

# OHIO PEACE OFFICER TRAINING COMMISSION



## 2016 Continuing Professional Training Directions and FAQs

December 16, 2015

Law Enforcement Professional,

Based on available funding, the Ohio Peace Officer Training Commission (OPOTC) has mandated that between January 1, 2016 and December 31, 2016, every appointing authority shall require each of its appointed peace officers and troopers to complete 11 hours of continuing professional training (CPT). For public appointing authorities, to be eligible for reimbursement, CPT hours must include training on critical subjects, as outlined later, and the public appointing authority must comply with the annual roster reporting requirements.

Although further information is included on the following pages, there are some changes taking effect in 2016 that I want to ensure you are aware of.

1. Any non-OPOTA training used to fulfill CPT hours must be pre-approved by the OPOTC.
2. Everyone who is an appointed peace officer or trooper during 2016 must meet the CPT requirements, regardless of when they were appointed, except for officers certified during the CPT calendar year.
3. Officers who complete statutorily mandated training (other than firearms requalification) may receive credit towards those CPT requirements, to the extent that the training meets the requirements of 2016 CPT.

My staff has been diligently working the past few months to develop a dynamic, informative, and accessible 8-hour course which can be used to fulfill 8 of the required 11 hours and meet 3 of the 4 critical subjects. *Policing in the 21st Century* will be offered once each month, in both London and Richfield, and at select regional locations around the State. We've also added webcast software which allows individuals to attend our live London and Richfield sessions, via live streaming over the internet. For those attending our course virtually, we'll split the 8-hour course into two, 4-hour courses. Topics covered will include the critical subjects of community-police relations, crisis de-escalation with focus on mental illness, and constitutional use of force.

Further information on the new courses OPOTA has developed for 2016 CPT is covered inside along with answers to more CPT related questions.

It is my hope that this document will assist you in fulfilling the CPT requirements. Please do not hesitate to contact the office at, 740-845-2700 for questions or concerns.

Regards,



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

## Directions

In mid-September 2016, agencies will be supplied a copy of the agency roster documentation that we have on file and detailed information on how to respond for CPT compliance. Reporting of 2016 CPT will also be reported on the roster, as required by OAC [109:2-18-05\(D\)](#).

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.

Rosters are **due by January 31, 2017**. The preferred methods of submission are via an email attachment to [Rosters@OhioAttorneyGeneral.gov](mailto:Rosters@OhioAttorneyGeneral.gov) or via fax to (866) 239-1136. If neither of those methods is available to an agency, rosters can be sent through the U.S. Mail to Amber Jica, OPOTC, P.O. Box 309, London, OH 43140.

## Frequently Asked Questions

### **Who needs to complete CPT? (OAC [109:2-18-02](#))**

Every appointed peace officer and trooper is required to complete the annually mandated continuing professional training. The actual number of required hours in a particular calendar year is determined by the Ohio Peace Officer Training Commission, based upon funding availability.

Starting this year newly appointed peace officers are no longer exempt from CPT requirements for the calendar year in which they are appointed. However, peace officers and troopers are still exempt from having to complete CPT within the calendar year in which they completed the peace officer basic or highway patrol cadet training program.

To maintain their peace officer certification, elected sheriffs are also required to complete CPT hours. Sheriffs completing “new sheriff” training per ORC [109.80\(B\)](#) and ORC [311.01\(E\)](#) may receive credit towards those CPT requirements, to the extent that the sheriff’s training meets the requirements of 2016 CPT.

### **What are the CPT requirements for 2016?**

For calendar year 2016, 11 hours of CPT are required. If the training is not an Ohio Peace Officer Training Academy (OPOTA) course, the training must be pre-approved by the OPOTC.

### **If reimbursement is desired, what are the CPT requirements for 2016?**

If a public appointing authority desires reimbursement for completion of CPT hours, in addition to the training being an OPOTA course or pre-approved by the OPOTC, the training must include all the critical subjects and hours below.

- **Community-Police Relations (e.g., Implicit Bias, Procedural Justice, Blue Courage)** (4 hours)
- **Crisis De-escalation with Focus on Mental Illness** (2 hours)
- **Constitutional Use of Force** (2 hours)
- **Human Trafficking** (1 hour)
- **General Law Enforcement** (2 hours)

### **What is general law enforcement training? (OAC [109:2-18-03\(A\)](#))**

General law enforcement training is training that address matters directly related to the duties and responsibilities of a peace officer or trooper, serves a recognized law enforcement purpose, and will improve the officer’s ability to serve as a law enforcement officer.

### **Does training on topics required by the legislature count as CPT? (OAC [109:2-18-03](#))**

Yes, starting this year, officers completing statutorily mandated training, such as companion animal encounters (2015), human trafficking (2012), or domestic violence (2009), may receive credit towards CPT requirements to the extent that the training also meets the requirements of 2016 CPT.

### **Can annual in-service firearms requalification count as CPT? (OAC [109:2-18-02\(I\)](#))**

No, the time spent completing the firearms re-qualification program is an evaluation of proficiency, not training; and therefore cannot be counted as CPT hours.

### **Can agencies use any training they want, to qualify for 2016 CPT?**

No, whether general law enforcement training or on a critical subject, CPT training **must** meet one of the following criteria:

- 1) Be an OPOTA course. An OPOTA course will be taught by an OPOTA instructor or an instructor contracted by OPOTA, have an OPOTA course number, and provide OPOTA course certificates as documentation of completion.
- 2) If an agency wants non-OPOTA courses to qualify for any of their officer's required training, the agency (the "appointing authority" of peace officers) must apply for prior approval, on a form developed by the OPOTC, and follow the instructions on that application. Please email [CPTPreApprovals@OhioAttorneyGeneral.gov](mailto:CPTPreApprovals@OhioAttorneyGeneral.gov) for more information on the approval process. A copy of the approval application can be found on the [OPOTA website](#).

### **Can a company that provides training, or individual trainers, or an association of law enforcement officers, or any other outside agency apply for prior approval of a 2016 CPT course? (OAC [109-2-18-01\(C\)](#) and [109-2-18-03\(B\)](#))**

No, only an appointing authority can request approval for a training in which they'd like to use to fulfill one of their officers' CPT requirements. Only application forms and supporting materials received from an appointing authority will be processed – any application form or supporting materials received directly from an outside agency or person will be returned without processing.

### **If peace officers from more than one agency are attending the same non-OPOTA training, must each appointing authority submit a complete prior approval form and supporting documentation?**

No, additional agencies do not need to submit an application with all the supporting documents, but they must submit an application. This will provide the agency documentation that the training their officer went to, while not an OPOTA course, was approved by the OPOTC and therefore could be used for CPT.

When an appointing authority receives approval for delivery of a specific course, the course will be assigned a code in the format, PCPT #16-XXX. Any other appointing authority applying for pre-approval to send officers to that **same training session** need only submit the 2016 CPT Prior Approval form with their signature, indicating the PCPT# of the previously approved course. This applies only to a single delivery of a course that has been pre-approved.

If any appointing authority seeks to have the "same" course presented later in the year, a new and complete application for pre-approval must be submitted, even if the same instructors are to be used. **Note:** If the same content and instructors are going to be used in more than one session, the additional session dates may be included on the initial application and all sessions approved at one time.

### **How long will a 2016 CPT application for prior approval take to process?**

Our goal is to have a turnaround time of less than 30 days. The OPOTC recommends that the fully completed and supported application be submitted at least 30 days prior to the planned delivery of training. It is the responsibility of the appointing authority to satisfy all requirements for approval of the training. To reduce delay in receipt and review by the OPOTC, the application form and all supporting materials should be typewritten and submitted electronically to [CPTPreApprovals@OhioAttorneyGeneral.gov](mailto:CPTPreApprovals@OhioAttorneyGeneral.gov).

**Can public agencies use whatever courses they want to qualify for the critical subject courses of 4 hours of community-police relations; 2 hours of crisis de-escalation with focus on mental illness; 2 hours of constitutional use of force; and 1 hour of human trafficking ?**

The agency can choose any OPOTA course covering the subjects. However, if it's not an OPOTA course the agency must apply for pre-approval.

**What new courses did OPOTA development that can be used to fulfill the CPT requirements for reimbursement?**

The specific courses designed by OPOTA to meet this year's requirements for reimbursement are:

- *Policing in the 21st Century*
  - 8-hour course will be provided **in-person**, once each month, in both London and Richfield. Registration available through the [course catalog](#).
  - Will also be offered, in-person, ten times **regionally**. Register through the [course catalog](#).
  - Officers can also complete the course by signing up for two separate 4-hours courses, online, via **webcast**. This will allow participants to receive live training without having to travel to a classroom. All online course offerings and registration will be available, by the end of the year, on the [course catalog](#).
  - Course will cover the critical subjects of:
    - Community-Police Relations, focusing on Implicit Bias, Procedural Justice, and Blue Courage – 4 hours
    - Crisis De-escalation with Focus on Mental Illness – 2 hours
    - Constitutional Use of Force - 2 hours
  
- *Human Trafficking Update* – 1 hour, on eOPOTA. After January 1, 2016, course can be accessed on [OHLEG](#).

For the 2 hours of general law enforcement training, OPOTA will add 5 new, 1-hour eOPOTA courses. After January 1, 2016, courses can be accessed on [OHLEG](#).

- *Disability Training for Emergency Planners: Serving People with Disabilities*
- *Dose of Reality for Law Enforcement Officers: Being a safe and critical consumer of prescription drugs*
- *Procedural Justice & Police Legitimacy*
- *The Ohio Automated Rx Reporting System (OARRS) for Law Enforcement*
- *Companion Animal Encounters*

**Who can be an instructor for continuing professional training? (OAC 109:2-18-03(A))**

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 and the training program the individual is conducting has been 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, online courses may be used to fulfill CPT. As with all CPT training, if the course is not an online OPOTA course, it must be pre-approved.

There are many courses on eOPOTA which can be used to fulfill some of the CPT training requirements. If an officer's agency does not want an officer to have full OHLEG access, the agency can 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? (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? (OAC [109:2-18-06](#))**

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 agency administrators have to submit CPT/Roster reports to 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, 2016, and then each agency's Continuing Professional Training/Roster Report must be submitted by January 31, 2017.

Pursuant to OAC [109:2-18-04\(G\)](#), **failure to report compliance with CPT requirements by January 31, 2017 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 the requirements are met, and on the annual roster/CPT report puts a "Y" into the column that states an officer completed CPT, the OPOTC will also be satisfied. However, pursuant to [OAC 109:2-18-05](#), the chief/sheriff will need documentation of some sort, 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 the agency's chief/sheriff puts "N" in the column that asks if the officer completed 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, 2016 CPT requirement be extended? (OAC [109:2-18-02](#) and ORC [109.803\(A\)\(2\)](#))**

Yes, but only under very specific emergency circumstances may the OPOTC executive director extend the time for an officer to complete CPT requirements. The appointing authority must make written request to the executive director **by December 15, 2016**. The request 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 the 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 or an officer's immediate family member, prolonged military service, or an unexpected 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? (OAC [109:2-18-02](#))**

If a peace officer or trooper is appointed by more than one agency as of July 1<sup>st</sup>, the agency responsible for documenting the training and be eligible for reimbursement shall be determined by order of priority as follows:

1. Full-time
2. Part-time
3. Other

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 training.

**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, the 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 1<sup>st</sup>, 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 for how much? (OAC [109:2-18-04](#))**

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 2016, there are eleven hours of CPT required. If those eleven hours meet the critical subject requirements, the agency can receive \$220 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 11 hours of CPT, but who does not take the critical subject hours (4 hours of community-police relations; 2 hours of crisis de-escalation with focus on mental illness; 2 hours of constitutional use of force; and 1 hour of human trafficking)?**

No, unless an officer completes at least four hour of community-police relations; at least two hours of crisis de-escalation with focus on mental illness; at least two hours of constitutional use of force; and at least one hour of human trafficking, the agency will not receive any reimbursement for that officer.

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

No, there is not partial reimbursement for partial compliance. If the officer does not take at least 11 hours of CPT, including 2 hours of general law enforcement and 9 hours of training on the specified critical subjects, 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 attorney general's office 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? (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 must the agency keep? (OAC [109:2-18-05](#))**

The agency must maintain records sufficient to show compliance with 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 must be kept on file by the agency for a minimum of three years or in accordance with the agency's records retention schedule, whichever is later. All records shall be available to the executive director for inspection upon request.

**When will I know how many hours are required for next year? (OAC [109:2-18-07](#))**

No later than October 15<sup>th</sup> 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](mailto:Rosters@OhioAttorneyGeneral.gov) or (740) 845-2686. For questions specific the prior approval of non-OPOTA courses, contact [CPTPreApprovals@OhioAttorneyGeneral.gov](mailto:CPTPreApprovals@OhioAttorneyGeneral.gov) or call 740-845-2700.