

OHIO PEACE OFFICER TRAINING COMMISSION



2015
Continuing Professional
Training Directions and FAQs

Law Enforcement Professionals:

Based upon available funding for reimbursement, per Revised Code (R.C.) section 109.803, the Ohio Peace Officer Training Commission has set the required minimum number of Continuing Professional Training (CPT) hours for calendar year 2015. Between January 1, 2015 and December 31, 2015, every appointing authority shall require each of its appointed peace officers and troopers to complete 4 hours of CPT. For public appointing authorities, as defined in Ohio Administrative Code (OAC) section 109:2-18-01(D), to be eligible for reimbursement of training costs, 1 hour of CPT must include critical subject training related to domestic violence with the remaining 3 hours related to general law enforcement and the public appointing authority must comply with the annual roster reporting requirements pursuant to R.C. 109.761(B). The reporting of the 2015 CPT hours will be reflected on your annual roster that is due by January 31, 2016.

As in previous years, continuing professional training is any training the agency administrator deems is directly related to the duties and responsibilities of a peace officer or trooper. The training must meet the requirements of OAC 109:2-18, serve a recognized law enforcement purpose, and have significant intellectual or practical content, the primary objective of which shall be to improve a participant's professional competence as a peace officer or trooper.

The Ohio Peace Officer Basic Training Academy has many free and reduced-cost course offerings available which may be used to fulfill CPT requirements. The 2015 course catalog is available for viewing on OHLEG and on the Attorney General's website at www.OhioAttorneyGeneral.gov/Law-Enforcement/Ohio-Peace-Officer-Training-Academy/Course-Catalog.aspx

A new course, "Domestic Violence," is now available to meet the domestic violence training requirement. It can be found on eOPOTA under the "Patrol and Operations" tab. Additional new courses have also been posted that will meet the three hours of general law enforcement training requirements.

Please do not hesitate to contact the office at, 740-845-2700 for questions or concerns.

Regards,

A handwritten signature in cursive script that reads "Mary E. Davis".

Mary E. Davis, Executive Director
Ohio Peace Officer Training Commission
Ohio Attorney General Mike DeWine

Directions

We will contact the appointing authorities in mid-September 2015 and supply a copy of the agency roster documentation that we have on file and detailed information on how to respond for CPT compliance. Please remember this does not alter the agency's legal requirement pursuant to ORC 109.761 to notify the Ohio Peace Officer Training Commission (OPOTC) of any appointment changes within ten (10) days.

ORC 109.761 Reports of appointment to peace officer training commission.

(A) (1) *Each agency or entity that appoints or employs one or more peace officers shall report to the Ohio peace officer training commission all of the following . . . :*

(a) The appointment or employment of any person to serve the agency or entity as a peace officer in any full-time, part-time, reserve, auxiliary, or other capacity;

(b) The termination, resignation, felony conviction, death, or guilty plea as specified in division (F) of section 109.77 of the Revised Code of any person who has been appointed to or employed by the agency or entity as a peace officer in any full-time, part-time, reserve, auxiliary, or other capacity and is serving the agency or entity in any of those peace officer capacities.

*(2) An agency or entity shall make each report required by this division **not later than ten days after the occurrence of the event** being reported. The agency or entity shall make the report in the manner and format prescribed by the executive director of the Ohio peace officer training commission. . .*

The rosters we provide will assist the local agencies in completing their Continuing Professional Training/Roster Report, which must be completed and submitted to the Ohio Peace Officer Training Commission (OPOTC), **no later than Jan. 31, 2016.**

The preferred methods of submission are via an email attachment to Rosters@OhioAttorneyGeneral.gov or via fax to (866) 344-1056. If neither of those methods are available to an agency, the rosters can still be sent through the U.S. Mail to Amber Jica, OPOTC, PO Box 309, London, OH 43140.

Frequently Asked Questions

Who needs to complete CPT and who is exempt pursuant to OAC 109:2-18-02?

Each peace officer or trooper is required to complete up to 24 hours of Continuing Professional Training annually. The actual number of required hours in a particular calendar year is determined by the Ohio Peace Officer Training Commission, based upon funding availability.

For calendar year 2015, 4 hours are required, and for a public appointing authority to be eligible for reimbursement, 1 hour must include critical subject training related to domestic violence with the remaining 3 hours related to general law enforcement.

Newly certified peace officers or troopers are exempt from CPT requirements for the calendar year in which they complete the peace officer basic or highway patrol cadet training program.

Otherwise, those who receive a new appointment before July 1, 2015 must complete the entire calendar year CPT requirement, while those who receive a new appointment on or after July 1, 2015 are exempt from CPT for the calendar year.

County sheriffs who hold their position as an elected official and not as an appointed peace officer are not required to complete CPT hours, but are required to complete other annual training.

What is general law enforcement training?

General law enforcement training is training that serves a recognized law enforcement purpose, which shall improve the officer's ability to serve as a law enforcement officer. This can be any topic that an agency administrator approves.

What does not qualify as CPT?

Training required elsewhere for peace officers by the General Assembly or the Attorney General will not qualify as CPT. As such the following break-in-service updates under the "Statutory Mandates" tab: the Domestic Violence courses; Missing Children; Crisis Intervention; Child Abuse and Neglect; Missing Persons; Human Trafficking; and the Refresher Course cannot qualify as CPT; annual Firearms Requalification would also not qualify.

Who can be an instructor for Continuing Professional Training?

CPT can be conducted only by instructors who meet at least one of following criteria:

1. Has five years' full-time law enforcement experience **and** meets at least one of the following:
 - a. Current OPOTC-certified peace officer basic training instructor
 - b. Four-year college degree
 - c. Completed an instructional skills course approved by the executive director
2. Licensed or certified professional and is providing instruction in a subject area directly related to the field for which they are certified or licensed.
3. The individual is conducting a training program pre-approved by the executive director.

Individuals who were OPOTC-certified basic training instructors but have had such certification revoked or suspended cannot teach CPT.

Can an officer take CPT online?

Yes, the Ohio Peace Officer Training Commission will provide training on eOPOTA through the Ohio Law Enforcement Gateway (OHLEG). **Courses that are located under the “Statutory Mandates” tab on eOPOTA cannot be used toward CPT.**

If an officer’s agency does not want an officer to have full OHLEG access, the agency could still authorize “eOPOTA-only” OHLEG access. The officer should consult with their supervisor for authority to receive this limited access.

What happens if an officer does not complete CPT?

Pursuant to OAC 109:2-18-06 a peace officer or trooper who, in any calendar year, fails to comply with the CPT requirements **shall cease carrying a firearm and shall cease performing the functions of a peace officer or trooper** until such time as evidence of compliance is filed with the executive director.

This rule does not apply to peace officers or troopers for whom an extension of time has been granted by the executive director.

What are the possible sanctions if an officer works while in cease function status?

Acting as a peace officer while in cease function status could subject an officer and the agency to civil liability for any peace officer functions the officer performs, as that officer is prohibited from functioning as a peace officer. Local mayors, chiefs of police, sheriffs, and prosecutors will be notified of officers who are in cease function status.

What happens if the officer misses the 12/31 deadline to complete CPT, but completes it on 1/1 or shortly thereafter? Can the officer go right back to work and function as a peace officer?

No, the Administrative Code requires that once someone goes into cease function status (which would happen at midnight on 1/1) then the OPOTC must receive documentation, review it, and verify that the officer can be taken out of cease function status. It could take several days to review the documentation and verify that the officer has met the CPT requirements.

When do the CPT/Roster reports have to be filed with the Ohio Peace Officer Training Commission, and what happens if an agency misses the deadline?

The OPOTC will be contacting local agencies in mid-September. An agency can submit its annual roster and CPT report any time after that. The sooner a public agency responds, the sooner it will receive reimbursement. As to final deadlines, an officer’s CPT requirement must be completed by December 31, 2015, then each agency’s Continuing Professional Training/Roster Report must be submitted by January 31, 2016.

Pursuant to OAC 109:2-18-04(G), **failure to report compliance with CPT requirements by January 31, 2016 will result in a forfeiture of the appointing authority's eligibility for reimbursement.**

What happens if an officer has completed CPT on eOPOTA via OHLEG, but is having problems printing certificates?

If the agency's chief/sheriff is satisfied, and on the annual roster and CPT report puts a "Y" into the column that states an officer completed CPT, OPOTC will also be satisfied. The chief/sheriff will need documentation of some sort though, as they are subject to audit, so the officer will ultimately need to give the chief/sheriff a certificate for the agency's records.

If agency's chief/sheriff puts "N" in the column that asks if the officer did the CPT, then the officer will need to send copies of the certificates to OPOTC to review and update the officer's status.

Can an officer's December 31, 2015 CPT requirement be extended?

Yes, but only under very specific emergency circumstances. Pursuant to OAC 109:2-18-02 and ORC 109.803(A)(2), the OPOTC executive director may extend the time for an officer to complete CPT requirements upon **written request from the appointing authority**. That request must be made to the executive director **by December 15, 2015**, and must explain the emergency which created the need for the extension. It shall include the name of the peace officer or trooper the request involves, the emergency circumstances (including documentation) leading to the request, and the date the request was submitted to OPOTC.

The executive director will make a decision granting or denying the extension request within thirty (30) days of receiving the extension request. In making this decision, the executive director will consider factors such as a serious illness of an officer of an officer's immediate family member, prolonged military service, or an unreasonable shortage of manpower within the appointing agency. If an extension is granted, it will be for ninety days, unless the executive director finds that special circumstances exist for a longer extension. The executive director shall send written notice of the decision to the appointing authority.

Who reports an officer that works for more than one agency?

Pursuant to OAC 109:2-18-02, if a peace officer or trooper is appointed by more than one agency, the agency responsible for documenting the training and be eligible for reimbursement shall be determined by order of priority as follows:

1. Paid full-time
2. Paid part-time
3. Unpaid

If a peace officer or trooper holds appointments of equal priority, the agency where the peace officer or trooper was first appointed will be responsible for documenting the

If an agency does not want, or is not eligible for reimbursement, does the agency or officer still have to complete CPT documentation forms?

Yes. Each agency must submit the Continuing Professional Training/Roster Report regardless of reimbursement issues. Otherwise, OPOTC will not have information establishing that the individual officer has complied with training requirements, and it will appear that pursuant to OAC 109:2-18-06, the officer enters in a cease-function status on January 1st, such that the officer is **prohibited from performing the functions of a peace officer or trooper and prohibited from carrying a firearm during the course of official duties** until evidence of compliance is filed with the executive director.

Which agencies are eligible for reimbursement, and how much is reimbursed?

All **public** appointing authorities that comply with the requirements are eligible for reimbursement, and can receive \$20 per required hour, per officer. For calendar year 2015, there are four hours of CPT required. If at least one of those hours involve critical subject training related to domestic violence the agency can receive to to \$80 per officer.

If an officer complies with the law, will an eligible agency automatically get reimbursed?

Not necessarily. The officer may meet the officer's individual responsibility to obtain the training, but the agency may have missed deadlines or failed to provide CPT documentation, which are mandatory for reimbursement. Also, while all officers are required to take CPT, only **public** agencies are permitted to obtain reimbursement, pursuant to OAC 109:2-18-04.

Will the agency receive partial reimbursement for an officer who takes 4 hours of CPT, but does not take 1 hour of this year's critical subject training related to domestic violence?

No. Unless the officer completes at least one hour of training related to domestic violence the agency will not receive any reimbursement for that officer.

Will the agency receive partial reimbursement for an officer who takes less than four 4 hours of CPT?

No. There is not partial reimbursement for partial compliance. If the officer does not take at least 4 hours of CPT, including 1 hour related to domestic violence, the agency will not receive any reimbursement for that officer.

How will a public agency know when the reimbursement money will be sent?

Once the local agency submits its annual roster with CPT information, OPOTC staff will review that information, and address any irregularities that may be found. OPOTC administration will then approve the CPT reimbursement, and will notify the local agency's designated contact person by email that reimbursement has been approved. The finance department will then process and send the reimbursement check within three weeks of the approval email.

What can a public agency do with the reimbursement money?

Pursuant to OAC 109:2-18-04, each public appointing authority that receives reimbursement funds for CPT must keep those funds separate from any other funds and can use that money only to defray the cost of CPT programs. For more specific questions as to whether a particular expenditure would be appropriate, the agency is directed to contact its local legal advisor.

What type of records should the agency keep?

The agency must maintain records sufficient to show compliance with the CPT requirements. If training is conducted at the agency, the lesson plans and sign-in sheets must be kept. If training is conducted by outside individuals, authentic certificates of the training or 1) authentic copies of the lesson plans plus 2) authentic copies of the sign-in sheets should be kept if possible.

All records should be kept on file by the agency in accordance with the agency's records retention schedule but no less than three years. All records will be available to the executive director for inspection upon request.

When will I know how many hours are required for next year?

No later than October 15th of each year, the executive director will notify each law enforcement agency administrator of the training and reimbursement requirements for the upcoming year.

Who do I contact if I have other questions?

For further clarification or additional questions, contact Amber Jicha at Rosters@OhioAttorneyGeneral.gov or (740) 845-2686.