



February 2016 Newsletter

I want to commend everyone statewide for the diligence shown to achieve compliance with Rule 28 – Mandatory Training. 2015 was the first year for this training mandate and, as with any new program, there were many questions and a few unintended consequences. POST staff has been in contact with every agency to answer questions to assist with achieving compliance. At our POST Board meeting in December, the Board voted to clarify wording that had been interpreted differently regarding perishable skills. The new wording reads "Perishable skills training shall consist of a minimum of 12 hours. The minimum 12 hours must include all three of the perishable skills (Arrest Control, Driving, and Firearms) each calendar year." The number of hours of each perishable skill does not matter, as long as the total number is 12.

A secondary part of Rule 28 states the POST Board must evaluate the program annually and that agencies shall complete, by February 1 of each year, an annual training evaluation survey as part of the substantial compliance measurement. Thanks to each of you who completed the training survey POST sent out in January. I am currently preparing the final report for the POST Board to review at our March Board meeting. Following the Board meeting, the next newsletter will include survey results, lessons learned and any possible changes to Rule 28 for 2016. The other major training topic for 2016 is HB 15-1287, which goes into effect on July 1, 2016. Rule 28 is based on a calendar year for the relevant training period; however HB 15-1287 is July through July for the first three years and then switches to a calendar year after that. This bill was passed at the end of the 2015 session. I have attached the bill to this email so that you can refer to it.

After July 1, 2016 each certified peace officer must complete eight hours of training, described below: Section 1, 2 and BOTH parts of Section 3. In subsequent years, that number reduces to six hours of mandated training. These hours may be used toward your Rule 28 mandatory training hours also. I have broken down the required training by year:

By July 1, 2016, curriculum must be available for the following topics:

- 1) Proper Restraints & Holds (2 hours)
- 2) Anti-Bias (2 hours)
- 3) Community Policing & Community Partnerships (2 hours) **AND** De-escalation (2 hours)

By July 1, 2017 each certified peace officer shall satisfactorily completed the training:

- 1) Proper Restraints & Holds (2 hours)
- 2) Anti-Bias (2 hours)
- 3) Community Policing & Community Partnerships (2 hours) **OR** De-escalation (2 hours)
(Must complete the option that was NOT completed the year prior)

By July 1, 2018 this cycle must be completed with the alternate training under Section 3.

The two-year cycle must be repeated once every 5 years thereafter.

A major component of HB 15-1287 is "The P.O.S.T. Board *shall suspend a peace officer's certification* if the peace officer fails to comply with the training requirements in subsection (1) of this section." Certification will be reinstated once the training has been completed.

The tracking of this mandated training will be challenging for each agency, as well as POST. You can certainly complete the training more frequently, even annually if you like. My professional opinion would be that all of you are already training proper restraints and holds in your block of defensive tactics. I would recommend that you coordinate with your defensive tactics trainers or training coordinators, identify a two-hour block of defensive tactics training, and classify it as "Proper Restraints & Holds."

POST staff is currently designing online Anti-Bias training that will be available by July 1, 2016. Once that is complete, POST staff will start working on Community Policing & Community Partnerships, and De-escalation training. Also, to meet this mandate, the training does not have to come from POST. We are only providing you with options. Feel free to use other sources of training that you may be familiar with. In order to meet the needs of all agencies and to recognize that, "one size does not fit all," I will include a variety of other training options in each of the required categories on our POST website.

Rule 28 and HB-15-1287 requirements are optional for arson investigators, DOC officers, judicial district investigators and some other types of agencies. Please feel free to contact us to determine whether your agency is required to meet these mandates.

At our POST Board meeting in December, new Rule 29 – Hiring Standards, was voted on and accepted and became effective January 31, 2016. The critical wording in Rule 29 states "Any person separating from one agency and appointed by another agency must complete a physical and psychological evaluation if one has not been conducted within the preceding three years and made available to the receiving agency." I have attached a copy of Rule 29 for your review.

As always, I welcome your feedback.

Cory Amend
POST Director