



# Training Guide for Peace Officer Employers



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

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## **Foreword**

The Training Guide for Peace Officer Employers 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 peace officer basic training.

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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## Table of Contents

Introduction .....	1
The Division of Criminal Justice Services.....	3
Establishing a School .....	3
Instructor Selection .....	4
Training Facilities.....	5
Equivalent Training.....	6
Basic Course for Peace Officers .....	7
Attendance .....	8
Examinations .....	8
Remediation .....	9
Course Documentation.....	9
Certificates of Completion.....	10
Initial Firearms Training.....	10
Annual Firearms and Other Weapons Training .....	11
Attendance .....	12
Examinations .....	12
Remediation .....	12
Course Documentation.....	13
Certificates of Completion.....	14
Forms .....	14
Questions .....	15
Appendix A.....	16

## **Introduction**

On July 3, 2007, Governor Spitzer vetoed bill number S5726 proposing the creation of several new designations of peace officer. In his veto message, the Governor cited, as his reasoning, inadequate laws governing the training of peace officers, more specifically the limitation placed on the maximum hours of training which can be established by the Municipal Police Training Council. Governor Paterson continued to veto similar peace officer bills in the interim citing the same reasons.

Peace officers have many of the same legal powers as police officers, including the power to use force to make arrests, make warrantless arrests, conduct warrantless searches and issue appearance tickets. These are very far-reaching powers that should not be granted lightly, and should only be granted to those who have received sufficient training. Staffs from the Governor's office, the legislature and the Division of Criminal Justice Services examined the role of the peace officer in the contemporary law enforcement environment; the statutory authority granted to all designations of peace officer and contrasted that with a training standard which remained unchanged since September of 1980. The result was legislation which amended the Criminal Procedure Law to permit the MPTC to prescribe a training program commensurate with the authority granted all designations of peace officer.

On September 19, 2010, Governor Paterson enacted Chapter 419 of the Laws of 2010 (Effective January 1, 2011), which has significant impact on peace officer training, to include:

- Elimination of the reduced training standard for part-time peace officers. As the duties and powers of a peace officer are the same regardless of the number of hours per week an officer works, it is illogical and irresponsible to maintain a reduced [hours] training program. This will only affect those peace officers appointed on or after January 1, 2011.

- Elimination of the mandate that certain designations of peace complete initial firearms training as part of their basic training. Essentially, only peace officers [appointed on or after January 1, 2011] that have access to a firearm during any phase of their official duties will be required to complete initial firearms training. This is a significant departure from prior practice wherein certain classifications of peace officers were deemed armed by virtue of their statutory designation - regardless of whether the employer authorized the use of firearms. Such designations were mandated to complete initial firearms training as part of their basic training.
- Removal of the employer specific training as a condition of approval of the *Basic Course for Peace Officers*. Employers are still required to deliver training specific to the special nature of the officer's duty; however, it is no longer a requirement for MPTC certification may be delivered outside the confines of the *Basic Course for Peace Officers* in a time frame and format determined by the employer.
- An increase in the maximum number of hours the MPTC may prescribe for peace officer basic training from 35 to 180 hours and will affect only those peace officers appointed on or after June 2, 2011. Persons appointed as peace officer will be subject to the training requirements in place at the time of their appointment.

Once a term is defined in this manual, it is the only meaning for that term. For example, "peace officer" shall mean a peace officer as defined in article 2 of the Criminal Procedure Law. Since regulation authorizes the issuance a certificate for the Basic Course for Peace Officer to a registered peace officer, the Division can only issue a certificate to a person who has been appointed to a position named in those sections. If a person is not registered pursuant to §845 of the Executive Law or a civilian is enrolled in the course, they are not eligible to receive an MPTC certificate.

## **The Division of Criminal Justice Services**

The Municipal Police Training Council (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 rules and regulations for the Basic Course for Peace Officers are codified in Title 9 of the *Official Compilation of Codes, Rules and Regulations of the State of New York* (9 NYCRR), Part 6025.

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 minimum standards established by the MPTC.

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.

### **Establishing a School**

A *Basic Course for Peace Officers* may be established by a peace 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 *Basic Course for Peace Officers* codified in 9 NYCRR 6025.

### **School Director Selection**

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 Course 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. A copy of the Instructor Personal History form is 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 training (if conducted) must be delivered at an appropriate firearms training facility that will support the shooting skills detailed in the Basic Course for Police Officers.

Driver training facilities (if such training is provided) must be conducted in an area that will support the driving 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.

### **Equivalent Training**

Since the course is based upon units from the *Basic Course for Police Officers*, the Division will conduct an evaluation of prior police training received while an applicant was employed as a police officer in a jurisdiction outside New York State. The officer must be duly appointed to a peace officer position and the request for an evaluation must be made by the chief executive of the employer.

Newly appointed peace officers who hold a valid MPTC Basic Course for Police Officers are not required to complete this course. Validity of a certificate is determined pursuant to the provisions of section 209-q of the General Municipal Law.

Students who hold a valid Pre-Employment Police Basic Training Course record on an Official Transcript from an accredited college located in New York State are not required to complete the entire course. These students will be required to successfully complete the following units of instruction within one year of appointment as a peace officer:

- Impact Weapons                      3 hours
- Firearms (if armed)      40 hours

### **Basic Course for Peace Officers**

The *Basic Course for Peace Officers* is comprised of select units of the Basic Course for Police Officers (BCPO) curriculum. All basic training 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 Peace Officers* (9 NYCRR 6025) 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 6025, 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 Peace 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.

### **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 Peace 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 given.

## **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 6025.4(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 Peace Officers*, the school sponsor (must be a law enforcement agency 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**

Peace officers, appointed pursuant to Criminal Procedure Law §2.10 or §2.16 who successfully complete the *Basic Course for Peace Officers* will be granted MPTC certificates for the:

- Basic Course for Peace Officers, and
- Initial Firearms Course (where appropriate)

Peace officers that attend an entire Basic Course for Police Officers instead of this course will be issued MPTC certificates for the:

- Basic Course for Peace Officers, and
- Initial Firearms Course

### **Initial Firearms Training**

The *Basic Course for Peace Officers* does not include initial training in the use of firearms mandated for 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 Peace 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 (Basic Course for Police Officers Units 3-B and 4-M) must be provided. No person appointed to a peace 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 by Criminal Procedure Law.

### **Annual Firearms and Other Weapons Training**

Criminal Procedure Law requires each peace officer authorized by their employer to carry or use a firearm and/or other weapon in any phase of their official duties must annually complete a course of training in the justification of the use of force/deadly physical force and in the use of firearms and/or other weapons. This/these course(s) need not be conducted on an anniversary basis, however, must be completed at least once during each calendar year.

Peace officers not authorized by their employer to carry or use a firearm or other weapons are not required to complete annual training.

Employers should pay special attention to the weapon indicator when registering peace officers. Those who are unarmed should be designated as such to avoid being identified as deficient in annual training.

## Attendance

Students shall attend all sessions of annual training. The school director is responsible for maintaining an accurate record of attendance.

## Examinations

The passing of a written examination is required for both the *Annual Firearms Course and Annual Other Weapons Courses*. Students must achieve a minimum passing score of 70% on the examination, or series of examinations, in order to complete the course.

Each student attending the *Annual Firearms Course* must satisfactorily complete a fifty (50) round qualifying course, fired double action with the dominate hand from the instructor's positions of choice is required. The use of cover is encouraged, but is optional. A silhouette target is used with a scoring area equal to, or smaller than that of, the standard B-27 target. Trainees are required to fire a qualifying score of 70 percent (175 of a possible 250) with service/duty ammunition.

## Remediation

The course director may remediate any peace officer that failed to meet the minimum passing requirements for the 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 annual firearms training to allow for potential remediation. For example, schedule two days (16 hours) for the 6-hour firearms practicum thus providing additional time to remediate poor or unsafe shooters who show the ability to improve with additional instruction/practice. All qualifying course of fire must be completed using the duty firearm and duty ammunition.

The implementation of “force on force,” or like scenarios, are excellent teaching methods. However, they should not be conducted with firearms that fire live ammunition. Only handguns that will not fire live ammunition (either temporarily converted or dedicated) should be used in conjunction with the appropriate safety equipment - like eye protection. These handguns include marked cartridge firing or molded dummy handguns that will properly fit the students ‘duty holster.

### **Course Documentation**

Pursuant to 9 NYCRR 6025, peace officer employers may attest that all necessary annual firearms and/or other weapons training was conducted as required on the annual validation of peace officer data submitted by January 15 of each year.

Employers may also file the course curriculum and class roster/notification of completion with the Division. Courses filed in this manner will be recorded on each peace officer’s official training record.

### **Curriculum**

Pursuant to 9 NYCRR 6025.4(a), a course director proposing an annual 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.

### **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.

## **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 *Annual Firearms Course* or *Annual Other Weapons Course - (weapon type)*, the school sponsor (must be a law enforcement agency 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**

Certificates of completion are not issued for annual training. Courses reported to the Division pursuant to 9 NYCRR 6025 will be reflected on the official training record of each peace officer.

## **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

New York State Division of Criminal Justice Services  
**BASIC COURSE FOR PEACE OFFICERS – CURRICULUM CHECKLIST**  
MPTC Approved 06/01/11

Basic Course for Police Officers Part/Module Name	Required Hours	Actual Hours
<b>Part 2 - Introduction to Law Enforcement</b>		
2-A. Constitutional Law	2	
2-B. Discretionary Powers	2	
2-C. Ethical Awareness	2	
<b>Total</b>	<b>6</b>	
<b>Part 3 - Laws of New York State</b>		
3-A. New York State Penal Law Offenses	16	
3-B. Justification - Use of Physical Force & Deadly Physical Force	7	
3-C. New York State Criminal Procedure Law Standards of Proof                      Accusatory Instruments Laws of Arrest                              Appearance Tickets Search and Seizure                      Evidence Concepts (Rules of Evidence) Stop, Question, and Frisk              Eyewitness ID Interview and Interrogation              Criminal Procedure Law §2.20	21	
<b>Total</b>	<b>44</b>	
<b>Part 4 - Law Enforcement Skills</b>		
4-J. Interpersonal Skills - Arrest Techniques Communication/Interpersonal Skills      Impact Devices Defensive Tactics                              Crowd and Riot Control Formations Aerosol Devices                                Rapid Deployment and Active Shooter	40	
4-M. Penal Law §265.20 / Firearms Safety and Handling	3	
4-S. Off Duty and Plain Clothes Police Encounters	4	
<b>Total</b>	<b>47</b>	
<b>Part 7 - Investigations</b>		
7-C. Preliminary Investigation and Information Development	2	
<b>Total</b>	<b>2</b>	
<b>Local Training Options</b>		
	<b>0</b>	
<b>Total Hours Required for a Basic Course for Peace Officers:</b>		
	<b>99</b>	
<b>Reviewed By:</b>		<b>Date:</b>