

SPECIFICATION S-19

S-19

TITLE: CERTIFICATION OF FIELD TRAINING OFFICER

The following requirements are intended to assure the Commission that Field Training officers meet minimal qualifications as to training and experience as authorized in Section 1014 of the Regulations. The actual evaluation and selection of the Field Training Officers will remain the responsibility of the department head. The department head is ultimately responsible for the quality of the instruction and training provided.

REQUIREMENTS

1. LAW ENFORCEMENT EXPERIENCE

A minimum of three years of full time experience in law enforcement is required.

2. EDUCATION

Possession of not less than the General Certificate.

3. TRAINING

New applicants for Field Training Officer certification will have completed a minimum of 32 hours of Commission approved classroom instruction including, but not limited to, the following topics:

- (a) Communications
- (b) Techniques of Instruction
- (c) Evaluation of Training
- (d) Trainee Motivation and Counseling
- (e) Complete review of the forms and their purpose in the Commission on Law Enforcement Standards and Training "Field Training Manual for Law Enforcement Recruits".

4. **RECOMMENDATIONS**

- (a) ~~Applications for Field Training Officer certification will be endorsed by the department head on Form F-12.~~
- (b) ~~It is the recommendation, but not required, of the Commission that any law enforcement unit employing twenty (20) or more officers participate in the Field Training Program for evaluation by the Department and the Commission.~~
- (c) ~~The Commission recommends the following training to all departments utilizing the Field Training Officer concept:~~
 - (1) ~~The Basic Course at a certified police training facility.~~
 - (2) ~~The twelve-week Field Training Officer Program.~~
 - (3) ~~At least two additional weeks of an Advanced Basic Course consisting of classes that will provide an increase in the knowledge of the recruit and refresher classes that will reinforce what he has learned in his past experience.~~
 - (4) ~~An extensive examination.~~
- (d) ~~The Commission will not accept satisfactory completion of the Basic Course unless the recruit has attained at least 70% in his/her academic studies and consistently attains a passing score on the Commission approved firearms training course.~~

VALIDATION OF CERTIFICATE

- (a) The Field Training Officer's Certificate shall remain valid from the date of issue, unless recalled by the department head and returned to the Commission.
- (b) A Field Training Officer Certificate will be transferable should the officer change agencies.
- (c) The Field Training Officer Certificate will expire if the officer is separated from law enforcement for more than six (6) months.

QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Commission on Law Enforcement Standards and Training
DIVISION Office of Law Enforcement Standards
DIVISION DIRECTOR Jami Cook
CONTACT PERSON Jami Cook
ADDRESS 4 State Police Plaza Drive Little Rock, AR 72209
PHONE NO. 5016822260 **FAX NO.** 5016821582 **E-MAIL** jami.l.cook@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Jami Cook
PRESENTER E-MAIL jami.l.cook@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
B. Please answer each question **completely** using layman terms. You may use additional sheets, if necessary.
C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Donna K. Davis
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201

1. What is the short title of this rule? Specification S-19, Certification of Field Training Officers
2. What is the subject of the proposed rule? Describes the requirements for certifying Field Training Officers
3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☒
If yes, please provide the federal rule, regulation, and/or statute citation. _____
4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes ☐ No ☒
If yes, what is the effective date of the emergency rule? _____

When does the emergency rule expire? _____

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act?

Yes ☐

No ☐

5. Is this a new rule? Yes ☐ No ☒

If yes, please provide a brief summary explaining the regulation. _____

Does this repeal an existing rule? Yes ☐ No ☒

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does. _____

Is this an amendment to an existing rule?

Yes ☒ No ☐

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. 12-9-104

7. What is the purpose of this proposed rule? Why is it necessary? Deletes Section 4 as redundant language.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). CLEST.org

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐

If yes, please complete the following:

Date: January 14, 2016

Time: 10:00am

Place: ALETA, East Camden, AR

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

January 13, 2016

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

February 1, 2016

12. Do you expect this rule to be controversial? Yes ☐ No ☒

If yes, please explain. _____

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Commission on Law Enforcement Standards and Training
DIVISION Office of Law Enforcement Standards
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. 501-682-2260 **FAX NO.** 501-682-1582 **EMAIL:** jami.l.cook@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Specification 19, Certification of Field Training Officers

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes ☐ No ☒
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

- (b) The reason for adoption of the more costly rule;

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____

Next Fiscal Year

General Revenue	_____
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____

Total _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue	0
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____
Total	0

Next Fiscal Year

General Revenue	0
Federal Funds	_____
Cash Funds	_____
Special Revenue	_____
Other (Identify)	_____
Total	0

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

\$ 0 _____

Next Fiscal Year

\$ 0 _____

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ 0 _____

Next Fiscal Year

\$ 0 _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
 - (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.