



CRIMINAL JUSTICE TRAINING IN VIRGINIA

# FUTURE DIRECTIONS



102151

Commonwealth of Virginia  
Criminal Justice Services Board  
Training Advisory Committee

CRIMINAL JUSTICE TRAINING IN VIRGINIA:

FUTURE DIRECTIONS

U.S. Department of Justice  
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Criminal Justice Services Board  
Training Advisory Committee  
May, 1985

## ACKNOWLEDGMENTS

The Department of Criminal Justice Services gratefully acknowledges the untiring efforts of the members of the Training Advisory Committee. They shared the concern for the future direction of criminal justice training in Virginia and worked diligently to insure the completion of this report.

The original list of issues considered by the Committee was composed, in part, of issues developed by the various training academy directors and board chairmen. It is because of their thoughtful replies that the Advisory Committee was able to confront a wide variety of issues.

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## ORIGIN OF THE ISSUES AND THE TRAINING ADVISORY COMMITTEE

During February and March of 1984, the Department of Criminal Justice Services (DCJS) held meetings with training academy directors and regional academy board chairmen to discuss training concerns. As a result of those meetings, it was decided that a planning group of state and local officials should work together to develop a long-range plan for the future of criminal justice training in the state.

The Training Advisory Committee (TAC) was formed as an advisory group to the Committee on Training of the Criminal Justice Services Board. Sheriff Clay Hester, who was vice-chairman of the Committee on Training, chaired the group.

All training academy directors and board chairmen were sent letters asking them to provide issues which they felt were most important to the future of training and should be addressed by the committee. These suggestions were supplemented by issues from the standards and goals in training established by the Commission on Accreditation for Law Enforcement Agencies, and publications such as "Crime and the Justice System in Virginia."

Fifty-seven distinct issues were derived from the various sources of input. They fell into six general categories:

- Academy Funding/Administration
- Mandated Training
- Specialized Training/Facilities
- Field Training
- Instructors
- Higher Education

Each member of the TAC was asked to prioritize the issues in each category in order of importance, and the top 25% of each category's prioritized issues were selected to be the most important for consideration and action through 1988.

Each of the TAC's three subcommittees was assigned issues in two of the categories identified above. The subcommittee reviewed each issue, the history behind the issue, a rationale for change, the impact on affected groups, and then formulated a recommendation. Each subcommittee presented its recommendations to the full committee for comment and tentative approval at a meeting on November 29, 1984.

The full committee met again on February 7, 1985 to adopt the recommendations made in November along with corrections or amendments suggested at that meeting.

The completed recommendations were submitted to the Criminal Justice Services Board's Committee on Training (COT) where they were approved with several minor modifications. Following the COT meeting on April 3, 1985, the full Criminal Justice Services Board (CJSB) approved the recommendations as amended.

The recommendations contained herein are the final recommendations approved by the CJSB on April 3, 1985.

## RECOMMENDATIONS OF THE TRAINING ADVISORY COMMITTEE

### RECOMMENDATION 1 - Academy Accreditation/Certification

THAT THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES MOVE FORWARD WITH THE DEVELOPMENT AND IMPLEMENTATION OF AN ACADEMY ACCREDITATION/CERTIFICATION PROCESS.

#### Discussion

Present methods fall short of complete assurance of quality in training. Certification would provide a clear definition of requirements and obligations. The process should be developed by a committee representing all relevant interests. There should be some allowable "grace" period prior to implementation. Decertification should be preceded by some formal attempt to gain compliance from the academy director and his/her agency administrator and/or board of directors. Certification should be mandatory. In developing such standards, consideration should be given to tying recommendations for facilities and equipment to the availability of state funding.

#### History and Current Status

Presently, training academies in Virginia are not required to be certified by meeting any established criteria in order to offer classes. The Department of Criminal Justice Services (DCJS) does approve the yearly applications from all training centers, and insures that the classes offered meet or exceed the requirements. The DCJS field representatives monitor the mandated training programs to verify the course and testing content.

### Rationale for Change

There is clearly a precedent for considering a certification or accreditation process for criminal justice training academies. A number of other states now require that training centers meet certain requirements and standards. The recent movement to certify/accredit law enforcement agencies through the Commission on Accreditation for Law Enforcement has implications for setting and enforcing standards for training.

### Factors Affecting Implementation

- ° Acceptance by academies and their governing bodies

### Programmatic Impact

- ° Academies will be required to meet specific standards
- ° Modification of DCJS approval procedures and criteria

### Financial Impact

- ° Additional state and local funds may be necessary to meet the criteria as established

### Legislation/Regulation

- ° Regulations would be required to establish standards for all approved/certified training academies

### Groups and Agencies Directly Affected

- ° All training academies
- ° State and local units of government
- ° D.C.J.S.

## RECOMMENDATION 2 - Alternative Funding Methods for Academies

THAT AN ALTERNATIVE METHOD OF FINANCIAL SUPPORT FOR LAW ENFORCEMENT TRAINING BE DEVELOPED.

### Discussion

Any alternative method developed should not decrease funds already being made available to the regional academies.

### History and Current Status

The monies appropriated by the legislature provide only a small amount of the total cost of training criminal justice personnel in Virginia each year. The funds are awarded to the seven funded regional academies on a 60%-40% basis, with the state providing the 60% and the participating localities providing the remainder. Even the 100% total does not reflect the total costs of running the training centers, the time donated by instructors or the costs of the students' time.

In addition to the seven state funded centers, there are three regional training centers that do not receive state funds, and eight departmentally affiliated academies that provide basic training. To this total of eighteen must be added twenty-three other training centers that provide some type of criminal justice training. The result is that the 60% provided by the state is overstating state support based on total training costs.

Since the implementation of the funded regional training center concept in 1981, the annual allocation to be distributed to the academies has increased relatively little, requiring that localities bear a greater portion of the total.

At the present time, approximately two-thirds of the officers in the state (excluding the State Police) are trained at the state funded regional academies. In all probability this will be reduced in the future, based on the announced intention of Fairfax County to cease using the Northern Virginia Academy, and the fact that several of the larger agencies are members of regional centers but provide for most of their own training needs.

#### Rationale for Change

Four years have now passed since the implementation of the regional concept, which was designed in 1980. During that time, several new regional training facilities have been formed, and the costs of providing training have continued to escalate.

Other states have developed alternative means of funding training which include: flat aid amounts per trained officer; penalty assessments on criminal and traffic fines; formula grants; and other direct funding by the legislature. In the years ahead, some other funding method may be more appropriate to meet the needs of Virginia's criminal justice agencies.

#### Factors Affecting Implementation

- ° Would require a constitutional amendment
- ° Legislative support

#### Programmatic Impact

- ° Provide a source of continuous funding

Financial Impact

- ° Ease the burden on participating localities for providing training funds

Legislation/Regulation

- ° Such a proposal, if adopted, would require legislative action

Groups and Agencies Directly Affected

- ° State and local units of government responsible for the allocation and collection of funds

### RECOMMENDATION 3 - State to Assume Costs for All Mandated Training

THAT THE STATE BEAR THE COSTS FOR ALL MANDATED CRIMINAL JUSTICE TRAINING.

#### Discussion

This recommendation is tied to Recommendation 1, requiring accreditation, and 4, which would reassess the need for regional training centers.

#### History and Current Status

When the state decided to provide funding for seven regional training centers, the issue of the amount of funding to be provided by the state was discussed and the 60-40 ratio was adopted. A more detailed discussion of the existing funding methods is contained under this section for Recommendation 2.

#### Rationale for Change

The resolution of this issue is linked to Recommendation 1 - accreditation of academies, 2 - alternative methods of funding for academies, 4 - which would reassess the need for regional training centers, and 9 - development of a single statewide training facility. Decisions made in connection with these recommendations may have an impact on the funding of all mandated training

#### Factors Affecting Implementation

- ° Legislative support

Programmatic Impact

- ° State and local roles in program operation would require definition

Financial Impact

- ° A detailed study of the total costs of criminal justice training would have to be conducted
- ° Appropriation of state funds to the level indicated by study

Legislation/Regulation

- ° Amend Appropriations Act

Groups and Agencies Directly Affected

- ° All state and local units of government employing personnel who are required to meet compulsory minimum training standards
- ° D.C.J.S.

#### RECOMMENDATION 4 - Reexamination of the Regional Academy Configuration

THAT THE CRIMINAL JUSTICE SERVICES BOARD HIRE A PRIVATE CONTRACTOR TO CONDUCT A FOLLOW-UP TO THE STUDY DONE BY DIVERSIFIED MANAGEMENT RESEARCH CORPORATION (DMRC) IN 1979.

##### Discussion

The committee recommended that the training delivery system be re-examined, especially as it relates to the regional academy configuration, and that an outside consultant should be used because of the complexity and sensitivity of the issue. The committee expressed a feeling that many things have changed since the recommendations of the DMRC study were implemented, and it is time to reassess the conclusions drawn at that time. The other recommendations in this report dealing with funding should be considered in the context of the results of this proposed reassessment.

##### History and Current Status

In 1979, a study conducted by DMRC recommended that the number of training centers, then at twelve, be reduced. DMRC recommendations included several alternatives, from a minimum of one centralized academy to a maximum of eight. A bill subsequently passed by the legislature increased the number to thirteen. That bill was vetoed by the Governor, and the final determination that the state would fund seven regional academies was made by the Criminal Justice Services Commission.

In addition to the seven funded regional academies, there are three other regional academies, one each in Fredericksburg, Salem and Richmond. Eight other departmentally affiliated academies also provide basic training, for a total of eighteen academies. Twenty-three other approved training centers provide some type of in-service or specialized training.

The above is not intended to infer that the reason for the other training academies is that the regional configuration presently used is inappropriate, only that, for whatever reason, these other centers provide training.

#### Rationale for Change

Perhaps rather than "rationale for change" this section should be titled "rationale for reevaluation." Because of the proliferation of independent academies, it may be time to reevaluate the seven academy configuration to insure that reasonable accessibility is available to all criminal justice agencies.

#### Factors Affecting Implementation

- ° None anticipated

#### Programmatic Impact

- ° None anticipated

#### Financial Impact

- ° Appropriation of funds to commission the study

#### Legislation/Regulation

- ° Amend Appropriations Act

#### Groups and Agencies Directly Affected

- ° D.C.J.S. reference management of study

## RECOMMENDATION 5 - New Officers to Complete Training Before Assuming Duties

THAT THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES INITIATE A STUDY TO DETERMINE THE IMPACT THE BELOW-LISTED POLICY WOULD HAVE ON POLICE DEPARTMENTS, SHERIFFS' DEPARTMENTS AND LOCAL GOVERNMENTAL AGENCIES.

**THE POLICY STATEMENT IS: EVERY LAW ENFORCEMENT AGENCY MUST REQUIRE ALL NEW OFFICERS TO COMPLETE THE RECRUIT TRAINING BEFORE BEING ALLOWED TO EFFECT AN ARREST OR CARRY A FIREARM, UNLESS SUPERVISED BY A FIELD TRAINING OFFICER.**

### Discussion

Implementation of this recommendation would require a review of the current training delivery system and an exploration of ways to fund academies at a level sufficient to provide an adequate number of classes to accommodate the training requirement. Presently, there is a delay in the training of some officers due to the relative infrequency of scheduled academy classes.

### History and Current Status

Section 4.0,A of the Rules Relating to Compulsory Minimum Training Standards for Law Enforcement Officers, indicating time requirement for completion of training, technically allows an officer to complete training anytime within twelve months of date of employment. There is no restriction on the functions that such an officer can perform within the scope of his/her duties prior to completing training. Any such restrictions are imposed at the discretion of the chief, sheriff, or agency administrator.

### Rationale for Change

The authority exercised by law enforcement officers in the performance of their duties can have serious consequences for the individuals with whom officers have contact. Such contacts present opportunities for litigation against law enforcement agencies at any time. The probability of such

litigation increases when the officers involved are untrained and not under the direct supervision of properly trained officers who can give necessary technical assistance to effect the proper course of action. Such a training and supervision requirement as noted above is likely to reduce possible adverse decisions against departments for improper action, failure to train, or negligent supervision.

Factors Affecting Implementation

- ° None anticipated

Programmatic Impact:

- ° None anticipated unless results of the survey indicate a change in the current status be made.

Financial Impact:

- ° None anticipated

Legislation/Regulation:

- ° None

Groups and Agencies Directly Affected:

- ° D.C.J.S.

## RECOMMENDATION 6 - Development of A Statewide Competency Examination

THAT THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES PROCEED WITH THE DEVELOPMENT OF A COMPETENCY EXAMINATION FOR LAW ENFORCEMENT ACADEMY GRADUATES.

### Discussion

Any such competency examination should be pilot-tested statewide for a pre-determined time period, and not be binding until it has been properly field tested. The Department should encourage interested, qualified parties to provide input and assistance in the development.

### History and Current Status

Prior to July 1, 1984, officers graduating from an approved training school did so by scoring a 70% in all identified grading categories. Further, successful completion of the firearms requirements enumerated by the Department of Criminal Justice Services was required. Effective July 1, 1984 the Rules Relating to Compulsory Minimum Training Standards for Law Enforcement Officers were amended to the current performance based training program requiring the trainee to successfully complete all identified objectives prior to successful completion of an approved law enforcement training school. Within the rules, the conditions under which each objective must be completed are identified, as is what performance is required. The criteria for pass/fail threshold are left to the discretion of academy staff and volunteer instructors.

As a result, law enforcement officers throughout the Commonwealth are currently required to complete each performance objective. They are not required, however, to meet a uniform statewide standard for passing.

### Rationale for Change/Modification

Citizens of the Commonwealth, Chiefs of Police, Sheriffs, and Agency Administrators have the expectation that a law enforcement officer employed by the state or a political subdivision thereof who has previously met the compulsory minimum training standards promulgated by the Criminal Justice Services Board should possess a certain base of knowledge and level of performance. A law enforcement officer should be able to adequately perform at a minimum level regardless of the geographic area of the Commonwealth in which he or she is employed.

Competency testing has been common in other occupations and professions for many years. Dentists, real estate agents and mechanics providing motor vehicle inspections are common examples.

### Factors Affecting Implementation

- ° Possible EEO/Affirmative Action challenges to exam validity

### Programmatic Impact:

- ° D.C.J.S. staffing and task assignments

### Financial Impact

- ° Personnel costs to develop and pilot test examination

### Legislation/Regulation:

- ° Existing regulations would have to be amended to provide for new requirement, if implemented.

Groups and Agencies Directly Affected:

- ° State and local law enforcement agencies
- ° D.C.J.S.
- ° Approved training academies providing entry level law enforcement training

## RECOMMENDATION 7 - Mandated Training At All Functional Levels

THAT THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES, BY WORKING WITH THE VIRGINIA ASSOCIATION OF CHIEFS OF POLICE AND THE VIRGINIA STATE SHERIFFS' ASSOCIATION, IDENTIFY THE NECESSARY AREAS OR FUNCTIONAL LEVELS NECESSITATING MANDATED TRAINING.

### Discussion

There should be mandated training at all functional levels of law enforcement. The Department should seek to amend the current rules as a means of achieving this recommendation. If the change is made, persons who attend the mandated training should be tested at the completion of their courses.

### History and Current Status

Presently, the Criminal Justice Services Board promulgates regulations for basic entry level training, in-service training, and for undercover officers who have not completed the entry level training. Specific requirements are set forth for all programs with the exception of law enforcement in-service. However, once an individual has completed entry level training, there are no mandates for specialized training related to functional assignments. Therefore, an officer can be assigned to a functional area with no prior training to prepare the individual for the tasks to which he/she may be assigned.

### Rationale for Change

The purpose of entry level training is to provide the knowledge, skills and abilities necessary for an officer to capably perform at a basic level. The program was never intended to meet all training related needs for law enforcement personnel. As an individual progresses within a department,

the assumption is that his or her basis of knowledge will expand due to experience and further training. Currently, the responsibility for obtaining such training for an officer rests directly with the chief, sheriff or agency administrator. Further, attendance by an officer depends on the availability of such training, manpower needs of the department and fiscal considerations.

Mandatory requirements for such training would assure the public-at-large that a certain minimal level of proficiency has been achieved by officers performing critical functions.

#### Factors Affecting Implementation

- ° Agreement on functional levels requiring training by the Virginia Association of Chiefs of Police, Virginia State Sheriff's Association and Criminal Justice Services Board
- ° Academies would have to provide sufficient course offerings

#### Programmatic Impact

- ° More structured in-service offerings

#### Financial Impact

- ° None anticipated

#### Legislation/Regulation

- ° Existing regulations would have to be amended.

#### Groups and Agencies Directly Affected

- ° D.C.J.S.
- ° State and local law enforcement agencies
- ° Approved training academies

RECOMMENDATION 8 - Expansion of Standards for Court Security Officers and Jailors

THAT THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES REVIEW CURRENT RULES IN ACCORDANCE WITH THE ADMINISTRATIVE PROCESS ACT, AND SEEK TO AMEND THE PRESENT RULES PERTAINING TO MINIMUM TRAINING STANDARDS FOR COURT SECURITY OFFICERS AND JAILORS TO INCLUDE LAWS OF ARREST, SEARCH AND SEIZURE, LAW ENFORCEMENT LIABILITY AND ARREST PROCEDURES.

Discussion

The committee believes that the minimum training standards for court security officers and jailors should be expanded to include laws of arrest, search and seizure, law enforcement liability, and arrest procedures.

History and Current Status

The current rules for court security officers and jailors were developed in conjunction with the Training Committee of the Virginia Sheriffs' Association. The Rules Relating to Compulsory Minimum Training Standards for Jailors or Custodial Officers of Local Criminal Justice agencies were last amended July 6, 1983 to reflect 104 hours of classroom training with an additional firearms requirement. The Rules Relating to Compulsory Minimum Training Standards for Courthouse and Courtroom Security Officers were last amended November 10, 1982 to reflect a total of 60 hours of training required. Presently, the minimum training standards for Courthouse and Courtroom Security Personnel are being reviewed for possible revision. Neither set of regulations require the subject matters set forth in this Recommendation.

Rationale for Change

Although mandatory training is established for these personnel, it has historically been directed toward their primary duties. However, the oppor-

tunity exists for jailors and courtroom security personnel to effect arrests and make searches subsequent to those arrests. In such situations, the officers and their department may be held liable for improper actions. Training for these officers as recommended may help to reduce possible liability due to improper action.

Factors Affecting Implementation

- ° Concurrence by the Virginia State Sheriffs' Association

Programmatic Impact

- ° Increase amount of mandated hours of training and testing

Financial Impact

- ° None anticipated

Legislation/Regulation

- ° Amend existing regulations

Groups and Agencies Directly Affected

- ° Sheriffs' departments and regional jail complex personnel
- ° Approved training schools

## RECOMMENDATION 9 - Consolidation of Training Into A Single Statewide Facility

THAT THE STATE CONSTRUCT AND OPERATE A CENTRAL TRAINING FACILITY DESIGNED TO PROVIDE QUALITY, UNIFORM INSTRUCTION IN SPECIAL SKILL AREAS, SUCH AS DRIVER TRAINING, FIREARMS, AND DEFENSIVE TACTICS.

### Discussion

The facility should include housing for students and adequate classrooms to conduct simultaneous training sessions. Siting and construction of a facility should allow for expansion and growth. The instructors for such training should also be trained at this facility. With the exception of specialized training, mandated training for local personnel should still be given at regional or independent academies.

### History and Current Status

The General Assembly passed a Joint Resolution in 1978 which directed the State Crime Commission, in conjunction with the Joint Legislative Audit and Review Commission and the Secretary of Public Safety, to study law enforcement training and recommend potential delivery systems. The study was directed at maintaining law enforcement training in anticipation of the loss of federal funding.

Diversified Management Research Corporation (DMRC) was contracted to perform the study. The advisory committee decided that DMRC should not include the state police and corrections academies in the analysis and should focus only on local law enforcement training. DMRC developed a selection of eleven alternatives ranging from a large number of regional academies to a single, central academy. The legislative study committee decided on a system

of eight regional academies. In its discussion the study committee commented that, while the central academy provided the greatest quality control of training, the capital cost of a new facility and the local fear of state control were disadvantages.

Many of the states in the Southeast have central academies which provide training for state and local law enforcement officers. The State of Georgia is currently constructing a Public Safety Training Center that will provide all training for state law enforcement officers and specialized training for local officers. The center will also train firefighters, game wardens, emergency medical personnel (rescue squads), prosecutors, and judges. Basic and in-service law enforcement training is still performed by regional academies in Georgia.

Since the 1978 study, there has also been a recommendation made by a Subcommittee on Pursuit/Driver Training recommending the creation of a single, central driver-training facility to service the needs of state and local officers.

#### Rationale for Change

The Subcommittee on Pursuit Driving realized that replicating driver training tracks throughout the state was too expensive and not cost effective. The same argument holds true for other training facilities. Indeed, no regional academy in the state was designed as a training facility. Most of them are housed in former elementary schools. These offer classroom space, but little else in terms of firing ranges, driver tracks, obstacle courses, aquatic facilities and other physical facilities. To provide each region with such facilities would be costly and still not provide for statewide quality-controlled training for officers.

The need for the Department of Corrections to locate a new training facility and the need of the state police to repair and expand their facility have already raised concerns for a cost-effective training delivery system at the state level. This need, along with the need for a driver-training facility and the specialized training needs of local officers, on the surface appear to strongly argue in favor of some type of shared facility.

#### Factors Affecting Implementation

- ° Legislative support
- ° Endorsement by local units of government
- ° Site location adequate to accomodate needs

#### Programmatic Impact:

- ° Standardization of program offerings
- ° Increase the quantity and scope of statewide specialized training programs

#### Financial Impact:

- ° Initial cost of construction or renovation
- ° Pre-planning architectural workup
- ° Site acquisition/lease
- ° Increase in funding to regional academies
- ° Staffing, maintenance and operational costs

Legislation/Regulation

- ° Amend Appropriations Act
- ° Enabling legislation for operation

Groups and Agencies Directly Affected

- ° All approved training academies
- ° State and local units of government
- ° D.C.J.S.

## RECOMMENDATION 10 - Construction of A Statewide Driver Training Facility

THAT THE STATE CONDUCT A SURVEY OF POTENTIAL SITES FOR A CENTRALLY LOCATED FACILITY FOR DRIVER TRAINING AND PROCEED WITH THE CONSTRUCTION OF SUCH A FACILITY.

### Discussion

The state should construct regional or a centralized driver training facility(s) for use by state and local law enforcement agencies. Primary consideration should be given to state-owned land that can provide the necessary acreage of such a facility. Federal or locally donated land should also be considered. Such a training center should be made available to state and local law enforcement agencies, fire departments and rescue squads.

The state should conduct an analysis of the cost to construct a facility at each of the top three potential sites. The proposed construction should include a precision driving course, skid pan, defensive driving cone course, and classroom/staff facilities.

Appropriations should be sought for the 1986-88 biennium to construct the facility at the site offering the greatest cost benefit. Funds for maintenance, operations and staffing should also be requested.

### History and Current Status

Safe operation of police vehicles both in routine and emergency conditions has long been seen as a critical issue in law enforcement. Safe operation has become even more of an issue in the wake of increasing numbers of police pursuits resulting in motor vehicle accidents. In 1982, the General

Assembly passed Joint Resolution 68 which called for a study of the permissibility of "hot pursuit" by law enforcement officers. That study focused in one part on training of law enforcement officers in pursuit driving.

The state mandated six hours of classroom training in defensive driving from 1977 to 1980. In 1980, the mandate was changed to twenty-four hours of defensive/pursuit driving, sixteen hours of which must be behind-the-wheel training. This mandate changed in July 1984 with the application of performance-based training.

A 1983 survey showed only three of seven regional academies providing any type of instruction in skid pan and high-speed pursuit. Twelve independent academies were contacted; only three were teaching skid pan and pursuit; three were teaching pursuit only; and two others were teaching skid pan only.

#### Rationale for Change

The cost of constructing, operating and maintaining a complete driver training facility is almost impossible for a single locality to bear. In 1983, there were only four skid pans in use in the state--three in the greater Richmond area and the fourth in Northern Virginia. The rest of the state is forced to use modified facilities such as parking lots.

The public is demanding that law enforcement officers be properly trained in the operation of their vehicles in emergency conditions. The increasing number of accidents involving the police, or those whom they are pursuing, demands increased behind-the-wheel training both in basic and in-service schools. The threat of liability suits further justifies any expenditure which may be needed for such training.

#### Factors Affecting Implementation

- ° Legislative support
- ° Commitment from local units of government to utilize facility
- ° Site selection

#### Programmatic Impact

- ° Greater availability of a quality facility to local units of government

#### Financial Impact

- ° Staffing, maintenance and operational costs
- ° Initial cost of construction or renovation

#### Legislation/Regulation

- ° Amend Appropriations Act

#### Groups and Agencies Directly Affected

- ° State and local law enforcement agencies
- ° D.C.J.S.
- ° Approved training academies

RECOMMENDATION 11 - All New Officers to Have A Field Training Officer  
During the First Year of Employment

THAT DURING THEIR FIRST YEAR OF EMPLOYMENT, SWORN EMPLOYEES BE PROVIDED WITH COACHED FIELD TRAINING AND SUPERVISED FIELD EXPERIENCE, AND THAT EACH EMPLOYEE SHOULD BE EVALUATED ON HIS OR HER PERFORMANCE.

Discussion

The committee feels that supervised field training is an important aspect of a new officer's preparatory training and should be administered in a structured way so as to assure uniformity throughout the state. The current method of certifying that the field training has been provided should be re-examined to seek ways to strengthen the method of training and assuring that the best quality of field training available is being administered. A training and certification program for field training officers would be one way of strengthening field training.

History and Current Status

Formal preparatory training and education for the newly appointed sworn police employee is the foundation on which each officer will build a career as a competent police officer. During the first year the new employee goes from being a novice to being a competent officer. An effective field training program can provide the necessary support to help the new officer develop self-confidence and make the cultural adjustment from citizen to police officer. It can also help the officer formulate a realistic correlation between the formal training program and field experience.

In 1970, a survey in cities over 10,000 in population revealed that 58 percent of police agencies provided no field training; those that did gave little attention to its complementary effect. Since that time, the importance of an effective field training program has been realized and incorporated into training in most law enforcement agencies.

In Virginia, all law enforcement agencies in the state are currently required to provide recruits 60 hours of field training. The training consists of familiarization with departmental policies, rules, regulations and procedures, local ordinances, local court practices, detention procedures and facilities; and other pertinent information deemed essential to a new police officer. The field training officer initials a state form indicating when the police recruit received the specific training and the chief or sheriff certifies that the officer has completed the required 60 hours of field training.

#### Rationale for Change

At the present time, the level, extent and quality of training provided by the field training officer is determined by the employing agency or by the field training officer. There are no standards in Virginia for the field training program or for those selected to serve as field training officers. Some police professionals feel that a more structured field training program is needed to assure uniformity throughout the state in the type of field training provided and the persons selected to serve as field training officers.

Factors Affecting Implementation

- ° None

Programmatic Impact

- ° No programmatic impact unless new standards for field training are developed and implemented

Financial Impact

- ° None anticipated

Legislation/Regulation

- ° None anticipated unless the results of the study indicate a change in the current status be made

Groups and Agencies Directly Affected

- ° D.C.J.S.
- ° State and local law enforcement agencies

## RECOMMENDATION 12 - Establishing A Certification Process for F.T.O.'s

THAT A FORMAL CERTIFICATION PROGRAM BE ESTABLISHED FOR FIELD TRAINING OFFICERS; PARTICIPATION IN SUCH A PROGRAM SHOULD BE OPTIONAL FOR INDIVIDUAL DEPARTMENTS.

### Discussion

If a department has an FTO program, it would have the option of participating in the certification process. If a department does not have a formal FTO program, there would be no requirement to establish one.

### History and Current Status

The most important element of an effective basic police field training program is the field training officer or coach. The development of the new officer is in this individual's hands. The selection, training and continued preparation of the field training officer are crucial. Such individuals are an extension of the training academy staff and can greatly reinforce the academy's program. The best field officer will not necessarily become the best field training officer. While operational performance is one criterion, the ability to convey essentials of the job to others and the desire to develop new employees are at least as important.

Once an FTO has been selected, proper training is necessary. The FTO must be kept up-to-date on the subjects being taught. The training should include such subjects as supervision and human behavior, personnel evaluation, problem-solving techniques, teaching methods, counseling and interpersonal relations.

In order to attract and maintain a strong cadre of FTOs, some incentive should be offered. Some departments offer pay increases; others have distinct uniform patches or pins; while some departments give FTOs credits to be considered for promotion. A state FTO certification program would add support for the continuing development of field training officer programs within law enforcement agencies.

#### Rationale For Change

Until July 1, 1981, the Commonwealth of Virginia had no certification process for any training instructors. The FTO is as much a part of the training cycle as the academy instructor and should be considered for certification along with the academy instructor.

A certification program, if combined with an FTO training course, would unify the role of the FTO and help establish a standard to ensure that the new police officer would receive the best training a department could provide beyond the classroom.

#### Factors Affecting Implementation

- ° None anticipated

#### Programmatic Impact

- ° Provide a model field training officer program
- ° Provide certification for those individuals and agencies who meet the standards

#### Financial Impact

- ° None anticipated

Legislation/Regulation

- ° None required

Groups and Agencies Directly Affected

- ° State and local law enforcement agencies choosing to participate
- ° D.C.J.S.

### RECOMMENDATION 13 - Instructors or Departments to be Reimbursed for Teaching

THAT THE INSTRUCTORS OR THEIR RESPECTIVE DEPARTMENTS BE REIMBURSED BY THE STATE FOR SALARY AND BENEFIT EXPENSES FOR PROVIDING INSTRUCTIONAL SERVICES FOR MANDATED TRAINING IN STATE-FUNDED ACADEMIES.

#### Discussion

Such reimbursement should be based on a flat fee per hour of instruction.

#### History and Current Status

Most regional training academies operate with two full-time staff members, usually a director and an assistant director. Most of the instruction is provided by part-time instructors who are officers with the various participating agencies. In Northern Virginia, the instructors are assigned to the academy by their respective agencies for periods lasting up to one year.

Because of a shortage of funds for training in Virginia, only the two full-time staff members are paid from the academy budget. The part-time instructors are sometimes provided compensation by their agencies while on duty; however, in many instances they are off duty and thus receive no compensation for their time.

The amount of funding presently available from the state does not now cover 60% of the costs of operating the regional academies, therefore, instructors could not be paid without additional funds from some sources.

#### Rationale for Change

Anytime there is total dependence on volunteer assistance, there is always the possibility of diminished control over the product. Since the instructors are often donating their time, other considerations can take priority over teaching assignments. In many cases, administrators are reluctant to have

their officers committed to teaching assignments in the academy because it takes them away from their normal duty assignments.

Even simple things like preparing and submitting lesson materials, test questions, etc., can be complicated or delayed when the instructors are volunteers. Some means of payment of instructors or reimbursement to their respective agencies would contribute to the continuing improvement of academy programs.

#### Factors Affecting Implementation

- ° Legislative support
- ° Opposition from local units of government participating in non-funded regional academies

#### Programmatic Impact

- ° Increased control over instructor quality
- ° May increase willingness of agencies to provide instructional support
- ° Development of reimbursement plan/schedule

#### Financial Impact

- ° Would require an increase in the funding already available to regional academies.
- ° Administrative support costs

#### Legislation/Regulation

- ° Amend Appropriations Act

#### Groups and Agencies Directly Affected

- ° Funded regional academies
- ° Participating local units of government
- ° D.C.J.S.

## RECOMMENDATION 14 - Agencies to Adopt Educational Incentive Programs

THAT THE STATE OF VIRGINIA SHOULD ENCOURAGE LOCALITIES TO ADOPT FORMAL EDUCATIONAL INCENTIVE PROGRAMS BUT SHOULD NOT MANDATE SUCH PROGRAMS.

### History and Current Status

There exists today in this state a variety of approaches to formal education for officers, ranging from those agencies that discourage individuals from seeking college level education to the agencies that allow officers to work flexible hours, reimburse them financially for educational costs, and offer incentive pay for the individuals who pursue higher education.

### Rationale for Change

Studies indicate that formal education does tend to produce an employee who generally performs better and generates fewer citizen complaints. The public continually expects more and more from law enforcement officers today.

### Factors Affecting Implementation

- ° None, since this is not mandated and only recommended to localities.

### Programmatic Impact

- ° None anticipated

### Financial Impact

- ° None anticipated as long as this is a voluntary action on the part of the local units of government

Legislation/Regulation

- ° No legislative change

Groups and Agencies Directly Affected

- ° All local law enforcement agencies desiring to exercise this option
- ° Local units of government desiring to exercise this option

## RECOMMENDATION 15 - Financial Assistance for Educational Expenses

THAT THE CRIMINAL JUSTICE SERVICES BOARD INITIATE A STUDY CONCERNING THE CURRENT FUNDING LEVEL FOR THE STATE LAW ENFORCEMENT OFFICERS' EDUCATION PROGRAM (SLEOEP). BASED UPON THE RESULTS OF THE STUDY, THE BOARD MAY WANT TO ACTIVELY PURSUE SEEKING ADDITIONAL FUNDS FOR THE SLEOEP PROGRAM.

### Discussion

While encouraging law enforcement agencies to make financial assistance available for books, tuition and other expenses, the Department of Criminal Justice Services should be directed to formulate specific criteria for eligibility and funding for SLEOEP with certain "checks and balances" to ensure proper end results. Additionally, the Department should be encouraged to actively publicize to each law enforcement agency the availability of and procedure to obtain SLEOEP funds.

Any funds made available should be distributed on a "progressive basis" which means that officers pursuing an associate degree would receive first priority; officers working towards a bachelor's degree would receive second priority, etc.

Finally, SLEOEP funds should only be made available to "actively" employed law enforcement officers as defined by the Code of Virginia.

### History and Current Status

Today the small amount of funds available under the SLEOEP program are distributed by the Department of Criminal Justice Services using limited criteria. Monetary disbursements are made to community colleges based on past requests without particular justification. There are no specific "checks and balances" to assure the monies are used as intended.

At the present time, requests for funds amount to just over \$100,000--far in excess of the budgeted \$52,000.

The Department of Criminal Justice Services has developed a program manual for SLEOEP. However, the criteria used require re-examination; for example, definitions of police officers in the SLEOEP manual are not the same as definitions of police officers in the Code of Virginia. In addition, dispatchers, cadets, and prosecutors are eligible for funds while Game Commission officers are not.

#### Rationale for Change

Professionalism in law enforcement is certainly enhanced when personnel are well educated in addition to their other obvious attributes.

Individuals who are well prepared for duty are going to perform well; the result is better service to the public.

Further, the individual line officer of today will likely be the police manager of tomorrow, so proper preparation is essential.

#### Factors Affecting Implementation

- ° Possible resistance from participating educational institutions

#### Programmatic Impact

- ° A more publicized program will probably generate more requests for aid to students

Financial Impact

- ° Additional funds to support program

Legislation/Regulation

- ° Amend Appropriations Act

Groups and Agencies Directly Affected

- ° Law enforcement officers seeking financial assistance for additional educational opportunities
- ° Participating educational institutions
- ° D.C.J.S.

RECOMMENDATION 16 - Incentive Pay Should Be Provided for the Attainment of Specified Levels of Academic Achievement.

THAT THE STATE ENCOURAGE STATE AGENCIES AND LOCALITIES TO ADOPT INCENTIVE PAY PROGRAMS BASED ON LEVELS OF ACADEMIC ACHIEVEMENT.

Discussion

Since many localities are financially strained and are unable to promote programs such as these, the state should not consider any formal mandate.

History and Current Status

Some agencies within the state do provide incentive pay commensurate with specified levels of formal education.

Rationale for Change

Programs of this type attract college-educated recruits and lead to improved employee ability which, in turn, results in a more satisfied public. This recommendation is related to Recommendation 14 but addresses only incentive pay rather than a full-scale incentive program.

Factors Affecting Implementation

- ° None, since this is not mandated but only recommended to localities.

Programmatic Impact

- ° None anticipated

Financial Impact

- ° None anticipated as long as this is a voluntary action on the part of the local unit of government

Legislation/Regulation

- ° No legislative change

Groups and Agencies Directly Affected

- ° All law enforcement agencies desiring to exercise this option
- ° Local units of government desiring to exercise this option

APPENDIX A

Appendix A contains issues that were deferred by the Committee, those that were not considered to merit priority consideration, and those for which no further action was required, or would logically be included within other issues.

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ISSUE A. Training academies should affiliate with academic institutions to upgrade training, and provide incentive for further education. Classes should be available at locations besides the main campuses to be more accessible to on-duty personnel.

Recommendation

The committee recommended that this item not be considered further. The committee wanted to be on record in support of such affiliations but did not consider the issue of sufficient magnitude to warrant further action.

History and Current Status

The National Advisory Commission on Criminal Justice Standards and Goals and the Commission on Accreditation for Law Enforcement Agencies both recommended that police academy programs explore the possibility of affiliation with local colleges for the purpose of granting credit for completion of some or all of the basic training program. This movement originated in the late 1960's when the President's Commission on Law Enforcement and Administration of Justice recommended a federally funded college education program for police officers.

Now that the resulting Law Enforcement Education Program (LEEP) has been terminated in Virginia, affiliation with an academic institution is done on a case-by-case basis. Several of the regional academies grant college credit through a college and three are located on college campuses. In some academies, the graduates are able to receive credit by enrolling in college after completing their work at the academy. The amount of credit offered varies from one college to another. The independent academies typically do not affiliate with colleges, although some have done so in the past.

Rationale for Change

There is some support for the notion that affiliation with an academic institution has a tendency to upgrade the training program. In addition, if new officers receive some college credit for completing the academy, they may be more likely to continue in the educational process.

ISSUE B. Each law enforcement agency or training academy should require lesson plans for all training courses to include a statement of performance objectives, guidelines and format for lesson plan development, and the content of the training and specification of appropriate instructional techniques.

Recommendation

The committee agreed that this would logically be a part of any certification process, and would be best handled as a part of Recommendation 1. Further, the committee did not see it as an issue in the strict sense, rather, it is something that should now be done as a responsible way of conducting training.

History and Current Status

Presently, the Department of Criminal Justice Services requires that the training academies maintain lesson plans for all mandated training. These lesson plans are to be available for review by the Department.

The substance of the recommendation is whether the D.C.J.S. should provide a standard format for the preparation of the lesson plans, and include a list of specific components, i.e., a statement of performance objectives and specification of appropriate instructional techniques.

### Rationale for Change

Maintaining good lesson plans insures that the subjects in question are covered adequately, and areas of duplication and omission can easily be discovered. In addition, in many of the civil actions filed against criminal justice officials where training is an issue, the focus is on the content of some or all of specific training programs. Having a complete file of lesson materials enables the instructor and the agency to better defend their positions.

ISSUE C. Every law enforcement agency should provide for a training officer employee who is a state certified training instructor.

Recommendation

It is recommended that this issue be deferred. Historically, staffing patterns and job descriptions are the prerogative of the chief, sheriff or agency administrator.

History and Current Status

Certification of criminal justice instructors in the Commonwealth of Virginia became a mandate effective July 1, 1984. Certification is required for criminal justice personnel teaching in approved training schools only. The designation of an employee whose primary function is training is left solely to the discretion of the chief, sheriff or agency administrator.

Rationale for Change

In a growing number of liability cases, law enforcement agencies are being held liable for "Failure to Train/Improper Training." Untrained or inappropriately trained law enforcement personnel are a potential liability to any Department.

Further, § 9-181 of the Code of Virginia (1950), as amended, provides for the forfeiture of office for failing to meet training standards and termination of the salary and benefits of the officer who is delinquent. Should the chief, sheriff or agency administrator willfully fail to enforce the provisions of § 9-180 or § 9-181, such failure shall constitute misfeasance of office.

An individual whose primary assignment is devoted to training would help in avoiding such problems.

ISSUE D. The state should have a certification (licensing) process for law enforcement officers, certifying (licensing) them as attaining the minimum qualifications required.

#### Recommendation

Current law and rules establish both employment standards and training standards for law enforcement officers. Further, the forum is available for certification through the Commission on Accreditation of Law Enforcement Agencies. It is recommended that such issue be deferred.

#### History and Current Status

The Commonwealth of Virginia has no certification process per se. §15.1-131 of the Code of Virginia (1950), as amended, sets forth minimum employment standards for local law enforcement officers. § 9-170(2) Code of Virginia authorizes and directs the Criminal Justice Services Board to establish compulsory minimum training standards for law enforcement officers subsequent to employment. § 9-170(3) of the Code of Virginia (1950), as amended, authorizes and directs the Board to establish compulsory in-service training requirements.

#### Rationale for Change

Although the requirements set forth above reflect the rudimentary elements of a certification process, all training mandates apply after the individual is initially employed. The meeting of specific training mandates is not a condition of employment. The chief, sheriff or agency administrator is in the position of waiting for the outcome of the training process.

Certain professions have mandatory licensing requirements for their members. Realtors are an example. The State of Minnesota requires law enforcement officer candidates to attend training at their own expense. After completion of the training, these individuals are eligible to be placed in a job pool where they are recruited by the various law enforcement agencies of the state and its localities. They are certified or licensed prior to employment. Private security services business personnel are "registered" by the Department of Commerce. Such registration includes a criminal history check and mandatory training. A law enforcement officer could be certified for a specified time period subject to recertification requirements. So long as the individual has met the certification (licensing) requirements and possesses a current card, he/she is eligible for employment.

ISSUE E. Each academy facility should include certain minimum components prior to being approved by the state.

Recommendation

The committee feels that no regulatory action should be taken in connection with this issue. The committee feels that, in order to provide training, academies must meet and are meeting certain minimum goals. The introduction of performance-based training requires by its nature that facilities be available in order to test certain skill areas, etc. While some academy facilities may be more sophisticated than others, the committee felt it unnecessary to further regulate academies in this area and that boards of directors were in a much better position to recommend or require improvements in their academies.

History and Current Status

There are no mandated minimum components required of regional academies at this time.

A handbook for training administrators, published by the Department of Criminal Justice Services in September 1984, does contain some recommended guidelines in this area. Included are:

1. Maintain or have access to a library;
2. Meet or exceed local fire and sanitation code requirements;
3. Have at least two classrooms capable of seating twenty-five students each;
4. Maintain some audio-visual equipment such as projectors and a videotape recorder;

5. Maintain props and equipment sufficient to conduct performance-testing exercises;
6. A space for record retention; and
7. Storage areas for training material.

#### Rationale for Change

A successful learning center must provide adequate facilities to conduct instruction. The absence at each academy of the minimum facilities necessary to conduct similar levels of training throughout the state defeats any efforts at quality control.

Staff and instructors should have adequate space to work and counsel students. Library facilities are essential for research. Driver training tracks, firing ranges, and a gymnasium are necessary to conduct skills training. Academies would not necessarily have to own such facilities, but should have access to them, preferably through written agreements.

ISSUE F. Instructors should have completed a state certified minimum 80 hour instructor training program.

Recommendation

The committee recommends that this matter be handled by the D.C.J.S. committee appointed to re-evaluate the entire instructor certification process.

History and Current Status

With the implementation of the instructor certification process on July 1, 1984, all instructors must now complete an instructor training course approved by DCJS before becoming eligible for certification. At present, there is a set of performance objectives for the instructor course which requires a minimum of 40 hours of instruction.

Rationale for Change

The primary rationale for change is that the quality of instruction would be significantly improved by requiring an 80 hour program as opposed to the present 40 hour requirement.

ISSUE G. Instructor training programs should cover the following topics: lesson plan development, performance objective development, instructional techniques, learning theory, testing and evaluation techniques, and resource availability.

Recommendation

The committee determined that this recommendation does not differ significantly from the present requirements and should not be considered further except in the context of academy accreditation.

History and Current Status

At the time of the development of this issue, the new requirement for instructor training had not taken effect. When the instructor certification requirements became effective on July 1, 1984, the instructor course standards were changed to reflect conformance with this issue statement.

Rationale for Change

The need for change based on instructor certification requirements was recognized by the Department and modifications were made.

ISSUE H. Instructors should be certified for specific training subjects based on their work experience, education, and professional credentials. These instructors should be periodically re-certified.

#### Recommendation

The committee did not feel that there was a serious problem as defined by this issue statement since some specific certification is now required under the instructor certification rules that took effect July 1, 1984. Any adjustments to this process should come from the committee re-evaluating the instructor certification process.

#### History and Current Status

At present, instructors can be certified in five categories. The general instructor category allows the individual to teach any subject, with the exception of three specialized areas. Individuals must have specific certification in order to teach in any one of the following areas: defensive tactics, driver training and firearms. The fifth category is provisional. This category is for individuals who have not met all the requirements for regular certification. They also cannot teach in any of the specialty areas.

#### Rationale for Change

Rather than change, the issue here is whether there are other areas in which the specialized nature of the content requires specific certification of instructors in order to insure quality instruction.

ISSUE I. Instructors should be monitored periodically for evaluation and rotated through operational assignments in police departments.

Recommendation

The committee divided this issue into two parts. Part one, instructor evaluations should be a component of Recommendation 1, Academy Accreditation. Further, this is something that should routinely be done in a responsible training program. Part two, instructor rotation, would probably not be enforceable if a regulation were enacted. Most instructors are part-time and are selected because of their expertise. Typically, duty assignments are not tied to academy training. The best control for instructor expertise is the various academy directors.

History and Current Status

This issue is composed of two parts, (1) monitoring instructors, and, (2) rotating officers through assignments within the police department. First, most academies now have students evaluate instructors on a routine basis. Where a problem exists, the evaluations are discussed with the instructor and some appropriate resolution is reached.

Academy staff members also monitor classes on a selective basis, as do the DCJS field representatives. The new instructor certification process which took effect July 1, 1984 requires that the academy director, when signing the instructor application form, confirm that the applicant has completed a minimum of 3 hours of evaluated teaching. The academy director will be required to sign the same form when the instructor applies for renewal.

In the next several months, four committees will convene to re-examine the matter of instructor certification. Three of the committees will consider the specialized areas (firearms, defensive tactics, and, driver training) and the fourth will examine the general instructor certification requirements. Their task will be to recommend any changes or modifications to the certification and re-certification process now used.

The second area covered by this issue has to do with rotating officers through various operational assignments in order to enhance their abilities as instructors. It is not possible to determine the extent to which this is now being done. However, it is probably not the primary consideration in personnel assignments.

ISSUE J. Law enforcement agencies should have written directives that:  
(1) identify the skills, knowledge and abilities required for instructors in all agency operated training programs and (2) govern the tenure of such instructors.

Recommendation

The committee had some difficulty with the interpretation of this issue. If it is meant to apply to all police agencies, then it would probably not be enforceable. If the meaning is limited to agencies with academies, then it would properly be a matter for inclusion in the academy accreditation process.

History and Current Status

Presently, instructors who teach in mandated training programs are required to meet the standards set forth in the instructor certification regulations. The requirements in the specialized areas require attendance at a specialized instructor training school (firearms, defensive tactics and driver training). The general and provisional categories do not require any specific knowledge, skill or ability other than the requirement in the general category that the applicant complete an approved instructor training course.

In general, academy directors try to get the best qualified instructors and work to eliminate those who, because of lack of knowledge or ability, do not teach effectively. It is likely that in some cases their standards may be higher than those that would be established by the law enforcement agencies if every agency were required to develop its own written directive.

This issue seems to be related to issue H which deals with certification in specialized areas. If further restrictions are placed on the various instructor certification categories, it may make this issue moot. Advisory committees will soon meet to consider the instructor certification process, now that the initial registration has been completed.

ISSUE K. The state should establish a performance-based instructor's school.

Recommendation

The state presently has a performance-based instructor school curriculum, and the course was offered three times around the state during the past year. Most of the academies prefer to offer their own instructor training courses, and the consensus of the committee was that performance-based instruction must be a part of the school since basic training must now be performance-based. The committee recommends that no further action be taken on this issue.

History and Current Status

During the 1983-84 fiscal year, the Department of Criminal Justice Services sponsored three instructor training courses around the state. In addition, several performance-based workshops have been given also at various locations in the state. The outgrowth of these courses was a performance-based instructor course manual that will soon be available to all training academies.

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