

Basic Course for Correction Officers Administrator's Guide

May 2016



New York State Division of Criminal Justice Services
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Foreword

The Basic Course for Correction Officers Administrator's Guide was developed by the staff of the New York State Division of Criminal Justice Services, Office of Public Safety. This guide is intended to explain the administration of the course.

This guide will define regulations that govern Municipal Police Training Council approval for this course, including the requirements for conducting and reporting training, as well as the responsibilities of the various parties involved.

Preface

It is the goal of the Division of Criminal Justice Services, Office of Public Safety to assist course directors in the administration of law enforcement training in a manner consistent with New York law, regulation and policy.

This guide is designed to provide the information necessary for each course to be administered in a manner that will provide a level of training required to adequately perform public safety functions.

ACKNOWLEDGMENTS

Acknowledging the efforts of people involved in the development of this guide.

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Introduction

Effective October 4, 2009, amendments made to section 840 of the Executive Law authorized the Municipal Police Training Council (MPTC) to promulgate rules and regulations with respect to correctional training programs administered by municipalities.

In an effort to make the process of administering correction officers basic training seamless and consistent with existing regulations, the MPTC has approved Title 9 of the *Official Compilation of Codes, Rules, and Regulations of the State of New York*, Part 6018 (9 NYCRR 6018).

The purpose of 9 NYCRR 6018 is to set forth minimum standards for the Basic Course for Correction Officers with regard to subject matter and time allotments and to set forth clear and specific requirements for administration of a basic course to be followed by course directors and to promulgate rules governing attendance/completion of such course.

On September 19, 2010, Governor Patterson enacted Chapter 491 of the Laws of 2010 which among other amendments, modifies the training requirements for peace officers. Since correction officers are also peace officers under Criminal Procedure Law section 2.30(25), the Basic Course for Correction Officers will satisfy the requirements for peace officer basic training. Additionally, corrections officers who are not authorized by their employer to carry or use firearms will no longer be required to complete initial firearms training as part of basic training.

No employer shall allow a correction officer to carry or use a firearm during any phase of their official duties unless said officer have satisfactorily completed a course of training in the use of firearms and deadly physical force as approved by the MPTC.

The Division of Criminal Justice Services

The MPTC, created under Executive Law §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.

The New York State Division of Criminal Justice (DCJS), Office of Public Safety, serves as the staff arm of the 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

It is the goal of DCJS to assist practitioners in providing quality training for correctional 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.

Establishing a School

A Basic Course for Corrections Officers may be established by a correction officer employer or by a regional law enforcement academy. All approvals are at the discretion of DCJS and are governed by the rules established for the administration of the Basic Course for Correction Officers codified in 9 NYCRR 6018.

School Director

Each school must appoint a school director. The school director serves as the administrator of the course and is responsible for a variety of important tasks that will be explained in this guide. It is preferable for the school director to be a certified MPTC instructor and possess a high level of administrative skill and the ability to work with a diverse student population. All contact with the school is conducted through the director.

The school director is expected to be an administrator who is available to students, instructors, and DCJS staff during school operational hours. Students and instructors should direct all questions or inquiries through the school director. Accordingly, the director must have the level of authority equal to this responsibility.

Instructor Selection

All instructors must meet the Standards and Qualifications established by 9 NYCRR 6023 for certification. There are two categories of instructor for MPTC approved courses, certified and approved. *Certified* instructors have completed an Instructor Development

approved by the MPTC. 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 also provides for Special Certification of instructors, or 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 other doctorate (PhD) 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 domestic violence instruction.

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. Copies of the Instructor Personal History form are available on our website at: <http://www.criminaljustice.state.ny.us/ops/docs/index.htm>.

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 9 NYCRR 6023 and successfully completed a Firearms Instructor Course pursuant to 9 NYCRR 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.

Training Facilities

Classrooms, like those used in any other training venue are sufficient for this program. The classrooms should meet the standards established by the Commissioner of Education for instructional resources set forth in section 52.2 of Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York* (8 NYCRR 52.2)

Firearms range (if conducted) training must be conducted at an appropriate firearms training facility that will support the shooting skills detailed in the Basic Course for Police Officers.

Physical fitness training facilities (if such training is provided) must meet the standards established by the Commissioner of Education for instructional resources set forth in 8 NYCRR 52.2.

The Basic Course for Correction Officers

The MPTC approved the *Basic Course for Correction Officers* curriculum on September 2, 2009. Completion of this course satisfies the requirements for peace officer basic training as established in Article 2 of the Criminal Procedure Law and 9 NYCRR 7017.

This course contains a minimum of 156 hours and must be taught by instructors certified pursuant to 9 NYCRR 6023. Hours may be increased and topics may be added at the discretion of the School Director. An outline of the specific units of the Basic Course for Corrections

Pursuant to 9 NYCRR 6018.4(a), a course director proposing a Basic Course for Correction Officers shall file with the Division, at least 45 days in advance of the designation of the school, a curriculum content form containing: the MPTC approved course title (*Basic Course for Correction Officers*), the location of the school, a chronological listing of the dates/times and

instructors for each module, and shall include both those subjects prescribed by the MPTC. A school must receive Division approval to be offered.

Course Planning

All *Basic Course for Correction Officers* programs are required, by regulation, to "meet or exceed" the minimum standards established by the MPTC. The MPTC encourages schools to exceed the minimum standards by adding hours and objectives for existing units as well as adding new topics to create the best graduates possible. School directors have the flexibility to add scenario based training to provide their students with the ability to practice newly learned skills and be evaluated in a realistic environment.

The rules and regulations for the administration of the *Basic Course for Correction Officers* (9 NYCRR 6018) must be followed when presenting the course. This includes teaching the minimum standard instructional objectives and use of approved curriculum outlines of each unit.

Schools must establish written policies and procedures for the administration of this training. Policy areas must, at minimum, include: attendance, remediation, and retesting.

Pursuant to 9 NYCRR 6018, training must be conducted as a single and cohesive unit. In practical terms, this means that a student must complete all units of the *Basic Course for Correction Officers*, during one session, at one school. Under no circumstances may a student split the training among multiple schools.

It is the school director's responsibility to ensure each instructor is provided with a complete copy of the unit they are assigned to teach.

School directors do not have the authority to disregard or waive any policy, procedure, rule, or regulation established by either the MPTC or by DCJS. Violations may result in revocation of school approval and render any training provided invalid.

The DCJS Office of Public Safety is available to provide any technical assistance required by the school director. Students and instructors should direct all questions or inquiries through the school director.

Firearms Training

The *Basic Course for Correction Officers* does not include initial training in firearms that is mandated for correction officers (peace officers) that are authorized to carry a firearm at any time during the course of their duties. If a course director chooses to include 40 hours of initial firearms training (BCPO Unit 4-M) as part of this course, the curriculum for the range instruction must be submitted. The seven hour Justification - Use of Physical Force/Deadly Physical Force unit (BCPO Unit 3-B) is included in the *Basic Course for Correction Officers*, and need not be repeated.

If the firearms range training (BCPO Unit 4-M) is presented in conjunction with, or immediately following, the course, students who successfully complete the course will be issued an Initial Firearms Course certificate. If the school director or employer elects to conduct initial training in the use of firearms at later date, the entire 47 hours of training (Units 3-B and 4-M) must be provided. No person appointed to a correction officer title shall carry or use a firearm in the course of their official duties until such time as they successfully complete initial training in the use of firearms and deadly physical force as prescribed in Units 3-B and 4-M of the BCPO.

Student Entrance Requirements

Students must be appointed to a correction officer title identified in Criminal Procedure Law §2.10(25) prior to commencement of training. Such officers are eligible for certificates of completion from the Basic Course for Correction Officers as well as certificates of completion for initial firearms training (where appropriate).

Attendance

Students shall attend all sessions of a course. The school director is responsible for maintaining an accurate record of attendance, and may excuse an officer for valid reasons. The school 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 school 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 the *Basic Course for Correction Officers*. 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 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. No partial credit may be

Remediation

The course director may remediate any students who have failed to meet the minimum passing requirements for any course, if in the course director's 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, courses such as initial firearms training to allow for potential remediation. For example, schedule two weeks (80 hours) for the 40-hour firearms practicum thus providing additional time to remediate poor or unsafe shooters who show the ability to improve with additional instruction/practice.

Course Documentation

Curriculum

Pursuant to 9 NYCRR 6018.4(a), a course director proposing a course shall file with DCJS, at least 45 days in advance of the designation of the school a curriculum content form containing the MPTC approved course title, the location of the school, a chronological listing of the dates times and instructors for each module, and shall include all subjects prescribed by the MPTC. A school must receive DCJS approval to be offered.

Approval

Once a curriculum is received, DCJS will make written notification to the course director upon approval of a curriculum. It is recommended that course directors maintain a copy of the approval letter in the course file. Courses must be approved to be offered.

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 the Division. This form must be typed and contain all required information, including the MPTC approved course title (*Basic Course for Correction Officers*), the school sponsor (must be a correction officer employer or academy), 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). A copy of this form is available on our website at <http://www.criminaljustice.state.ny.us/ops/docs/index.htm> or by contacting our office at (518) 457-4135.

Certificates of Completion

It is DCJS policy to issue certificates of completion to registered correction officers that successfully complete all aspects of training. Each Correction Officer shall receive a certificate for the Basic Course for Correction Officers. In addition those who complete initial training in the use of firearms and deadly physical force as prescribed by the MPTC shall receive a certificate for the Initial Firearms Course.

Each course completed by a correction officer and reported to DCJS is posted to that officer's official training record.

Forms

For copies of the most current versions of our forms or publications, please visit 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, course directors or instructors have any questions or concerns, please contact the Division prior to commencing any training.

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Appendix A

COURSE TITLE: Basic Course for Correction Officers

SCHOOL SPONSOR:

SCHOOL DATES:

SCHOOL LOCATION:

SCHOOL DIRECTOR:

| DATE | INSTRUCTIONAL START TIME | HOURS ASSIGNED | MPTC/SCOC COURSE TITLES (Hours REQUIRED) | INSTRUCTOR NAME/DEPARTMENT | INSTRUCTOR CERTIFICATION | EXPIRATION DATE |
|------|--------------------------------|-------------------|--|---|-----------------------------|--------------------|
| | | 2 | Ethics in Law Enforcement (1) | Ethics | | |
| | | 1.5 | Special Needs Inmates | | | |
| | | 4 | Personal Awareness | | | |
| | | 7.25 | Legal Issues | Constitutional Law (1) Civil Law (1) Court Room Structure (1) | | |
| | | 8 | Essential Services | | | |
| | | 8 | Security and Supervision | | | |
| | | 8 | Security and Supervision | Search and Seizure (1) | | |
| | | 8 | Effective Communications | Conflict Resolution (2) | | |
| | | 6 | Effective Communications | Interview and Interrogations (1) | | |

| DATE | INSTRUCTIONAL START TIME | HOURS ASSIGNED | MPTC/SCOC COURSE TITLES (HOURS REQUIRED) | INSTRUCTOR NAME/DEPARTMENT | INSTRUCTOR STATUS | EXPIRATION DATE |
|------|--------------------------------|-------------------|--|---|----------------------|--------------------|
| | | 8 | First Aid/CPR | | | |
| | | 8 | Suicide Prevention | | | |
| | | 2 | Stress Management | | | |
| | | 1 | Interagency Cooperation | | | |
| | | 3 | Sexual Harassment | | | |
| | | 4 | Inmate Transportation | Agency Arrest and Custody Procedures | | |
| | | 2 | Manipulation by Inmates | | | |
| | | 4 | Sexual Misconduct | | | |
| | | 2 | Court Room Testimony | Court Room Testimony (1) | | |
| | | 2 | Incident Prevention Management for Housing Units | Eyewitness ID (.5) | | |

| DATE | INSTRUCTIONAL START TIME | HOURS ASSIGNED | MPTC/SCOC COURSE TITLES (HOURS REQUIRED) | INSTRUCTOR NAME/DEPARTMENT | INSTRUCTOR STATUS | EXPIRATION DATE |
|------|--------------------------------|-------------------|--|-------------------------------|----------------------|--------------------|
| | | 2 | Crime Scene Preservation Rules of Evidence (1) Crime Scene and Evidence Collection (1) | | | |
| | | 3 | Written Communication Rules of Evidence (1) Report Writing (2) | | | |
| | | 3.5 | Hostage Survival | | | |
| | | 2 | Investigations by Peace Officers Preliminary Investigations (1) | | | |
| | | 11 | Penal Law Penal Law Article 35 - Use of Deadly Physical Force (7) Penal Law – Agency Mission Specific (3) Penal Law Article 265.20 – Powers of a Peace Officer to possess a Firearm not owned by the Peace Officer (1) | | | |

| DATE | INSTRUCTIONAL START TIME | HOURS ASSIGNED | MPTC/SCOC COURSE TITLES (HOURS REQUIRED) | INSTRUCTOR NAME/DEPARTMENT | INSTRUCTOR STATUS | EXPIRATION DATE |
|------|--------------------------------|-------------------|---|--|----------------------|--------------------|
| | | 8 | Criminal Procedure Law | Criminal Procedure Law- Section 2.20 Powers of a Peace Officer (2) Laws of Arrest (2) Accusatory Instruments (1) Miranda Warning (.5) Statements/Confessions (1) Interview and Interrogation (1) Agency Arrest and Custody Procedures (.5) | | |
| | | 3.5 | Fire Prevention | | | |
| | | 24 | Defensive Tactics | Investigations by Peace Officers | | |
| | | 3 | Impact Weapons | | | |
| | | 7 | Aerosol Subject Restraint Devices | Intro and Overview of OC Products (1.5 hrs) Criteria for Selection of OC Products (1.5 hrs) Operational Guidelines (4 hrs) | | |