Police Officer Refresher Course

July 2015

Administrator's Guide

NEW YORK STATE | Division of Criminal Justice Services

New York State Division of Criminal Justice Services
80 South Swan Street, Albany, New York 12110

www.criminaljustice.ny.gov

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Foreword

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

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

Preface

It is the goal of the Division of Criminal Justice Services, Office of Public Safety to assist school 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.

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Introduction

This guide is designed to assist training professionals who would like to conduct the *Police Officer Refresher Course* for the purposes of satisfying the basic training requirements for municipal police officers returning to duty after an extended interruption in service. Documentation of training which meets the standards outlined in this manual is acceptable to assessors verifying compliance with the New York State Law Enforcement Accreditation program.

Pursuant to General Municipal Law §209-q(1)(b), upon an interruption in police service of two or four years (depending on the length of service prior to such interruption) a certificate attesting to satisfactory completion of an approved police basic training program shall remain valid for a limited period of time. Police officers that experience an interruption that renders their certificate invalid, yet is less than ten years, are eligible to attend a *Police Officer Refresher Course* upon returning to police service. The course was designed to ensure former [NYS municipal] police officers returning to service possess the minimally acceptable knowledge and skills to perform police functions in a contemporary environment. It is an option for retraining veteran police officers returning to police service, and does not preclude employers from sending experienced police officers to an entire Basic Course for Police Officers.

In 1994, the Municipal Police Training Council (MPTC) approved a *Police Officer Refresher Course* which consisted of five topic areas, including: basic law, emergency vehicle operation (EVOC), firearms, arrest techniques, and supervised field training.

Over the years, additional units were added to the refresher course and existing units were expanded to be reflective of the Basic Course for Police Officers. The result is a course requiring the majority of resources and expense of an entire basic training program.

On December 2, 2010, the MPTC reviewed recommendations from a group of subject matter experts and police executives to revise the content of the *Police Officer Refresher Course*. The result was a return to the five basic topic areas and the inclusion of proficiency testing for all units of instruction with the exception of Supervised Field Training, Review & Orientation and the Off Duty/Plain Clothes Police Encounters units.

The *Police Officer Refresher Course* is the minimum course of study required for police officers returning to duty after an extended interruption in service. Employers are strongly

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encouraged to evaluate the training and experience of returning officers and to require additional units of instruction as appropriate.

The Division of Criminal Justice Services

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

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

Establishing a School

A *Police Officer Refresher Course* may be established by a police officer employer or by a regional law enforcement academy. The course may be conducted independently or in conjunction with an ongoing Basic Course for Police Officers. All approvals are at the discretion of DCJS and are governed by Title 9 of the *Official Compilation of Codes, Rules and Regulations of the State of New York,* (9 NYCRR) Part 6020 - Basic Course for Police Officers.

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.

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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 only instruct topics for which they are uniquely qualified. 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 to DCJS for consideration, an Instructor Personal History Form and an acceptable Instructor Evaluation performed by an MPTC certified Instructor Evaluator. 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.ny.gov/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.

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All instructors shall be responsible for administering proficiency testing to applicants as well as for disseminating the information in the lesson plans 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)

Emergency Vehicle Operator Course (EVOC) training, including proficiency examinations, must be conducted in an area that will support the driving skills detailed in the Basic Course for Police Officers.

Interpersonal skills training, including proficiency examinations practical application of demonstrated skills/techniques must be conducted at an appropriate training facility that will support the physical skills detailed in the Basic Course for Police Officers.

Firearms range training, including proficiency examinations and range instruction, must be conducted at an appropriate firearms training facility that will support the shooting skills detailed in the Basic Course for Police Officers.

Police Officer Refresher Course

The minimum training standard for the *Police Officer Refresher Course* is comprised of eleven mandatory units of instruction in addition to 80 hours of Supervised Field Training, Review and Orientation. There are provisions to waive ten of these units where the applicant can demonstrate proficiency at, or above, the level required of police recruits in the same jurisdiction. All proficiency examinations must be administered by instructors who maintain valid certification in the appropriate topic area and attested to by the chief executive officer of the employer school director. 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 objectives to existing units as well as adding new topics. 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.

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The rules and regulations for the administration of the Basic Course for Police Officers codified in 9 NYCRR 6020 must be followed when presenting the *Police Officer Refresher Course*. This includes teaching the minimum standard instructional objectives and use of approved curriculum outlines for 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 6020, training must be conducted as a single and cohesive unit. In practical terms, this means that a student must complete all units of the *Police Officer Refresher Course*, during one session, at one school. Under no circumstances may a student split the training among multiple schools.

Every instructor teaching a topic must be listed on the Curriculum Content Form. Each instructor listed is verified to be a currently certified or approved instructor who meets the MPTC standard and has the required experience level. It is the school director's responsibility to ensure each instructor is provided with a complete lesson plan for the unit they are assigned to teach.

Upon approval of the application by DCJS training staff, an approval letter will be sent to the director.

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.

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Student Entrance Requirements

Students must be appointed to a police officer title identified in Criminal Procedure Law §1.20(34) and be eligible for the police refresher course. Eligibility is determined by section 209-q of the General Municipal Law which requires the applicant to have previously served as a police officer in NYS, received a certificate of completion for an MPTC Basic Course for Police Officers or its equivalent, and have not experienced an interruption in police service greater than ten years.

Graduates of Pre-employment Police Basic Training

There are additional requirements for graduates of the first phase of Pre-employment Police Basic Training Programs who have never served as police officers. Pursuant to 9 NYCRR 6026.8(i), where a graduate of an approved Pre-employment Police Basic Training Course obtains employment as a police officer more than two years, but less than ten years, from the date of completion recorded on the official transcript issued by an approved program, the applicant may attend a Police Refresher Course as described above in addition to completing the components of the second phase of pre-employment training to include: the entire firearms training program, the full course of training in impact weapons, the counter-terrorism unit, 160 hours (minimum) of SFTR&O and any additional or remedial training identified by the employer or through proficiency testing.

To ensure eligibility, school directors are encouraged to contact the Office of Public Safety **prior to administering any proficiency examinations or providing any instruction** to verify registration of the applicant as well as to confirm eligibility for attendance. Proficiency examinations and or instruction provided to ineligible attendees will be rendered null and void and may not be applied toward a Basic Course for Police Officers.

Attendance

Students shall attend all sessions of a *Police Officer Refresher 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. No student shall miss any instruction in the use of firearms or the defense of justification of the use of force/deadly physical force (if required).

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Examinations

The passing of a written examination, or series thereof, is required for the *Police Officer Refresher Course*. 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. The school director may establish a higher minimum passing score for any or all units of instruction consistent with the practices for recruit police officers in that jurisdiction.

Remediation

The school director may remediate any students who have failed to meet the minimum passing requirements for any course, if in the school 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 training providers consider extra time during, and at the end of, courses. 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. Remediation does not apply to proficiency examinations.

Course Documentation

Proficiency Log

Proficiency examinations must be administered by instructors certified pursuant to 9 NYCRR 6023 or 6024 as appropriate. DCJS recommends police employers utilize the training academy and staff that normally services their agency to ensure consistency in the administration of examinations and training (if necessary).

Police officers who graduated from an approved Pre-employment program more than two years, but less than ten years, from the date of completion, are not eligible to complete proficiency examinations in firearms, impact weapons, and the justification: use of force units.

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The result of proficiency examinations must be recorded on a form prescribed by DCJS and contains the signatures of the examiners, the school director, and the chief executive. All forms are available on our website at: http://www.criminaljustice.ny.gov/ops/docs/index.htm

Curriculum

Pursuant to 9 NYCRR 6020.4(a), a school director proposing a course shall file with DCJS, a curriculum content form containing the location of the school, a chronological listing of the dates times and instructors for each topic. The curriculum shall include a minimum of 80 hours of SFTR&O, the entire Off Duty/Plain Clothes Police Encounters unit, and any additional subjects prescribed by the employer.

If the *Police Officer Refresher Course* is being offered in conjunction with an approved Basic Course for Police Officers, the school director may submit a letter indicating the units of instruction to be included in the refresher for each applicant.

In instances where multiple police officers are attending the same units of instruction in a *Police Officer Refresher Course*, a single curriculum will suffice. Where multiple police officers are attending different units of instruction during the same course, the courses must be treated as distinct events; therefore, a separate Curriculum Content Form must be submitted for each officer.

Approval

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

Course Completion Documentation

Once a course has been completed, the school director has ten days in which to submit the Police Officer Proficiency Log, the Curriculum Content Form, and the last 40 hours [of 80] of SFTR&O documentation (including the Evaluation Summary) to the Division. These forms must be typed and contain all required information including the school sponsor (must be a law enforcement agency or academy), school location, school dates, student information (name, social security number, sex, date of birth, and employer. Course completion documentation is not valid unless it bears the original signature of the instructors/examiners, the school director, and the Chief Executive of the employing agency.

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In the event the applicant(s) required remedial training, an amended Curriculum Content Form must be submitted which contains a chronological listing of the dates, times, and instructors for each topic that was remediated.

In order to maintain accurate records, incomplete or inaccurate forms will be returned to the school 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.ny.gov/ops/docs/index.htm or by contacting our office at (518) 457-2667.

Certificates of Completion

DCJS will issue certificates of completion for the *Police Officer Refresher Course* to registered police officers that successfully complete all aspects of training. Peace officers and civilians are not eligible to attend the course and shall not receive certification.

Certificates are generated electronically and sent to the email address specified by the school director in Section III of the proficiency log. Please ensure the email address is accurate. It is the school director's responsibility to provide all certifications to the applicant.

Forms

For copies of the most current versions of our forms or publications, please visit our website at: http://www.criminaljustice.ny.gov/ops/docs/index.htm or by contacting our office at (518) 457-2666.

Questions

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

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Appendix A

State of New York Division of Criminal Justice Services

POLICE OFFICER REFRESHER COURSE PROFICIENCY LOG

General Municipal Law §209-q

THIS FORM IS USED TO DOCUMENT PROFICENCY AND/OR CERTIFICATION OF TRAINING FOR THE PURPOSES OF ADMINSTERING THE POLICE OFFICER REFRESHER COURSE TO ELIGIBLE POLICE OFFICERS RETURNING TO POLICE SERVICE. FORMS PRESENTED FOR FILING MUST CONTAIN PHYSICAL OR ELECTRONIC SIGNATURES.

General Municipal Law authorizes the Police Officer Refresher Course as an optional method of providing mandated police basic training to former [New York] police officers returning to duty after an interruption in police service which has rendered their certificate of completion for police basic training invalid. This alternative to basic training is the minimum course of study required for veteran police officers returning to duty. The Division encourages employers to evaluate the individual police officer's training and experience and requiring additional units of instruction as deemed appropriate.

S E C T I O N I APPLICANT INFORMATION

Type or print legibly, the applicant's last name, first name, middle initial, last four digits of social security number, and date of birth. Enter the applicant's employer name and date of appointment. With the exception of social security number, the information in Section I is required. Incomplete submissions will not be processed.

S E C T I O N I I PROFICIENCY EXAMINATION PROVIDED BY EMPLOYER OR ACADEMY INSTRUCTOR

Enter the date and location proficiency examinations were administered, whether the applicant received a satisfactory (S) or unsatisfactory (U) rating. All proficiency tests must be administered according the rules and policies of the training provider that govern police recruit training. This includes minimum standards for qualification as well as guidelines for remediation.

All evaluators must possess valid instructor certification in the areas in which they are evaluating. If there is any question to the validity of the evaluator's instructor certifications, please contact the Division. Any proficiency evaluation conducted by an instructor who does not possess a valid certification will be deemed null and void.

Remedial training must be provided for any subject areas in which the applicant did not receive an "S". Such training should be added to the curriculum content form as appropriate.

S E C T I O N I I I TRAINING PROVIDER ATTESTATION

Upon completion of the proficiency examinations and/or submission of relevant certifications, the School Director shall attest to the veracity of statements contained herein. This section should not be signed until all sections have been completed and the examiner has signed the appropriate sections.

S E C T I O N I V CHIEF EXECUTIVE ATTESTATION

Upon completion of the proficiency examinations and/or submission of relevant certifications, the Chief Executive Officer of the applicant's employer shall attest to the veracity of statements contained herein. This section should not be signed until all sections have been completed and the examiner has signed the appropriate sections.

Documentation Required

- Initial Curriculum Content Form (prior to instruction or proficiency testing),
- Police Officer Refresher Course Proficiency Log containing original or electronic signatures,
- Curriculum Content form identifying the dates and times of training, any additional/remedial training provided, and
- The SFTR&O Final Evaluation Summary.

Mailing Instructions

Completed forms should be e-mailed to:

ops.coursecompletion@dcjs.ny.gov

Questions

If you have any questions regarding this form, contact DCJS staff at (518) 457–2666 for assistance.

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State of New York Division of Criminal Justice Services

POLICE OFFICER REFRESHER COURSE PROFICIENCY LOG

General Municipal Law §209-q

DCJS USE ONLY	Approved by	Date	School ID: 114:	Hours

WARNING: All applicants for the police officer refresher course must be duly appointed as a police officer with the agency identified in Section I prior to completing any proficiency testing or instruction. DCJS must review and approve all proposed training prior to conducting any proficiency training or direct instruction.

S E C T I O N I – APPLICANT INFORMATION

Last Name	First Name & MI	Last 4 Digits of SSN*	Date of Birth

Employer	Title	Date of Appointment

*Pursuant to the New York State Personal Privacy Protection Law, DCJS is authorized to collect personal identifying information as part of a public safety agency record. Personal identifying information on this form shall not be revealed, released, transferred, disseminated or otherwise communicated orally, in writing, or by electronic means other than to the registrant. Disclosure of personal identifying information is voluntary. Refusal to provide personal identifying information shall not result in the denial of any right, benefit, or privilege.

SECTION I I – PROFICIENCY EXAMINATION PROVIDED BY EMPLOYER OR ACADEMY INSTRUCTOR

The following proficiency tests must be administered after the applicant has been appointed as a police officer as defined in Criminal Procedure Law section 1.20(34). All tests must meet or exceed the exit standards for recruit police officers in that jurisdiction. Any areas in which the officer receives a "U" must be remediated through direct instruction.

Proficiency Area	Date Administered	Location	S/U	Signature of MPTC Certified Instructor/Examiner
Emergency Vehicle Operator Course				
Penal Law Offenses				
Active Shooter				
Criminal Procedure Law				
New York State Juvenile Law				
Civil Liability and Risk Management				
Ancillary New York State Statutes				
New York State V&T Law				
Defensive Tactics & Principles of Control				
Firearms				

S E C T I O N I I I –TRAINING PROVIDER ATTESTATION

School director	School director Email address (for receipt of certification)

School director Attestation*: I hereby certify that the above named applicant has, where indicated, successfully completed proficiency examinations to the standard applied to police recruits, and has not missed a greater number of hours of required instruction than that permitted by rule or statute. I further certify that the curriculum for this course has not been substantially altered in either content or duration from that which was approved. I further certify that all instruction meets the minimum standards set forth by rule or statute. I affirm under penalty of perjury that the statements made on this form, including all attachments, are true.*

*School director Signature:*_____ *Date:*_____

S E C T I O N I V – ATTESTATION (*DCJS must have the original version of this form. Facsimiles and photocopies are not acceptable.)*

Chief Executive Officer	Chief Executive Officer Email Address

Chief Executive Officer Attestation: *I am the chief law enforcement officer responsible for appointing the person named in Section I as a police officer of the above named law enforcement agency. I understand that the information in this form is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.*

*Chief Executive Signature:*_____ *Date:*_____

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New York State Division of Criminal Justice Services

BASIC COURSE FOR POLICE OFFICERS REFRESHER – CURRICULUM CHECKLIST

MPTC Approved 3/9/2022 - Effective 3/9/2022

Basic Course for Police Officers Part/Module Name	Required Hours	Actual Hours
2-E. Procedural Justice	2	
2-F. Officer Wellness	16	
3-B. Use of Physical Force & Deadly Physical Force **- Instructor must take 2 Day BCPO Use of Force Update Training.**	11	
4-N. Supervised Field Training Review and Orientation **- Instructor must be a certified Police Field Training Officer**	80	
4-Q. DWI Detection and Standardized Field Sobriety Testing ***Must Be Included After 3/9/22* **- Must be a certified DWI and SFST Instructor**	21	
4-R. Recognizing the Cannabis Impaired Motorist ***NEW* (Eff. 1/1/22)** **- Must be a certified DWI and SFST Instructor AND Recognizing the Cannabis Impaired Motorist OR DRE Instructor OR DRE**	7	
4-S. Off Duty Plain Clothes Police Encounters	4	
4-W. Decision Making	8	

Basic Course for Police Officers Part/Module Name	Required Hours	Actual Hours
Local Training Options	**0**	
Total Hours Required for a Basic Course for Police Officers Refresher:	**149**	
Reviewed By:	**Date:**	