

# OHIO PEACE OFFICER TRAINING COMMISSION



## 2017 Continuing Professional Training Directions and FAQs

Law Enforcement Professionals:

Based on available funding, the Ohio Peace Officer Training Commission (OPOTC) has mandated that between January 1, 2017 and December 31, 2017, every appointing authority shall require each of its appointed peace officers and troopers to complete 20 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.

The legislature provided a formula for reimbursement of officers who complete training in the critical subjects for 2017. House Bill 64 state that, ".....each public appointing authority entitled to reimbursement for the cost of continuing professional training shall receive **one hundred per cent** reimbursement from the state **for eleven** of the required twenty hours of training. **Of the remaining nine hours** of required training, each eligible public appointing authority shall receive state reimbursement at the rate of: (a) **one hundred per cent for the first fifty full-time** officers or troopers trained, and (b) **eighty per cent for any full-time officers or troopers trained after the first fifty full-time** officers or troopers are trained."

We have always categorized an officer as "full-time" based upon what an agency reported to us in the SF400 Notice of Appointment. The Commission had not defined that phrase, and so it was left up to the agency. However, as funding is now tied to this status, "full-time" needed to be officially defined. OAC 109:2-18-01(J) will define "full-time" for CPT reimbursement purposes, effective January 1, 2017 as "officers or troopers who are in active pay status receiving compensation and benefits for 40 hours in a work week or 80 hours in a 14-day period. For CPT purposes, active pay status includes vacation leave, sick leave, bereavement leave, administrative leave, compensatory time, holidays, and personal leave statuses.

Please review your annual roster to verify that those who are classified as "full-time" meet this new definition. In a case where the officer does not meet this definition, please submit an SF400 for a status change.

My staff has been diligently working the past few months to develop dynamic, informative, and accessible courses which can be used to fulfill 16 of the required 20 hours and meet the critical subjects.

Further information on the new courses OPOTA has developed for 2017 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 2017, your agency will be supplied a copy of your annual roster documentation that we have on file and detailed information on how to respond for CPT compliance. Reporting of 2017 CPT will also be reported on the roster, as required by Ohio Administrative Code [109:2-18-05\(D\)](#).

Please remember this does not alter the agency's legal requirement pursuant to Ohio Revised Code [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, 2018**. The preferred methods of submission are via an email attachment to [Rosters@OhioAttorneyGeneral.gov](mailto:Rosters@OhioAttorneyGeneral.gov) or via fax to (866) 509-6055. If neither of those methods are available to an agency, rosters can be sent through the U.S. Mail to Amber Jicha, OPOTC, P.O. Box 309, London, OH 43140.

## Frequently Asked Questions: individual officer requirements

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

All peace officers and troopers who hold an appointment in 2017, except for those who successfully completed their basic training or highway patrol cadet training program **and** exam in 2017, are required to complete the annually mandated continuing professional training, regardless of whether they are new officers or seasoned officers. The actual number of required hours in a particular calendar year is determined by the Ohio Peace Officer Training Commission, based upon funding availability.

### What are the CPT requirements for 2017?

For calendar year 2017, 20 hours of CPT are required. Officers can take any agency directed training on general law enforcement subject(s) to meet the 20 hours required by law. Agency directed training must meet the instructor requirements of OAC 109:2-18-03; 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.

Please note that while taking 20 hours of agency directed general law enforcement training meets the CPT requirements for an individual officer, that officer's training will not be eligible for reimbursement.

### If reimbursement is desired, what are the CPT requirements for 2017?

If reimbursement is desired, training must include the below critical subjects (in **bold**):

- **Trauma Informed Policing** (6 hours)
  - Mandatory lesson plan (available on OHLEG), can be provided to agencies and taught by ODMHAS experts, or any of the following program instructors: OPOTC Crisis Intervention, SAMSA GAINS Center, NAMI CIT, Critical Incident Stress Management,
  - OR
  - OPOTA will provide the course taught by ODMHAS experts twice regionally and via webcast, each month
  
- **Practical Application of Force** (4 hours)
  - Mandatory lesson plan (available on OHLEG) can be provided to agencies and taught by subject control instructors,
  - OR
  - Applicable OPOTA "force" course that will be identified in the 2017 course catalog
  
- **Officer & Community Wellness** (4 hours) – choose one
  - **Blue Courage** (4 hours)
    - Mandatory lesson plan can be provided to agencies and taught by Blue Courage Instructors
  - OR
  - Blue Courage 4-hour course series will be available on eOPOTA
- OR

- **Procedural Justice & Police Legitimacy** (4 hours)
  - Mandatory lesson plan (available on OHLEG) can be provided to agencies and taught by individuals meeting OAC criteria
- OR
  - OPOTA will provide the course live and via webcast, each month
- **Legal Update** (2 hours)
  - Agency directed, no preapproval required
- OR
  - 2017 Legal Update 4-hour course series will be available on eOPOTA
- **General Law Enforcement** (4 hours)
  - Agency directed, no preapproval required

Instructor qualifications for the CPT critical subjects are listed above.

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

General law enforcement training is training that meets the requirements of OAC 109:2-18, and 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.

**Who can be an instructor for agency directed 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. Is a 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 have 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.

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

Yes, 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 2017 CPT.

**Does training required to be taken by sheriffs count as CPT?**

Yes, while the county sheriff must take CPT, the annual sheriff’s trainings will count towards those hours.

### **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 an officer for 2017 CPT compliance?**

Yes, as long as it meets the instructor and course requirements of OAC 109:2-18-03, and addresses 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.

### **Can a non-OPOTA course be used to meet the 20 hour requirement for 2017?**

Yes, if the course meets the instructor requirements of OAC 109:2-18-03, and addresses 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.

### **Will OPOTA pre-approve courses for 2017 CPT?**

No. As done prior to 2016, it will be up to the agency administrator to determine if a course meets the instructor requirements of OAC 109:2-18-03, and addresses 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. Such a determination is subject to audit, however.

### **If an officer is instructing a CPT class, does the officer/instructor get credit for the CPT that the officer/instructor is teaching?**

Yes, an instructor can get CPT credit for the course the instructor is teaching. The instructor would receive the same number of CPT hours as the students receive. However, if an instructor teaches the same course more than once, the instructor would only get to count it for CPT the first time taught.

### **Can an officer take CPT online?**

Yes, any online course on eOPOTA may be used to fulfill CPT. Non-eOPOTA Online courses would only meet the requirement if they meet the above instructor requirements of OAC 109:2-18-03, and address matters directly related to the duties and responsibilities of a peace officer or trooper, serve a recognized law enforcement purpose, and will improve the officer's ability to serve as a law enforcement officer.

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.

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

They should first contact Becki Hager at [eOPOTACertificates@OhioAttorneyGeneral.gov](mailto:eOPOTACertificates@OhioAttorneyGeneral.gov) for technical assistance.

Alternately, 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, 2017 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, 2017**. 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.

## Frequently Asked Questions: agency requirements and reimbursement

### **Which agencies are eligible for reimbursement? (OAC [109:2-18-04](#))**

All **public** appointing authorities that comply with the CPT critical subject and annual roster are eligible for reimbursement. For calendar year 2017, there are twenty hours of CPT required, of which 16 are critical subjects.

### **How much money will a public appointing authority receive for 2017 if an officer is in compliance with the 20 hours and the critical subjects? (House Bill 64)**

The legislature provided a formula for reimbursement of officers who complete training in the critical subjects for 2017. While the calculation is based on \$20 per officer per hour, “. . . each public appointing authority entitled to reimbursement for the cost of continuing professional training shall receive **one hundred per cent** reimbursement from the state for **eleven** of the required twenty hours of training. **Of the remaining nine hours** of required training, each eligible public appointing authority shall receive state reimbursement at the rate of: (a) **one hundred per cent for the first fifty full-time** officers or troopers trained, and (b) **eighty per cent for any full-time officers or troopers trained after the first fifty full-time** officers or troopers are trained.”

### **When do agency administrators have to submit the annual roster/CPT 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, 2017, and then each agency’s annual roster/CPT report must be submitted by January 31, 2018.

Pursuant to OAC [109:2-18-04\(G\)](#), **failure to report compliance with CPT requirements by January 31, 2018 will result in a forfeiture of the appointing authority's eligibility for reimbursement.**

### **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 and will be eligible for reimbursement

### **What is a full-time officer, for 2017 CPT reimbursement purposes?**

In the past, we have always categorized an officer as “full-time” based upon what an agency reported to us in the SF400 Notice of Appointment. The Commission had not defined that phrase, and so it was left up to the agency. However, as funding is now tied to this status, “full-time” needed to be officially defined. OAC 109:2-18-01(J) will define “full-time” for CPT reimbursement purposes, effective January 1, 2017 as “officers or troopers who are in active pay status receiving compensation and benefits for 40 hours in a work week or 80 hours in a 14-day period.: For CPT purposes, active pay status includes vacation leave, sick leave, bereavement leave, administrative leave, compensatory time, holidays, and personal leave statuses.

Agency administrators should review their rosters to verify that those who are classified as “full-time” meet this new definition. In a case where the officer does not meet this definition, the agency administrator should submit an SF400 for a status change.

### **Can public agencies use whatever courses they want to qualify for the critical subject courses of 6 hours of Trauma Informed Policing; 4 hours of Practical Application of Force; and 4 hours of Officer & Community Wellness?**

No. It must be the specific courses set forth above under *“If reimbursement is desired, what are the CPT requirements for 2017?”*

### **Can public agencies use any class on legal issues that they want to qualify for the critical subject 2 hours of Legal Update?**

Yes, provided that the minimum instructor and course qualifications, per the Ohio Administrative Code, are met.

### **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 annual roster/CPT 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.

### **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 the annual roster or 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 20 hours of CPT, but who takes none of the critical subject hours (6 hours of Trauma Informed Policing; 4 hours of Practical Application of Force; 4 hours of Officer & Community Wellness; and 2 hours of Legal Update)?**

No, unless an officer completes all of these requirements, the agency will not receive any reimbursement for that officer.

**Will the agency receive partial reimbursement for an officer who takes less than 20 hours of CPT, or who only completed some of the critical subject hours?**

No, there is not partial reimbursement for partial compliance. If the officer does not take at least 20 hours of CPT, including 4 hours of general law enforcement and 16 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.

**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.

**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.

**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.