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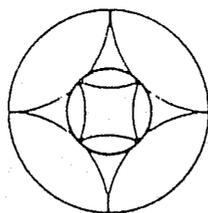
Police Services Study Technical Report

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STATUTORY PROVISIONS REGARDING
ENTRY-LEVEL TRAINING OF PEACE OFFICERS

by

Thomas W. Kramer and Larry J. Wagner
Workshop in Political Theory and Policy Analysis
Indiana University



DRAFT EDITION

Morgan Hall 121

Indiana University

Bloomington, IN 47401

36784

April, 1976

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NCJRS

OCT 5 1976

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The authors thank William Tabor and Bruce Coles for their assistance in researching the legislation summarized in this report. Comments from Elinor Ostrom, Roger Parks, Gordon Whitaker, Jnana Hodson, Nancy Neubert, and others involved in the Police Services Study have been very helpful. The authors also appreciate the support provided by the Research Applied to National Needs Division of the National Science Foundation in the form of Grant Number GI-43949 for making this study possible. The opinions are the authors' and do not necessarily reflect those of the National Science Foundation or Indiana University.

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Entry-level training standards for peace officers vary from state to state. This diversity may be attributed both to the legislation drafted by each state's legislative body and to the rules and regulations promulgated by each state's training council or similar administrative organization. Since these administrative training bodies operate under the authorization of state statutory law, the substance and impact of an administrative training council and its rules and regulations will be in large part defined by the state powers legislated to it.

The primary focus of this report, therefore, is on the statutory provisions regarding entry-level training of peace officers in the 50 states. But due to the pervasive deference of state legislative bodies to administrative agencies in this area, administrative rules and regulations regarding entry-level training of peace officers have been appropriately noted in this report. Table II shows those states having statutorily defined minimum training hour requirements and Table III shows which states mandate minimum training hour requirements by administrative rules and regulations. In all subsequent Tables, administrative rules and regulations are denoted by an asterisk.

Additionally, the caveat must be given that this report focuses on state legislation and state administrative rules and regulations

in effect as of June 30, 1974, inclusive. But changes in state law and administrative rules and regulations after June 30, 1974, either in the form of deletions or additions, are appropriately identified by footnote.

Which Agencies Are Affected?

In some states, training legislation applies uniformly to all peace officers. In the majority of states, however, it does not. Table I shows which states have such legislation and which agencies the legislation covers. County Sheriffs, who are usually elected and thereby exempted in most states from training requirements, are excluded from the table. The dots indicate agencies specifically required to comply with training legislation.

TABLE I

TRAINING LEGISLATION ACCORDING TO AGENCIES

STATE NAME	State Police Officers	County Deputy Officers	Municipal Police Officers	STATE NAME	State Police Officers	County Deputy Officers	Municipal Police Officers
Alabama	•	•	•	Montana	•	•	•
Alaska	•	▲	•	Nebraska	•	•	•
Arizona	•	•	•	Nevada	•	•	•
Arkansas	•	•	•	New Hampshire	•	•	•
California	•	•	•	New Jersey	•	•	•
Colorado	•	•	•	New Mexico	•	•	•
Connecticut			•	New York			•
Delaware	•		•	North Carolina	•	•	•
Florida	•	•	•	North Dakota			
Georgia	•	•	•	Ohio	•	•	•
Hawaii			▲	Oklahoma	•	•	•
Idaho	•	•	•	Oregon	•	•	•
Illinois		•	•	Pennsylvania	•		•
Indiana	•	•	•	Rhode Island			•
Iowa	•	•	•	South Carolina	•	•	•
Kansas	•	•	•	South Dakota	•	•	•
Kentucky	•		•	Tennessee	•	•	•
Louisiana		•		Texas	•	•	•
Maine		•	•	Utah	•	•	•
Maryland	•	•	•	Vermont	•	•	•
Massachusetts			•	Virginia	•	•	•
Michigan	•	•	•	Washington		•	•
Minnesota	•	•	•	West Virginia			
Mississippi	•			Wisconsin	•	•	•
Missouri	•		•	Wyoming	•	•	•

▲ Not Applicable

The breakdown for Table I is as follows:

- 47 states have entry-level training legislation for peace officer recruits at one or more law enforcement agency levels;
- Of these 47 states, 33 have entry-level training legislation for peace officer recruits at the state, county, and municipal level;
- 38 states have entry-level training legislation for state peace officer recruits;
- 37 states have entry-level training legislation for county peace officer recruits;
- 45 states have entry-level training legislation for municipal peace officer recruits.

Is A Minimum Training Course Required?

Of the 47 states having training legislation, only 12 require a statutorily-defined minimum number of training hours. Table II displays the minimum hours of training required in these states. Twenty-two of the remaining states prescribe minimum training standards, as indicated in Table III, by rules and regulations promulgated by administrative training agencies or councils.

TABLE II
MINIMUM COURSE SET BY STATUTE

STATE NAME	Requirements Set by Statute
Alabama	240 hours required for all full-time officers. ¹
Georgia	114 hours required for all full-time officers.
Kansas	160 hours required for all full-time officers. ²
Massachusetts	240 hours required for municipal peace officers.
Michigan	240 hours required for all peace officers.
Mississippi	A minimum of 30 days training required for State Police officers.
Missouri	600 hours required for all full-time municipal peace officers in cities of the first class.
New Mexico	240 hours required for State Police officers; 120 hours for all other full-time officers.
Oklahoma	120 hours required for all full-time officers.
Utah	200 hours required for all full-time officers.
Wisconsin	240 hours required for all full-time officers.
Wyoming	200 hours required for all full-time officers.

TABLE III
 MINIMUM COURSE SET BY RULES AND REGULATIONS

STATE NAME	Requirements Set by Rule and Regulations
Arizona	200 hours required for all full-time officers.
California	200 hours required for all full-time officers. ³
Colorado	160 hours required for all full-time municipal police and deputy sheriffs; 440 hours required for State Patrol recruits.
Connecticut	400 hours required for all full-time municipal officers.
Idaho	220 hours required for all full-time officers.
Illinois	240 hours minimum course for all full-time county and municipal police officers, but <u>not mandatory</u> . ⁴
Indiana	240 hours required for all full-time officers. ⁵
Iowa	160 hours required for all full-time officers.
Kentucky	400 hours required for all full-time state, county, and municipal police officers, but optional for deputy sheriffs.
Louisiana	160 hours required for all deputy sheriffs.
Maryland	259 hours required for all full-time officers.
Missouri ⁶	
Montana	280 hours required for all full-time officers.
New Jersey	280 hours required for all full-time county and municipal peace officers.
N. Carolina	160 hours required for all full-time officers.
New York	285 hours required for all full-time municipal police officers except administrative officials.
Ohio	800 hours required for State Police recruits; 240 hours required for all full-time municipal police and deputy sheriffs. ⁷

TABLE III Con't

STATE NAME	Requirements Set by Rule and Regulations
Oregon	280 hours required for all full-time officers.
Pennsylvania	480 hours required for all full-time municipal police (except those in first-class cities) and full-time borough police.
S. Carolina	240 hours required for all full-time officers.
South Dakota	200 hours required for all full-time officers.
Texas	240 hours required for all full-time officers.
Virginia	240 hours required for all full-time municipal police and deputy sheriffs; 1,012 hours required for State Police recruits.

Time In Which To Comply; Exemptions and Waivers

The next issue is how long a peace officer has in which to comply with training requirements. While this may be limited by legislation or rules and regulations, Table IV illustrates that the period of compliance is almost uniformly prescribed by state statute. Of the 36 states prescribing the time in which a peace officer has to comply with the training requirements, only two states -- Arizona and Montana -- set the period by rules or regulations.

Although state statutory law or administrative rules and regulations may impose training standards on law enforcement officers, other factors may exempt the officers from the requirements. These factors, such as equivalent training in another jurisdiction or employment before the effective date of the relevant legislation, are listed in Table V. Again, the predominance of state statutory law in this area is almost uniform. Of the 34 states providing for exemptions from and waiver of the training requirement, only one -- Indiana -- prescribes the exemption by administrative rule and regulation; the remaining 33 states create such exemptions by legislation.

TABLE IV

TIME IN WHICH TRAINING MUST BE COMPLETED

STATE NAME	State Police Officers County Deputy Sheriffs Municipal Police Officers	STATE NAME	State Police Officers County Deputy Sheriffs Municipal Police Officers
Alabama	A2A2 A2	Montana	A* A*A*
Alaska	A	Nebraska	D D D
Arizona	B*B* B*	Nevada	
Arkansas		New Hampshire	E E E
California	A1A1 A1	New Jersey	D D
Colorado		New Mexico	A
Connecticut	D	New York	B
Delaware	D D	North Carolina	
Florida	A	North Dakota	
Georgia	D D D	Ohio	A A
Hawaii		Oklahoma	D D D
Idaho		Oregon	D D D
Illinois ⁸		Pennsylvania	D
Indiana	A D D	Rhode Island	
Iowa		South Carolina	D D D
Kansas	A D D	South Dakota	D D D
Kentucky		Tennessee	E E E
Louisiana	A	Texas	D D D
Maine	D D D	Utah	A A A
Maryland	D D D	Vermont	A A A
Massachusetts	C	Virginia	
Michigan	A	Washington	F
Minnesota	D	West Virginia	
Mississippi	D	Wisconsin	E E E
Missouri	B	Wyoming	

A -- Prior to active duty
 A1-- Prior to active duty, unless the agency can qualify as a provider of a certified training program, in which case recruits must be trained within 90 days.

A2-- Prior to active duty, but

may be provisionally appointed provided they complete training within 9 months.

B -- 6 months after appointment
 C -- 9 months after appointment
 D -- 1 year after appointment
 E -- 2 years after appointment
 F -- Within 18 months if appointed after 1/1/74

* -- rules and regulations

TABLE V
EXCEPTIONS TO TRAINING REQUIREMENTS

STATE NAME	EXEMPTIONS AND WAIVERS
Alabama	Officers already employed as of 9/30/71.
Alaska	Equivalent training in another jurisdiction.
Arizona	
Arkansas	Officers employed prior to 7/10/69.
California	If "qualified" as of 3/4/72.
Colorado	
Connecticut	
Delaware	Discretionary waiver.
Florida	Employed prior to 6/21/67.
Georgia	Equivalent training in another jurisdiction.
Hawaii	
Idaho	Adherence voluntary prior to 1/1/74.
Illinois	
Indiana	*Employed prior to 7/6/72; or equivalent training in another jurisdiction.
Iowa	Employed prior to 7/1/68; or equivalent training.
Kansas	If appointed prior to 7/1/69.
Kentucky	
Louisiana	
Maine	Employed on or before 9/23/71.
Massachusetts	

* -- rules and regulations.

TABLE V Con't

STATE NAME	EXEMPTIONS AND WAIVERS
Michigan	If appointed before 1/1/71 or agency has fewer than 3 full-time officers.
Minnesota	If appointed before 7/1/67 or city with a population of 1,000 or less.
Mississippi	Prior experience or training
Missouri	Only for cities with a charter government and in first class county, prior experience.
Montana	Waiver of Standards for "good cause," 2/25/73
Nebraska	Equivalent training in another jurisdiction.
Nevada	
New Hampshire	Prior training or employed prior to effective date
New York	Employed prior to effective date. Also, if any city with one million or more persons has, in the opinion of the Municipal Police Training Council, established and maintained higher training standards than those set by the Council, the Council <u>may</u> exempt the police officers of such city from compliance with the Council's rules and regulations.
North Carolina	
North Dakota	
Ohio	Employed prior to 1/1/66
Oklahoma	Similar and approved courses.
Oregon	Professional experience.
Pennsylvania	Municipal police and borough police exempt if employed prior to 6/18/74.
Rhode Island	
South Carolina	Equivalent training; cities with a population less than 2,500 or departments with fewer than 5 officers

TABLE V Con't

STATE NAME	EXEMPTIONS AND WAIVERS
South Dakota	If elected or appointed prior to 7/1/70.
Tennessee	Employed prior to 7/1/70.
Texas	Employed prior to 9/1/70.
Utah	Comparable program.
Vermont	If appointed prior to 7/1/68.
Virginia	If appointed prior to 7/1/71.
Washington	Class A and AA counties, cities of first class with a population greater than 100,000
West Virginia	
Wisconsin	If appointed prior to 1/1/74 or elected by popular vote.
Wyoming	Previous qualifications or city with a population less than 1,490.

Who Pays?

Additionally, state legislative law or administrative rules and regulations may provide for reimbursement of law enforcement agencies complying -- voluntarily or otherwise -- with training standards. If reimbursement standards are provided, law enforcement officers and agencies may find the burden of complying lessened. If training is optional, a reimbursement plan may encourage officers and agencies to participate in training programs. Table VI presents various reimbursement plans. Of the 21 states having reimbursement plans, two -- Indiana and Kansas -- provide for reimbursement by rules and regulations and 19 provide for reimbursement by statute.

TABLE VI
PROVISIONS FOR REIMBURSEMENT OF TRAINING EXPENSES

STATE NAME	REIMBURSEMENT SCHEME
Alabama	
Alaska	
ARizona	50 percent for salary, travel expenses, and room and board.
Arkansas	100 percent for room and board and other necessary expenses.
California	60 percent for salary and wage, 100 percent for "out of pocket" expenses.
Colorado	100 percent for tuition, salary, travel expenses, and room and board.
Connecticut	
Delaware	100 percent tuition, room and board, books and equipment.
Florida	50 percent salary, room and board.

TABLE VI Continued

STATE	REIMBURSEMENT SCHEME
11 Georgia	
Hawaii	
Idaho	As authorized by Law Enforcement Planning Commission.
Illinois	50 percent tuition, salary, travel expenses, and room and board.
Indiana	*100 percent tuition, room and board, books, and equipment.
Iowa	
Kansas	*100 percent tuition, room and board, books, and equipment.
Kentucky	
Louisiana	
Maine	
Maryland	
Massachusetts	
Michigan	
Minnesota	100 percent tuition, travel expenses, and room and board.
Mississippi	
Missouri	
Montana	100 percent salary
Nevada	
New Hampshire	Percentage found reasonable by the Training Council.
New Jersey	
New Mexico	Up to \$500 by State Police Academy.
New York	

* -- rules and regulations

TABLE VI Continued

STATE NAME	REIMBURSEMENT SCHEME
North Carolina	
North Dakota	
Ohio	
Oklahoma	100 percent tuition and room and board.
Pennsylvania	50 percent of salary; 100 percent tuition, room and board, travel, and necessary expenses.
South Carolina	
South Dakota	100 percent room and board and travel expenses.
Tennessee	100 percent tuition travel expenses, and room and board; 50 percent of salary.
Texas	As authorized by the Commission on Law Enforcement Standards and Education
Utah	
Vermont	
Virginia	
Washington	
West Virginia	
Wisconsin	100 percent tuition, salary, travel expenses, room and board.
Wyoming	100 percent salary.

* -- rules and regulations

Who Oversees Compliance?

The presentation so far has focused on who is required to train, the time in which to do so, various exceptions to training requirements, and reimbursement schemes. But who administers and oversees compliance with training requirements? State law has established training councils or commissions in most states, and these are found in Table VII.

The powers granted to these agencies by state law vary from state to state. The most common powers are indicated in Table VIII.

TABLE VII
WHO OVERSEES COMPLIANCE

STATE NAME	COUNCIL OR AGENCY
Alabama	Peace Officer Standards and Training Commission
Alaska	Police Standards Council
Arizona	Law Enforcement Officers Advisory Council
Arkansas	Law Enforcement Training Academy Board
California	Commission on Peace Officers Standards and Training
Colorado	Superintendent of Colorado Law Enforcement Training Academy
Connecticut	Municipal Police Training Council
Delaware	Department of Public Safety
Florida	Police Standards Board
Georgia	Peace Officer Standards and Training Council
Hawaii	
Idaho	Law Enforcement Planning Commission

TABLE VII Continued

STATE NAME	COUNCIL OR AGENCY
Illinois	Local Governmental Law Enforcement Officers Training Board
Indiana	Law Enforcement Training Board
Iowa	Law Enforcement Academy Council
12 Kansas	
Kentucky	Law Enforcement Council
Louisiana	Department of Safety
Maine	Board of Trustees of Maine Criminal Justice Academy
Maryland	Police Training Commission
Massachusetts	Criminal Justice Training Council
Michigan	Law Enforcement Officers Training Council
Minnesota	Police Officer Training Board
Mississippi	Commissioner of Public Safety
Missouri	
Montana	Board of Crime Control
Nebraska	Commission on Law Enforcement and Criminal Justice
Nevada	Peace Officer Standards and Training Committee
New Hampshire	Police Standards and Training Council
New Jersey	Police Training Commission
New Mexico	Law Enforcement Academy Board
New York	Municipal Police Training Council
North Carolina	Criminal Justice and Training and Standards Council
North Dakota	Combined Law Enforcement Council
Ohio	Peace Officer Training Council

TABLE VII Continued

STATE NAME	COUNCIL OR AGENCY
Oklahoma	Council on Law Enforcement Education and Training
Oregon	Board on Police Standards and Training
Pennsylvania	Commissioner of State Police (for state police); Municipal Police Officers' Education and Training Commission (for municipal and borough police)
Rhode Island	Peace Officer Commission on Standards and Training
South Carolina	Law Enforcement Training Council
South Dakota	Law Enforcement Officers Standards and Training Commission
Tennessee	Law Enforcement Planning Commission
Texas	Commission on Law Enforcement Standards and Education
Utah	Council on Peace Officer Training
Vermont	Law Enforcement Training Council and Standards
Virginia	Criminal Justice Officers Training and Standards Commission
Washington	Criminal Justice Training Commission
West Virginia	
Wisconsin	Law Enforcement Standards Board
Wyoming	Peace Officers Training Commission

TABLE VIII
POWERS GRANTED TO COUNCILS

STATE	A	B	C	D	E	F	STATE	A	B	C	D	E	F
Alabama						•	Montana	•	•	•	•	•	•
Alaska	•	•		•	•		Nebraska	•				•	
Arizona	•	•	•	•	•		Nevada						•
Arkansas	•		•				New Hampshire	•					•
California	•	•		•	•		New Jersey	•	•	•	•	•	•
Colorado	•	•	•	•	•		New Mexico	•			•	•	
Connecticut	•	•	•	•	•		New York	•	•	•	•	•	•
Delaware	•	•		•	•		North Carolina						•
Florida	•			•	•		North Dakota	•		•	•	•	
Georgia ¹³	•	•		•	•		Ohio	•	•	•	•	•	•
Hawaii							Oklahoma	•	•	•	•	•	•
Idaho	•	•	•	•	•		Oregon	•	•	•	•	•	•
Illinois	•	•	•	•	•		Pennsylvania					•	•
Indiana	•	•	•	•	•		Rhode Island	•	•	•	•	•	•
Iowa	•	•	•	•	•		South Carolina	•	•	•	•	•	•
Kansas							South Dakota	•					•
Kentucky	•	•		•	•		Tennessee	•	•			•	
Louisiana						•	Texas	•	•	•	•	•	•
Maine	•			•	•		Utah	•	•	•	•	•	•
Maryland	•	•	•	•	•		Vermont	•	•	•	•	•	•
Massachusetts	•	•	•	•	•		Virginia	•					•
Michigan	•	•	•	•	•		Washington	•	•		•	•	
Minnesota	•	•	•	•	•		West Virginia						
Mississippi	•			•		•	Wisconsin	•					•
Missouri							Wyoming	•	•	•	•	•	•

- A -- Minimum courses of study
 B -- Attendance requirements
 C -- Equipment requirements
 D -- Requirements for instructors
 E -- Minimum basic training requirements
 F -- General authority to establish training requirements

The breakdown for Table VIII is as follows:

- 41 states grant training councils the power to prescribe the minimum course of study for peace officer recruits;
- 30 states grant training councils the power to prescribe the attendance requirements for peace officer recruits at the training academies or schools;
- 24 states grant training councils the power to prescribe the equipment requirements at the training academies or schools;
- 36 states grant training councils the power to prescribe the minimum standards which instructors must meet in order to teach courses at the training academies or schools;
- 39 states grant training councils the power to prescribe the minimum basic training requirements which peace officer recruits must meet in order to be certified as completing the state's entry-level training program;
- Four states -- Alabama, Louisiana, Nevada, and North Carolina -- only grant training councils the general authority to establish training requirements consistent with and to effectuate the state's enabling legislation;
- 23 states grant training councils the power to prescribe the minimum courses of study, attendance requirements, equipment requirements, minimum standards for instructors, and minimum basic training requirements.

Conclusion

This report has focused on state law affecting the training of peace officers. Various rules and regulations set by training councils or commissions also define minimum training levels. But the role of training councils is written by state legislators, and the rules and regulations can have impact only within the context of state law.

Footnotes

1

Effective 7/1/75, the 114 hours requirement was changed to "basic" course by the Georgia legislature, with the Georgia Peace Officer Standards and Training Council given authority to set the hours requirement of the "basic" course. The Georgia POST Council now requires 240 hours for all full-time officers.

2

The Massachusetts legislature increased to 480 hours the minimum course for municipal police officers, effective 7/1/75.

3

Rules promulgated in 1975 have increased to 400 hours the required minimum course for all full-time county and municipal police officers in California.

4

The 240 hour minimum course for all full-time county and municipal police officers is mandatory in Illinois by state statute, effective 1/1/76.

5

The Indiana Law Enforcement Enforcement Training Board is currently in the process of re-promulgating the minimum course requirement to increase the required course to 400 hours for all full-time officers.

6

Effective 9/12/74, approximately five months of formal training at the State Police Academy is required for State Highway Patrol recruits, to be followed by one year of probationary training divided into four phases. Training requirement promulgated by rules and regulations of Missouri State Police Board.

7

The Ohio Peace Officer Training Council increased to 280 hours the minimum training requirement for all full-time municipal police and deputy sheriffs; effective 4/1/75.

8

Effective 1/1/76, training to be completed within six months after appointment.

9

The Law Enforcement Academy Council is authorized to prescribe the time in which entry-level training must be completed.

10

Effective 1/1/76, employment prior to 1/1/76.

11

Legislation passed in 1975 authorized the Georgia POST Council to promulgate rules and regulations prescribing a reimbursement scheme.

12

The Kansas Law Enforcement Advisory Commission serves only in an advisory capacity to the Kansas Law Enforcement Training Academy; and no agency or administrative body is charged by statute or by regulation to oversee compliance with the training law.

13

1975 legislation authorizes the Georgia Peace Officers Standards and Training Council to establish equipment requirements.

END

7 10-1-1900