certificates are warranted, they will be issued at this time.

Law Enforcement Employer

Each state or local agency, unit of local government, state or local commission, public authority, or public or private organization which employs Police or Peace Officers may provide a course of instruction in subjects not mandated by the General Municipal Law or Criminal Procedure Law, and transmit to DCJS the results of such training. Employers may utilize a third party to deliver training, however, only a Police or Peace officer employer can sponsor training. All documentation shall reflect the name and address of the sponsoring agency.

It is the responsibility of the employer to ensure all Police or Peace Officers in its employ are registered pursuant to Executive Law Sections 845 or 845-a. Persons who do not appear on the appropriate registry are not eligible to receive certification for any training. Instruction provided to persons not registered or employed as Police or Peace officers may be validated in instances where the law enforcement agency can demonstrate a working relationship with the civilian. For example, civilian personnel employed at a crime lab or correctional facility whose employer would directly benefit from the training may be eligible to receive certification. Employers must submit a justification, in writing, to DCJS identifying the job duties of the civilian and demonstrate the need for training.

Course Director

The course director is responsible for the administration of a course according to the standards established by the MPTC. A course director proposing an in-service training course shall file with DCJS, at least 45 days in advance of the designation of the school, a Zone Coordinator Recommendation Form and a DCJS approved Curriculum Content Form listing the location of the school, the subjects comprising the curriculum which shall include those prescribed by the MPTC (if any), and a list identifying the instructors for each subject.

It is the responsibility of the course director to ensure only registered Police or Peace officers who possess the appropriate prerequisite training, attend in-service training courses. Persons who do not appear on the Police or Peace Officer Registry are not eligible to receive certification for any training. Instruction provided to persons not registered or employed as Police or Peace officers may be validated in instances where a law enforcement agency can demonstrate a working relationship with that civilian. For example, civilian personnel employed at a crime lab or correctional facility whose employer would directly benefit from the training.

The course director is responsible for the administration, supervision, and grading of any required examinations in accordance with 9NYCRR 6022. Examinations are not mandated for workshops or seminars.

Upon completing the course, the course director shall file with DCJS, no later than ten days after the course end date, a typed DCJS approved Class Roster/Notification of Completion Form certifying the approved course title, school location, school sponsor, course director, school dates, student information, employer name, and an indication of whether each student satisfactorily or unsatisfactorily completed the course. The Class Roster/Notification of Completion must contain the course director's original signature.

Pursuant to *Section 57-a of the Arts and Cultural Affairs Law*, the course director shall be responsible for maintaining records of lesson plans, officer attendance and performance, curriculum, and the Class Roster/ Notification of Completion forms for each course. It is the course director's responsibility to retain such records as required by the appropriate schedule for records retention and disposition promulgated by the Commissioner of Education. Such records shall be available for inspection by DCJS.

Instructors

There are two categories of instructor for in-service training courses, certified and approved. *Certified* instructors have completed an Instructor Development Course approved by the MPTC and are certified pursuant to 9NYCRR 6023. Instructors in this category may instruct general topics and may possess, or are eligible to obtain, advanced certification in specialty topics such as firearms and/or defensive tactics. This is the most common method of instructor certification.

The regulation provides for Special Certification, or a waiver of the Instructor Development Course, when an applicant can demonstrate technical expertise and has advanced academic credentials or a unique qualifying experience. The applicant must also be evaluated in the classroom and found to have acceptable instructional skills. Applicants who have earned a Bachelor's Degree in Education (or equivalent), a Master's Degree, a Juris Doctorate (JD), or Doctoral Degree are deemed to have advanced academic credentials. All waivers are issued at the discretion of DCJS.

Approved, or Non-certified Special Topics Instructors, possess advanced academic credentials and a unique qualifying experience. Instructors in this category have not attended an Instructor Development Course and may instruct topics for which they are uniquely qualified only. They are not eligible to obtain advanced certification in specialty topics, such as firearms or defensive tactics without first successfully completing an approved Instructor Development Course. Applicants must be evaluated in the classroom and found to have acceptable instructional skills. For example, a social worker who specializes in domestic violence cases may be approved to provide instruction during the Domestic Violence module of the "Course in Police Supervision."

To become an *Approved* instructor, a candidate must submit an Instructor Personal History Form accompanied by an acceptable Instructor Evaluation, performed by an MPTC certified Instructor Evaluator, to DCJS for consideration. All approvals are issued at the discretion of DCJS. Examples of these forms are contained in Appendix A of this manual.

DCJS maintains a list of specialty topics that require instructors to complete an advanced course of study in order to receive certification. For example, in order to provide instruction in firearms and deadly physical force an instructor must have completed an Instructor Development Course pursuant to 9NYCRR 6023 and successfully completed a Firearms Instructor Course pursuant to 9NYCRR 6024.

All instructors shall be responsible for disseminating the information in the modules assigned them according to the standards established by the MPTC. Instructors may be called upon to provide documentation of their status and DCJS may require any additional information to establish the competence of an instructor or for any other pertinent purpose.

Courses

Courses fall into two categories, those for which the MPTC has established a standard, and those that the MPTC has researched but not yet established a standard. Each of these courses must be filed in accordance with 9NYCRR 6022 and receive DCJS approval to be certified.

If the MPTC has established a minimum standard for an in-service training course, than that curriculum is the minimum acceptable standard for that topic area. Courses of the same nature that fail to meet prescribed standards will not be certified or recorded by DCJS.

Those courses that the MPTC has researched, but not yet established a standard, may also be filed according to 9NYCRR 6022. Courses in this category are referred to as *Miscellaneous In-service Courses*, and can relate to any topic germane to the agency's mission. DCJS will review the curriculum to ensure it meets the generally accepted best-practices throughout the law enforcement community and issue an approval.

Attendance at some in-service courses may require the student has completed specific pre-requisite training courses. For example, in order to attend the *Radar Lidar Operator Course*, the student must have completed, or be enrolled in, a *Basic Course for Police Officers*. Certain Peace Officers whose official duties require them to make vehicle stops in accordance with NYS Vehicle and Traffic Laws, and who can document training in vehicle stops and interpersonal skills equivalent to that of a Police Officer, may request approval from DCJS to attend.

Zone Coordinator Recommendation Form

9NYCRR 6022 requires that all police in-service course curricula are accompanied by a Zone Coordinator Recommendation Form. Police In-service training is defined as training that promotes the continued instruction and study in the attitudes, knowledge, skills, and procedures involved in carrying out the duties and responsibilities of law enforcement which exceeds mandated basic training as defined in the General Municipal Law and Criminal Procedure law.

Each training zone has two zone coordinators, with the exception of New York City and Westchester County, who each maintain one coordinator. The coordinators are chiefs and sheriff's appointed by their respective associations and approved by DCJS.

The Zone Coordinator Recommendation form is to be promulgated and signed by the zone coordinators in the training zone in which the proposed course will take place. A list of current zone coordinators is available by contacting our office.

Curriculum Content Form

In order to receive approval for a course, a course director must first file a DCJS approved Curriculum Content Form. The curriculum content form must consist of a chronological listing of the dates, times and instructors for each module. All courses, including miscellaneous in-service courses (those which the MPTC has not yet established a standard), must be filed with DCJS 45 days in advance of a proposed course. This allows DCJS to review the curriculum and provides the course director with the opportunity to make any necessary adjustments.

Course Approval

Once a curriculum is deemed to meet the established standards, and all necessary documentation is received, DCJS will make written notification of approval to the course director. It is strongly recommended that course directors maintain a copy of the approval letter in the course file.

Attendance

Students shall attend all sessions of an in-service course. A course director may excuse an officer for valid reasons. The course director shall determine the validity of the excuse and may excuse absences of no more than ten percent of the required hours. It is within the course director's purview to require students make up the missed lessons as appropriate.

Examinations

The passing of a written examination, or series thereof, is required for all MPTC approved courses (with the exception of seminars and workshops). Students must achieve a minimum passing score of 70% on the examination, or series of examinations, in order to complete the course. If a series of examinations is administered, the average score must be 70%. If a series of examinations for MPTC mandated topics and agency specific topics are employed, the portion of the course prescribed by the MPTC shall constitute no less than 50% of the final grade. Some courses, such as the *Police Crime Scene and Evidence Specialist Course*, require the students to pass a practical exercise in addition to the written exam. Students must meet the minimum standard established by the course director in order to satisfy this requirement. Failure to successfully complete both the written and practical aspects of a course will result in the student failing the entire course. No partial credit can be given.

Remediation

The course director may remediate any students who have failed to meet the minimum passing requirements for any course, if in their judgment, it is reasonable to believe the student will show improvement with additional training. All remediation must occur within the original time frame of the course. It is suggested that course directors/sponsors consider extra time during, and at the end of a course to allow for potential remediation. For example, schedule one week (40 hours) for the *Latent Print Processing Course – Level I* (28 mandated hours), thus providing additional time to remediate officers who show the ability to improve with additional instruction/practice.

Class Roster / Notification of Completion

Once a course has been completed, the course director has ten days in which to submit a Class Roster/Notification of Completion to DCJS. This form must be typed and contain all required information, including the MPTC approved course title (reference the approval letter), the school sponsor (must be a Police or Peace Officer Employer), the school location, school dates, student information (name, social security number, sex, date of birth, employer, rank, status (full-time/part-time) and whether or not each student satisfactorily completed the course (S) or unsatisfactorily completed the course (U). A Class Roster/Notification of Completion is not valid unless it bears the course directors original signature.

In order to maintain accurate records, incomplete or inaccurate forms will be returned to the course director for completion/correction, thus delaying the posting of records and dissemination of certificates (if appropriate).

Certificates of Completion

It is DCJS policy to issue certificates of completion to registered Peace and Police Officers that successfully complete all aspects of training. Certificates may be issued to civilians who are employed or work in conjunction with law enforcement agencies or academies. A letter from the law enforcement employer or partner approving the civilian for training should accompany the Class Roster / Notification of Completion.

Each course completed by an officer or approved civilian, and reported to DCJS, is posted to that individuals' official training record, however, in order to merit a certificate, the portion of a course prescribed by the MPTC must be greater than eight hours in duration. For example, the *Instructor Development Course* (80 required hours) merits a certificate, yet the *Instructor Evaluator Workshop* (4 required hours) does not.

The same policy applies to Miscellaneous In-service courses; however, since there is no MPTC standard, the course must exceed 8 hours in duration.

Forms

The most current versions of these forms are available on our website at:
<http://www.criminaljustice.state.ny.us/ops/docs/index.htm> or by contacting our office at (518) 457-4135.

Questions

If, after reviewing this guide, school sponsors, directors or instructors have any questions or concerns, please contact DCJS prior to commencing any training.

NYS Division of Criminal Justice Services
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courseapproval@dcjs.state.ny.us

Applicable Laws

Executive Law §845. Central state registry of police officers.

Executive Law §845-a. Central state registry of peace officers.

*Title 9 of the Official Compilation of Codes, Rules, and regulations of the State of New York,
Part 6021: Course in Police Supervision*

*Title 9 of the Official Compilation of Codes, Rules, and regulations of the State of New York,
Part 6022: Police In-service Training Courses*

*Title 9 of the Official Compilation of Codes, Rules, and regulations of the State of New York,
Part 6023: Instructor Standards and Qualifications*

*Title 9 of the Official Compilation of Codes, Rules, and regulations of the State of New York,
Part 6024: Firearms Instructor Standards and Qualifications*