

Minnesota Attorney General: Administrative Rules Proceedings

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236

Gary Hansen
Special Assistant
Attorney General

August 4, 1976

- Minnesota Peace Officers Training Board
Rules Atty. Gen. 201-209, 210-218

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE

HEARING EXAMINER

In the Matter of the Proposed Revision of Rules of the Attorney General Relating to Peace Officer Training and the Reimbursement Program of the Minnesota Peace Officer Training Board (Atty. Gen. 201-209, 210-218).

STATEMENT OF NEED
POTB-76-001-PE

The above-captioned rules are amendments to existing rules of the Peace Officer Training Board. The last time the rules were amended was November 13, 1973.

The effect of these amendments is to redefine certain terms to more accurately describe them; to define other terms that have been undefined in the past; to correct minor inconsistencies in spelling, punctuation, and word choice that have gone uncorrected in the past; and to make mandatory the minimum hiring standards necessary to receive reimbursement for the expenses of sending a recruit to the Minnesota Peace Officer Training Board school.

The need to amend the minimum hiring standards to make them mandatory arises out of a desire to assure that only those persons qualified to function as peace officers are appointed and trained as such. The requirements as proposed are in substantially the same form as were their predecessors, which were not mandatory.

Dated: 3-24-'76

Carl V. Pearson

CARL V. PEARSON
Executive Director
Minnesota Peace Officer
Training Board

Post hearing

RECOMMENDED TO BE ADOPTED

PROPOSED REVISION OF

RULES AND REGULATIONS OF

THE ATTORNEY GENERAL

RELATING TO

PEACE OFFICER TRAINING

AND THE REIMBURSEMENT PROGRAM

OF THE MINNESOTA PEACE OFFICER TRAINING BOARD

(ATTY. GEN. 201-209, 210-218)



ATTY. GEN. 201 Definitions

For the purposes of these rules, the following terms shall have the meanings given them:

(a) "Appointing agency" means the public official, board, commission, or other person or group of persons responsible for the initial appointment and continued tenure of a person employed as a peace officer.

(b) "Basic course" means a course of training as described in Section 202 of these rules, or a course which has been approved by the Executive Director in writing, as meeting or exceeding the minimum course content as prescribed in Section 202 of these Rules.

(c) "Board" means the Minnesota Peace Officer Training Board.

(d) "Bureau" means the Division of Bureau of Criminal Apprehension, Department of Public Safety of the State of Minnesota.

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(e) "Director" means the director or head of a peace officers training school.

(f) "Executive Director" means Executive Director of the Minnesota Peace Officers Training Board.

(g) "Instructor" means a person certified by the Executive Director as qualified to each at a training school.

(h) "Lecturer" means a person possessing a sufficient educational background or experience necessary to meet instructional demands made of him.

(i) "Municipality" means any county, city, town, or other political subdivision of the state.

(j) "Peace officer" means any employee of a municipality or state law enforcement agency paid by public funds who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest; and shall also include Minnesota Highway Patrol and state conservation officers.

(k) "School" means any training school which has been certified by the Executive Director of the Minnesota Peace Officer Training Board for the purpose of training peace officers.

(l) "Trainee" means a person enrolled in a certified training school. The term also means any person enrolled in a certified training school conducted by the Bureau, whose attendance is authorized by the provisions of Minn. Stat., § 626.851, subd. 2, and complies with the rules as stated herein.

ATTY. GEN. 202 Minnesota Peace Officer Basic Course

(a) Statement of Purpose. The course described in subsection (e) is a minimum program. Nothing contained in these rules shall limit or be construed as limiting the power of any appointing agency to enact rules which establish a higher standard of training above the minimum required by these rules; or which provide for termination of employment due to unsatisfactory service during probationary periods, or due to violation of the rules of the law enforcement agency employing a peace officer.

(b) Each trainee enrolled in the basic course shall maintain an adequate notebook during the course and shall submit

such notebook upon demand to the director. In addition to appropriate entries on material covered during the course, the notebook shall also contain all the trainee's written assignments.

(c) The assembling of examination materials, the giving and supervising of the examinations, and the review of the examination papers shall be the responsibility of the director. The director shall file a copy of any examination upon request of the Executive Director.

(d) A score of less than 70 on any exam may be cause for requiring the trainee to repeat the material covered at the next session, prior to issuance of the certificate, but no certification shall be issued if the trainee receives less than a score of 70 overall average on all exams. A score of less than 70 on two weekly examinations shall be cause for suspension from the school. Trainees must attain a minimum score of 70 in the first aid and firearms training. However, these numerical scores shall not be included in computing the scholastic overall average.

(e) The minimum amount of training for which certification can be granted by the Executive Director shall be 280 hours including the following:

(1) Registration - Orientation . . . . . 1 hour

(2) Classroom Notetaking & Study Skills. . . . 2 hours

(3) Jurisdiction of State & Federal Agencies . 11 hours

(4) Criminal Laws for Police . . . . . 57 hours

(5) Administration of Justice. . . . . 8 hours

(6) Police Patrol Functions & Techniques . . . 21 hours

(7) Traffic Law Enforcement. . . . . 27 hours

(8) Human Behavior . . . . . 16 hours

(9) Investigation of Crimes. . . . . 45 hours

(10) Report Writing & Records . . . . . 7 hours

(11) First Aid. . . . . 25 hours

(12) Physical Training & Skills, including basic firearms instruction. . . . . 36 hours

(13) Crime Prevention . . . . . 2 hours

(14) Testing & Review . . . . . 14 hours

(15) Elective Time. . . . . 8 hours

(f) The elective time portion of a basic course shall be approved by a resolution of the Board.

ATTY. GEN. 203 Attendance and Completion Information

(a) Attendance shall be required of each trainee at all sessions of any course. Any trainee who is absent for more than one day of any course shall make up such course content to the satisfaction of the director.

(b) Enrollment in any training course shall not exceed 40 trainees; provided that if the Executive Director determines that an exigency exists, an exemption may be granted from this provision.

(c) Eligible peace officers applying for enrollment in any certified training course shall receive priority acceptance.

(d) All trainees must be physically and psychologically capable of complete participation in all course activities.

Any trainee unable to physically or psychologically participate in all aspects of the course shall not be deemed to have satisfactorily completed the course and shall not be certified as having done so.

(e) All trainees enrolled in any certified school shall be subject to the rules and procedures for the conduct of such course as promulgated by the certified school and filed with the Board. Notebooks and handout materials distributed to the trainee shall remain the property of the certified school until the trainee has satisfactorily completed the course.

(f) The director shall be responsible for maintaining and making available to the Board and Executive Director all pertinent information on all training courses conducted at the school. All courses shall be subject to periodic review and evaluation by the Board.

ATTY. GEN. 204 Instructors

(a) Qualifications. All instructors in certified schools must have at least a high school diploma or a certificate of equivalency and two years of experience as a peace officer or a college degree.

(b) Certification of Instructor. Each instructor at a certified school must be certified annually by the Executive Director. No certification will be issued until the instructor files a lesson plan for each subject taught which is accepted by the Executive Director.

(c) These rules shall not preclude a director from engaging lecturers in specialized courses. All members of

Federal law enforcement agencies are exempt from the certification requirements for instructors set forth herein.

ATTY. GEN. 205 Certification of Schools; Approval Procedure

(a) Before a certification is issued by the Executive Director to any school, the director of the school must file with the Board satisfactory proof that the school will offer the mandatory courses, if any; has the necessary equipment, and has qualified instructors. Further, the director shall also file with the Board such other information as the Executive Director requires, including rules and procedures for the conduct of trainees enrolled in the courses.

(b) The director of the school shall file all information required at least 30 days prior to the commencement of each proposed course, including the proposed maximum enrollment in such course.

ATTY. GEN. 206 Certification of Peace Officers

(a) All peace officers, except those excluded in Minn. Stat., § 626.846, subd. 1, and Minn. Stat., § 626.853, must commence attendance in a certified basic course at a certified school within one year from the time of their appointment and successfully complete such course within six months of the date of enrollment.

(b) The Executive Director shall issue certificates of compliance with the provisions of Minn. Stat., § 626.846 to each peace officer who has satisfactorily completed a basic course as certified by the director.

(c) The Executive Director shall issue a certificate of compliance to a trainee who, pursuant to Minn. Stat., § 626.851, subd. 2, has attended and satisfactorily completed a certified basic course conducted by the Bureau and who has, within six months of such completion, been employed as a peace officer as the term is defined in Rule 201(j) of these Rules when such certification is requested by the head of the employing agency following successful completion of that agency's probationary period. This probationary period shall, in no event, be less than one year.

(d) All certificates of compliance awarded by the Board pursuant to Rule 206 shall be deemed to remain the property of the Board and shall be void after six months from the date the individual named thereon terminates employment as a peace officer. The certificate issued may be subject to revocation and recall by the Board for just cause in the event that the termination of employment of the peace officer occurs involuntarily. In the event the Board proceeds to revoke and recall a certificate as provided for herein, the proceeding shall be subject to the provisions of Minn. Stat. §§ 15.0418 to 15.0424.

(e) A peace officer who holds a valid certificate of compliance under the provisions of Rule 206 need not seek recertification solely because of appointment to a new position or election to public office; provided, that the assumption of duties in the new position or elected office occurs within six months of termination of previous appointment as a peace officer.

(f) Notwithstanding the provisions of these rules relating to the completion of a certified basic course, the Executive Director may issue a certification of compliance to an experienced peace officer who has received training equivalent to that offered at a certified school when a request for such certification is made in writing by the appointing agency. No person shall be subject to this provision unless, in the four years prior to the application hereunder, at least two years of employment was that of a full-time peace officer. The Executive Director shall require detailed information on the applicant's previous training and experience in law enforcement, and passing by the applicant of an examination approved by the Board on the subjects enumerated in Rule 202(e), before a certificate is issued.

(g) If a person applying for exemption pursuant to Rule 206(f) submits fraudulent information, any certificate issued is void.

ATTY. GEN. 207 New Peace Officers

(a) All appointing agencies, when requested, shall furnish the name, address, date of appointment, and other pertinent information concerning a newly appointed peace officer to the Executive Director.

(b) No appointing agency shall appoint any new peace officer who does not comply with the minimum selection standards hereinafter enumerated; provided, that these standards shall not be construed to restrict an appointing agency from promulgating more rigid standards in the areas enumerated.

(1) The applicant must be a citizen of the United States.

(2) The applicant must possess or be eligible for a valid State of Minnesota driver's license.

(3) The applicant must successfully pass a written examination demonstrating the possession of all mental skills necessary for the accomplishment of the duties and functions of a peace officer.

(4) The applicant shall be required to complete and submit to the appointing agency a preliminary application form before testing and a comprehensive application form after testing and just prior to hiring. The prospective employee shall be fingerprinted, and a thorough background search shall be made through the resources of local, state and Federal agencies in order to disclose the existence of any criminal record or the existence of unacceptable standards of conduct which would adversely affect the performance by the individual of his duties as a peace officer.

(5) The applicant shall not have been convicted of a felony in this state or in any other state or in any Federal jurisdiction, or of any offense in any other state or in any Federal jurisdiction, which would have been a felony if committed in this state.

(6) A licensed physician or surgeon shall make a thorough medical examination of the applicant to determine that he or she is free from any physical condition

which might adversely affect the performance by the individual of his duties as a peace officer.

(7) An evaluation shall be made by a licensed psychologist to determine that the applicant is free from any emotional or mental condition which might adversely affect the performance by the individual of his or her duties as a peace officer.

(8) The applicant must successfully pass a job-related examination of his or her physical strength and agility demonstrating the possession of physical skills necessary to the accomplishment of the duties and functions of a peace officer.

(9) The applicant must successfully complete an oral examination conducted by or for the appointing agency to demonstrate the possession of communication skills necessary to the accomplishment of the duties and functions of a peace officer.

ATTY. GEN. 208 [Repealed]

ATTY. GEN. 209 [Repealed]

Reimbursement Program of the
Minnesota Peace Officer Training Board

ATTY. GEN. 210 Statement of Purpose

An increase in the minimum number of weeks required for the basic training of peace officers has created additional cost to the local units of government. The reimbursement

program of the Minnesota Peace Officer Training Board will, subject to the availability of funds, assist local units of government to pay the salary and expenses of a peace officer who has successfully completed a basic training course, or a training course for supervisory personnel and will help to absorb the cost of providing substitute protection while these peace officers are being trained. Therefore, the following rules are promulgated pursuant to Minn. Stat. § 626.844.

ATTY. GEN. 211 Definitions

(a) The term "reimbursement funds" means money which has become available to the Minnesota Peace Officer Training Board for use by local units of government to defray the cost of salaries, expenses, and substitute protection incurred during the basic training of peace officers or the training of supervisory personnel.

(b) The term "local unit of government" means any county, city or town, acting either jointly or individually.

(c) The term "peace officer" as used in Rules 210 through 217 shall have the same meaning as promulgated in Atty. Gen. 201 (j).

ATTY. GEN. 212 Eligibility for Program.

(a) Any appointing agency which meets the following criteria will be eligible to receive reimbursement funds to help defray the cost of salaries, expenses and substitute protection incurred during the training of peace officers.

(b) The appointing agency shall have complied with the minimum selection standards set forth in Atty. Gen. 207(b).

(c) The local unit of government shall not require a peace officer to work while he is attending the basic training school unless it is a part of the training program.

(d) The peace officer for whom a local unit of government is requesting reimbursement funds must have successfully completed the course enrolled in.

(e) All reports requested by the Minnesota Peace Officer Training Board must be filed by the local unit of government or the law enforcement agency thereof.

ATTY. GEN. 213 Application for Funds

(a) Application for funds shall be made on reimbursement request forms provided by the Minnesota Peace Officer Training Board.

(b) Individual forms must be submitted for each peace officer who has successfully completed a basic training course or a course for the training of supervisory personnel and for whom the local unit of government seeks reimbursement funds.

(c) The application for reimbursement funds shall be submitted on behalf of the local unit of government by an official designated by resolution of the governing body. Verification of compliance with these rules shall accompany the application and shall be made in writing by the person in charge of the law enforcement agency of the local unit of government.

ATTY. GEN. 214 Approval of Application

(a) Approval of the application shall be by the Executive Director of the Minnesota Peace Officer Training Board who shall determine whether the request for reimbursement funds is in proper form and whether the local unit of government meets the eligibility criteria enumerated in Rule 212.

(b) After the Executive Director of the Minnesota Peace Officer Training Board has approved the reimbursement request, he shall recommend payment and forward the request form through the appropriate state agencies for disbursement of funds.

(c) Upon approval, each local unit of government shall be entitled to an equal share for each peace officer trained from the funds designated for such reimbursement, provided that the eligiblity criteria enumerated in Rule 212 have been fulfilled for all trainees who begin courses subsequent to the effective date of these regulations. Any such award shall be conditioned upon the availability of funds.

(d) When funds are made available for reimbursement for mandated courses other than basic training, a local unit of government shall, upon approval, be entitled to an equal share for each peace officer who completes such a course, provided that the eligibility criteria enumerated in Rule 212 have been fulfilled for all trainees who begin courses subsequent to the effective date of these regulations. Any such award shall be conditioned upon the availability of funds.

(d) A local unit of government is not deemed eligible for reimbursement herein when it receives a subsidy from a

state or Federal agency or program to assist paying a trainee's salary; provided, that if no expenses are allowed under such program, the Executive Director may authorize reimbursement for expenses only in an amount not to exceed $30.00 per week of training per trainee.

ATTY. GEN. 215 Deadline for Filing Applications

Applications for reimbursement must be submitted within 60 days after receipt of the application forms.

ATTY. GEN. 216 Mandatory Training for Newly Appointed Supervisory Personnel

All peace officers appointed to positions in which they will supervise five or more persons shall attend a course for the training of supervisory personnel no later than six months after they have assumed their supervisory duties. This course shall be one approved in writing by the Executive Director, and it shall be at least one week in length. Chiefs of police and sheriffs are excluded from this requirement.

ATTY. GEN. 217 [Repealed]

ATTY. GEN. 218 [Repealed]

APPROVED AS TO FORM AND LEGALITY
JUL 19 1976, 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 19 1976 - 4:15 pm
Joan Anderson Growe
Secretary of State

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE

HEARING EXAMINER

In the Matter of the Proposed Revision of Rules of the Attorney General Relating to Peace Officer Training and the Reimbursement Program of the Minnesota Peace Officer Training Board (Atty. Gen. 201-209, 210-218)

ORDER FOR HEARING

POTB-76-001-PE

The Minnesota Peace Officer Training Board has recommended to me, pursuant to Minn. Stat. § 626.843 (1974), certain revisions to the regulations governing peace officer training and the reimbursement program of the Minnesota Peace Officer Training Board. To effectively implement these rules pursuant to the authority vested in me by Minn. Stat. § 626.844 (1974), I deem it necessary that a hearing be conducted to consider the adoption of these rules.

NOW, THEREFORE, IT IS ORDERED this 18th day of February, 1976, that a public hearing on the proposed revisions captioned above be held at Room A, Veterans Service Building, St. Paul, Minnesota, on March 24, 1976, commencing at 10:00 a.m. and continuing until all representatives of associations or other interested persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that the notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and to all persons who are presently members of the Minnesota Legislature and shall be

published in the State Register.

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL

ATTORNEY GENERAL

STATE OF MINNESOTA
OFFICE OF HEARINGS EXAMINERS

FOR THE MINNESOTA PEACE OFFICER TRAINING BOARD

In the Matter of the Proposed Revision of Rules of the Attorney General Relating to Peace Officer Training and the Reimbursement Program of the Minnesota Peace Officer Training Board (Atty. Gen. 201-209, 210-218)

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Peter C. Erickson of the Minnesota Office of Hearing Examiners at 10:00 a.m. on March 24, 1976 in Room A of the Veterans Service Building. Gary Hanson, Special Assistant Attorney General, 207 Veterans Service Building, appeared as counsel for the Peace Officer Training Board. Mr. Carl Pearson, Executive Director of the Board, 1246 University Avenue, St. Paul, Minnesota - 55104, appeared as a witness on behalf of the petitioning Board. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules.

Pursuant to Minn. Stat., § 15.052, subd. 3 (1975 Supp.), this report will include Findings of Fact, Conclusions and Recommendations. The Peace Officer Training Board shall make a copy of this report available for review to any interested person upon request.

The Board shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record to the Chief Hearing Examiner no earlier than ten days subsequent to the receipt of this Report. It shall include the rules as originally proposed and the rules as proposed for adoption in final form.

The submission to the Chief Hearing Examiner shall precede review by the Attorney General. The Chief Hearing Examiner shall complete his review and submit his report to the Board on the

issue of substantial changes in the rule within ten calendar days. The Board will be responsible for filing the rules with the Attorney General.

Based upon the proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

1. The Notice of Hearing dated February 18, 1976 was in all respects proper in form, content, execution and filing.

2. Due, timely and adequate legal notice of the hearing was properly served and filed by the Peace Officer Training Board. All other substantive and procedural requirements of statute or rule have been complied with.

3. Statutory authority to promulgate the proposed rules is found in Minn. Stat., § 626.844 which states:

> 626.844 ATTORNEY GENERAL. The attorney general may adopt and promulgate rules and regulations including but not limited to regulations and rules recommended by the board to the attorney general pursuant to section 626.843, section 626.846, subdivision 2, and section 626.847. When the attorney general promulgates any rules or regulations recommended by the board, he shall transmit a certified copy thereof to the secretary of state.

Section 626.843 authorizes the Peace Officer Training Board to recommend rules in regard to minimum standards for peace officer training programs. The instant hearing is to consider proposed amendments to rules now in effect, Atty. Gen. 201-218, which regulate the training of peace officers.

4. The proposed amendments to Atty. Gen. 201, "Definitions," eliminate unneeded language and clarify existing definitions. A new definition, that of "appointing agency", is needed because of the use of that term in the rules. These changes will have no substantive effect on peace officer training standards or programs.

5. The proposed amendments to Atty. Gen. 202, "Minnesota Peace Officer Basic Course", are needed to incorporate language

that is denoted by asterisks in the present rule into a lettered paragraph sequence. There is no change in paragraphs (a), (b) and (c) except in the reference to the relettered course requirement paragraph.

A new paragraph, (d), is added to establish minimum scores which must be achieved by trainees on exams, first aid and firearms training. This addition is necessary to set a quality standard for all peace officers.

The present paragraph (b) has been re-lettered as paragraph (e), which sets out the hourly course requirements; two hours were taken off of "elective time", and a new category, "crime prevention", was created using those two hours. The two-hour shift was necessary to keep the minimum course hours requirement at a constant 280 hours and to provide trainees with exposure to state crime prevention programs.

Much testimony was received in regard to the prescribed hourly course requirements, specifically concerning the need for more human relations training. Problems with peace officers' capabilities to handle situations in which minority groups are involved, most notably the recent Benford killing, were thoroughly discussed. Mr. Pearson testified that he realized that the number of hours allocated to human behavior, 16 hours, was insufficient, but at present, that was all that could be managed with the resources available.

6. The proposed amendments to Atty. Gen. 203, "Attendance and Completion Information", paragraphs (b), (c), (d) and (e) are minor word changes which are needed to clarify the intent of the rule. Paragraph (f) is amended by adding a sentence which sets out needed authority already vested in the Board to periodically review and evaluate training courses. Paragraph (a) remains unchanged.

Testimony was given suggesting that paragraph (d) be amended to read that trainees be both physically and psychologically

capable of course participation. New Atty. Gen. 207 does require that all new peace officers undergo a psychological evaluation before being appointed.

7. The proposed amendments to Atty. Gen. 204, "Instructors", paragraph (b) set out new requirements for the certification of instructors. The new requirements are necessary to enable the Executive Director to have more control over the substance of the training courses. Paragraph (c) has needed clarifying word changes. Paragraph (a) remains unchanged.

Testimony was given in regard to a need to amend paragraph (a), "Qualifications", to include human relations training as a prerequisite for all instructors.

8. The proposed amendments to Atty. Gen. 205, "Certification of Schools; Approval of Basic Courses", are needed clarifying word changes and a requirement in paragraph (a) for a filing of rules and procedures by the schools with the Executive Director. The filing requirement is within the Director's authority under the current rules and is necessary to allow for control over the schools' policies, etc.

9. The proposed amendments to Atty. Gen. 206, "Certification of Peace Officers", paragraph (a) eliminates unneeded language. Paragraph (c) is amended by adding a sentence which prescribes a minimum one-year probationary period for newly certified peace officers which is a needed proving period. Paragraph (d) is amended to provide for necessary Chapter 15 hearings when a certificate is revoked. Paragaaph (e) is amended by the addition of needed clarifying language. Amendments to paragraph (f) are needed to make more explicit the manner in which an experienced peace officer can be exempted from training school. A new paragraph (g) is added to make certificates issued pursuant to paragraph (f) void if based on fraudulent information. Paragraph (b) remains unchanged.

10. Atty. Gen. 207, "New Peace Officers", is amended to provide for necessary mandatory minimum selection standards for all new peace officers. These standards are based on a statewide survey of law enforcement agencies regarding appropriate minimum standards. These proposed standards include a mandatory psychological evaluation for all new peace officers.

11. Atty. Gen. 208 and 209 are repealed because they would be outdated if the proposed rules are adopted.

12. The proposed amendments to Atty. Gen. 210, "Statement of Purpose", under the major heading of "Reimbursement Program . . ." omit an unneeded citation. Atty. Gen. 211, "Definitions", is amended to correct a citation which refers to the amended rules.

13. The proposed amendments to Atty. Gen. 212, "Eligibility for Program," sets out the requirements for peace officer training reimbursement for local units of government. Current paragraphs (b) and (d) are re-lettered in the amended rule as paragraphs (c) and (e). Proposed paragraph (b) is needed to mandate compliance with the minimum selection standards. New paragraphs (a) and (d) are basically the same language found in the present rule with necessary clarifying changes.

14. Atty. Gen. 213, "Application for Funds", paragraph (c) is amended by adding necessary language to simplify and clarify the application for reimbursement procedure. Present paragraph (d) which limits the time period for reimbursement is unneeded and thus omitted. Paragraphs (a) and (b) remain unchanged.

15. Atty. Gen. 214, "Approval of Application," is amended by adding a paragraph (e) which is needed so that no reimbursement will be granted when the local unit of government receives a subsidy to assist paying a trainee's salary. If expenses are not included in the subsidy, up to $30 per week per trainee is allowed. Paragraphs (a), (b), (c) and (d) remain unchanged.

16. Present Atty. Gen. 216, "Deadline for Filing Applications", has been renumbered to be Atty. Gen. 215. Present Atty. Gen. 217, "Mandatory Training for Newly Elected or Appointed Supervisory Personnel", has been renumbered to be Atty. Gen. 216. Atty. Gen. 217 and Atty. Gen. 218, "Effective Date", are repealed because they are unnecessary.

17. Much testimony was given in regard to broad policy decisions and statutory matters which went beyond the scope of the hearing.

CONCLUSIONS

1. The proposed amendments to Atty. Gen. 201-218 will provide for better quality peace officers throughout the State of Minnesota.

2. There is a definite need for more human relations training for everyone involved in law enforcement and peace officer training. This matter,however, would be more appropriately taken up at a hearing aimed at that subject alone. Much more evidence needs to be taken concerning the costs involved, budgetary restrictions, staff availability, types of courses to be offered, and "how much is enough" before a decision can be made.

3. The addition of the word "psychologically" to Atty. Gen. 203(d) would properly reflect the need for mentally balanced, as well as physically able, peace officers.

RECOMMENDATIONS

1. The Peace Officer Training Board seriously consider the comments and suggestions contained in the transcript as a basis for further studies and new or amended rules.

2. The proposed amendments to Atty. Gen. 201-218, as amended and attached to this report, be adopted by the Peace Officer Training Board.

Dated this 5 day of May, 1976.

Peter C. Erickson

PETER C. ERICKSON
Hearing Examiner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE

HEARING EXAMINER

In the Matter of the Proposed Revision of Rules of the Attorney General Relating to Peace Officer Training and the Reimbursement Program of the Minnesota Peace Officer Training Board (Atty. Gen. 201-209, 210-218)

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Hearing Examiner Peter C. Erickson of the Minnesota Office of Hearing Examiners at 10:00 a.m. on March 24, 1976 in Room A of the Veterans Service Building after proper notice required by Minn. Stat. § 15.0412 (Supp. 1975) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements, and arguments, having heard all of the testimony, having considered all of the evidence, having considered the report of the Hearing Examiner, and upon the records, files, and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above-captioned rules:

NOW, THEREFORE, IT IS ORDERED that these rules identified as Atty. Gen. 201-209, 210-218, as originally proposed by the Minnesota Peace Officer Training Board and amended as suggested by the Hearing Examiner in his report of May 5, 1976 are adopted this 20th day of MAY, 1976, pursuant to the

authority vested in me by Minn. Stat. § 626.844 (1974).

WARREN SPANNAUS
Attorney General
State of Minnesota

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE

HEARING EXAMINER

In the Matter of the Proposed Revision of Rules of the Attorney General Relating to Peace Officer Training and the Reimbursement Program of the Minnesota Peace Officer Training Board (Atty. Gen. 201-209, 210-218)

CERTIFICATE

I hereby certify that the attached 471 ~~sheets~~ bound constitute the complete list of persons, associations, and other interested groups who as of 9:00 a.m. this 19th day of February, 1976, have requested pursuant to Minn. Stat. ch. 15 (1974) (Sec. 15.0412) that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing of proposed rules on the subject captioned above.

Dated: February 19, 1976

Joan Anderson Growe
SECRETARY OF STATE
JOAN A. GROWE

By Cecil Davis

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : MICHAEL B. MILLER
Special Assistant
Attorney General

DATE: June 18, 1976

FROM : GARY HANSEN
Special Assistant
Attorney General

PHONE: 7573

SUBJECT: Minnesota Peace Officers Training Board Rules
Atty Gen 201-209, 210-218

Enclosed with respect to the above-referenced rules are three copies of each of the following documents:

1. Order for Hearing
2. Notice of Hearing
3. Certificate
4. Affidavit of Carl Pearson
5. Affidavit of Mailing
6. Statement of Need
7. Rules (Prehearing form)
8. Report of Hearing Examiner
9. Rules (Final form)
10. Order Adopting Rules

Also enclosed is a transcript of the hearing and the Secretary of State's mailing list.

If I have forgotten something, let me know. Otherwise, please do your thing.

G.H.

GH:lkr
Enc.

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : MICHAEL B. MILLER
Special Assistant
Attorney General

DATE: July 15, 1976

FROM : GARY HANSEN
Special Assistant
Attorney General

PHONE: 296-7573

SUBJECT: Minnesota Peace Officers Training Board - Atty. Gen. 201-209, 210-218

Enclosed are two copies of the rules as adopted in the above-referenced matter. I am sorry I neglected to send you enough copies earlier.

G.H.

GH:lkr
Enc.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE

HEARING EXAMINER

In the Matter of the
Proposed Revision of
Rules of the Attorney
General Relating to Peace
Officer Training and the
Reimbursement Program of
the Minnesota Peace Officer
Training Board (Atty. Gen.
201-209, 210-218)

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. § 15.0412 subd. 4 (1974) in the above-entitled matter at Room A, Veterans Service Building, St. Paul, Minnesota, on March 24, 1976, commencing at 10:00 a.m. and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning adoption of the proposed revisions captioned above by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing. Such written material may be submitted and recorded in the hearing record up until 20 days after the public hearing ends.

The proposed revisions are meant to update and clarify the following existing rules: Atty. Gen. 201-209, 210-218. The revisions were recommended to the Attorney General by the Minnesota Peace Officer Training Board pursuant to Minn. Stat. § 626.843 (1974) and the Attorney General has ordered this hearing pursuant to Minn. Stat. § 626.844 (1974). A copy of the proposed revisions can be obtained at no cost by writing to Minnesota Peace Officer Training Board, 1246 University Avenue,

St. Paul, Minnesota, 55104.

Under Minn. Stat. § 10A.01 subd. 11 (1974) any individual engaged for pay or other consideration for the purpose of representing persons or associations attempting to influence administrative action, such as the promulgation of the rules, must register with the State Ethics Commission as a lobbyist within five days of the commencement of such activity of the individual.

Dated: February 18, 1976

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL

Warren Spannaus
ATTORNEY GENERAL

PETER ERICKSON
Hearing Examiner

AFFIDAVIT

Carl V. Pearson being duly sworn upon oath deposes and says:

1. That he is an employee of the ~~Department of Public Safety~~ Attorney General's Office of the State of Minnesota.

2. That on the 19 day of February, 1975, he went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. § 15.0412 (1974).

3. That on the 19 day of February, 1975, in response to the above request, the Secretary of State provided him with such a list, a copy of which is attached hereto and incorporated by reference.

FURTHER AFFIANT SAYETH NOT.

Carl V. Pearson

Subscribed and sworn to before me this 18 day of March, 1975.

Patricia D. Kaufuss

James A. Hoeck

My Commission Expires Nov. 14, 1981

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

Jim Lynch, being first duly sworn upon oath, deposes and says:

That at the City of St. Paul, County and State aforementioned, on the 23 day of February, 1976, she served the attached Notice of Hearing.

by depositing in the United States mail at said city, one true and correct copy ~~xxxxxxx~~thereof, properly enveloped, with first class postage prepaid, and addressed to:

all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

Jim Lynch

Subscribed and sworn to before me
This 23rd day of March, 1976.

Joseph B. Marshall
Notary Public

JOSEPH B. MARSHALL
NOTARY PUBLIC, ANOKA COUNTY, MINN.

pre-hearing

PROPOSED REVISION OF

RULES AND REGULATIONS OF

THE ATTORNEY GENERAL

RELATING TO

PEACE OFFICER TRAINING

AND THE REIMBURSEMENT PROGRAM

OF THE MINNESOTA PEACE OFFICER TRAINING BOARD

(ATTY. GEN. 201-209, 210-218)

ATTY. GEN. 201 Definitions

For the purposes of these rules, the following terms shall have the meanings given them:

(a) "Appointing agency" means the public official, board, commission, or other person or group of persons responsible for the initial appointment and continued tenure of a person employed as a peace officer.

(b) "Basic course" means a course of training as described in Section 202 of these rules or a course which has been approved by the Executive Director in writing, as meeting or exceeding the minimum course content as prescribed in Section 202 of these Rules.

(c) "Board" means the Minnesota Peace Officer Training Board.

(d) "Bureau" means the division of Bureau of Criminal Apprehension, Department of Public Safety of the State of Minnesota.

(e) "Director" means the director or head of a peace officers training school.

(f) "Executive Director" means Executive Director of the Minnesota Peace Officers Training Board.

(g) "Instructor" means a person certified by the Executive Director as qualified to teach at a training school.

(h) "Lecturer" means a person possessing a sufficient educational background or experience necessary to meet instructional demands made of him.

(i) "Municipality" means any county, city, town, or other political subdivision of the state.

(j) "Peace officer" means any employee of a municipality or state law enforcement agency paid by public funds who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest; and shall also include Minnesota Highway Patrol and state conservation officers.

(k) "School" means any training school which has been certified by the Executive Director of the Minnesota Peace Officer Training Board for the purpose of training peace officers.

(l) "Trainee" means a person enrolled in a certified training school. The term also means any person enrolled in a certified training school conducted by the Bureau, whose attendance is authorized by the provisions of Minn. Stat. § 626.851, subd. 2, and complies with the rules as stated herein.

ATTY. GEN. 202 Minnesota Peace Officer Basic Course

(a) Statement of Purpose.

The course described in subsection (e) is a minimum program. Nothing contained in these rules shall limit or be construed as limiting the power of any appointing agency to enact

rules which establish a higher standard of training above the minimum required by these rules; or which provide for termination of employment due to unsatisfactory service during probationary periods, or due to violation of the rules of the law enforcement agency employing a peace officer.

(b) Each trainee enrolled in the basic course shall maintain an adequate notebook during the course and shall submit such notebook upon demand to the director. In addition to appropriate entries on material covered during the course, the notebook shall also contain all the trainee's written assignments.

(c) The assembling of examination materials, the giving and supervising of the examinations, and the review of the examination papers shall be the responsibility of the director. The director shall file a copy of any examination upon request of the Executive Director.

(d) A score of less than 70% on any exam may be cause for requiring the trainee to repeat the material covered at the next session, prior to issuance of the certificate, but no certification shall be issued, nor will the trainee be allowed to take the final exam if the trainee receives less than 70% overall average on all exams. An average of less than 70% on two weekly examinations may be cause for suspension from the school. Trainees must attain a minimum score of 70 in the first aid and firearms training. However, these numerical scores shall not be included in computing the scholastic overall grade average.

Mr. Suhler said Atty. Gen. 206(g) states that if a person seeking certification under paragraph (f) fraudulently submits false information any certificate issued to him is void. This provision would not apply in a case where inaccurate information is submitted unintentionally. The certificate would not have to be revoked through an administrative hearing because it would not have been validly issued.

Atty. Gen. 207 was discussed at the last Board meeting and the language seems to be what the Board wants, Mr. Suhler said. The rule is a new step forward in controlling the quality of newly appointed peace officers. He had made no changes in the wording.

Mr. J. H. Crawford said two parts of this rule require that an applicant must pass written and physical examinations which have been approved by the Board. How will the Board act to approve or disapprove such tests? Mr. Pearson said the criterion will be that the tests must be job related. Mr. Suhler said there would have to be some regulations promulgated setting out guidelines if such a requirement is to be enforced. Mr. Pearson said the Board would have to approve the tests in order to be in a position to ask the Attorney General's office to defend the employing agencies against challenges in court.

Mr. Suhler said no test has ever been validated under the Equal Opportunity Act. It is doubtful that the Attorney General's office could give local agencies any effective help. Mr. Tasky said it would be impractical for the Board to undertake so big a job as approving every department's tests. Mr. Pearson said the Department of Natural Resources had developed a test for new game wardens which had been approved by a committee that included representatives of many pressure groups. Mr. Blanch said the Minneapolis Police Department had anticipated challenges to its tests by administering the tests to officers already in service.

Mr. Suhler said one of the difficulties inherent in approval of tests is that tests will have to be validated for a variety of law enforcement agencies which have differing missions. Mr. Tshida asked whether it would be necessary to set general statewide standards or whether the Board could simply approve the tests submitted by each department. Mr. Pearson said the legal precedents were such that the Board would have to go to the different geographical areas. Mr. Suhler said statewide guidelines would have to be established at some future date.

Mr. J. H. Crawford said approval of tests by the Board would lead to conflicts with various departments that do not have the money to meet whatever standards are established. Mr. Pearson said all law enforcement agencies in the state have had to comply with the Board's

one day of any course shall make up such course content to the satisfaction of the director.

(b) Enrollment in any training course shall not exceed 40 trainees; provided that if the Executive Director determines that an exigency exists, an exemption may be granted from this provision.

(c) Eligible peace officers applying for enrollment in any certified training course shall receive priority acceptance.

(d) All trainees must be physically capable of complete participation in all course activities. Any trainee unable to physically participate in all aspects of the course shall not be deemed to have satisfactorily completed the course and shall not be certified as having done so.

(e) All trainees enrolled in any certified school shall be subject to the rules and procedures for the conduct of such course as promulgated by the certified school and filed with the Board. Notebooks and handout materials distributed to the trainee shall remain the property of the certified school until the trainee has satisfactorily completed the course.

(f) The director shall be responsible for maintaining and making available to the Board and Executive Director all pertinent information on all training courses conducted at the school. All courses shall be subject to periodic review and evaluation by the Board.

ATTY. GEN. 204 Instructors

(a) Qualifications.

All instructors in certified schools must have at least a high school diploma or a certificate of equivalency and two years of experience as a peace officer, or a college degree.

(b) Certification of Instructor.

Each instructor at a certified school must be certified annually be the Executive Director. No certification will be issued until the instructor files a lesson plan, for each subject taught, which is accepted by the Executive Director.

(c) These rules shall not preclude a director from engaging lecturers in specialized courses. All members of Federal law enforcement agencies are exempt from the certification requirements for instructors set forth herein.

ATTY. GEN. 205 Certification of Schools; Approval Procedure

(a) Before a certification is issued by the Executive Director to any school, the director of the school must file with the Board satisfactory proof that the school will offer the mandatory courses if any; has the necessary equipment; and has qualified instructors. Further, the director shall also file with the Board such other information as the Executive Director requires; including rules and procedures for the conduct of trainees enrolled in the courses.

(b) The director of the school shall file all information required at least 30 days prior to the commencement of each proposed course, including the proposed maximum enrollment in such course.

ATTY. GEN. 206 Certification of Peace Officers

(a) All peace officers, except those excluded in Minn. Stat. § 626.846, Subd. 1, and Minn. Stat. § 626.853, must commence attendance in a certified basic course at a certified school within one year from the time of their appointment and successfully complete such course within six months of the date of enrollment.

(b) The Executive Director shall issue certificates of compliance with the provisions of Minn. Stat. § 626.846 to each peace officer who has satisfactorily completed a basic course as certified by the director.

(c) The Executive Director shall issue a certificate of compliance to a trainee who, pursuant to Minn. Stats. § 626.851, Subd. 2, has attended and satisfactorily completed a certified basic course conducted by the Bureau and who has, within six months of such completion, been employed as a peace officer as the term is defined in Rule 201(f) of these Rules when such certification is requested by the head of the employing agency following successful completion of that agency's probationary period. This probationary period shall in no event be less than one year.

(d) All certificates of compliance awarded by the Board pursuant to Rule 206 shall be deemed to remain the property of the Board and shall be void after six months from the date the

individual named thereon terminates employment as a peace officer. The certificate issued may be subject to revocation and recall by the Board for just cause, in the event that the termination of employment of the peace officer occurs involuntarily. In the event the Board proceeds to revoke and recall a certificate as provided for herein, the proceeding shall be subject to the provisions of Minn. Stat. §§ 15.0418 to 15.0424.

(e) A peace officer who holds a valid certificate of compliance under the provisions of Rule 206 need not seek recertification solely because of appointment to a new position, or election to public office; provided, that the assumption of duties in the new position or elected office occurs within six months of termination of previous appointment as a peace officer.

(f) Notwithstanding the provisions of these rules relating to the completion of a certified basic course, the Executive Director may issue a certification of compliance to an experienced peace officer who has received training equivalent to that offered at a certified school when a request for such certification is made in writing by the appointing agency. No person shall be subject to this provision unless, in the four years prior to the application hereunder, at least two years of employment was that of a full time peace officer. The Executive Director shall require detailed information on the applicant's previous training and experience in law enforcement, and passing by the applicant of an

examination approved by the Board on the subjects enumerated in Rule 202(e), before a certificate is issued.

(g) If a person applying for exemption pursuant to Rule 207(f) submits fraudulent information, any certificate issued is void.

ATTY. GEN. 207 New Peace Officers

(a) All appointing agencies when requested shall furnish the name, address, date of appointment, and other pertinent information concerning a newly appointed peace officer to the Executive Director.

(b) No appointing agency shall appoint any new peace officer who does not comply with the minimum selection standards hereinafter enumerated; provided, that these standards shall not be construed to restrict an appointing agency from promulgating more rigid standards in the areas enumerated.

(1) The applicant must be a citizen of the United States.

(2) The applicant must possess or be eligible for a valid State of Minnesota driver's license.

(3) The applicant must successfully pass a written examination demonstrating the possession of all mental skills necessary for the accomplishment of the duties and functions of a peace officer.

(4) The applicant shall be required to complete and submit to the appointing agency a preliminary application form before testing and a comprehensive application form after testing and just prior to hiring. The prosepctive employee shall be fingerprinted, and a thorough background search shall be made through the resources of local, state, and Federal agencies in order to disclose the existence of any criminal record or the existence of unacceptable standards of conduct which would adversely affect the performance by the individual of his duties as a peace officer.

(5) The applicant shall not have been convicted of a felony in this state or in any other state or in any Federal jurisdiction, or of any offense in any other state or in any Federal jurisdiction, which would have been a felony if committed in this state.

(6) A licensed physician or surgeon shall make a thorough medical examination of the applicant to determine that he or she is free from any physical condition which might adversely affect the performance by the individual of his duties as a peace officer.

(7) An evaluation shall be made by a licensed psychologist to determine that the applicant is free from

any emotional or mental condition which might adversely affect the performance by the individual of his or her duties as a peace officer.

(8) The applicant must successfully pass a job-related examination of his or her physical strength and agility demonstrating the possession of physical skills necessary to the accomplishment of the duties and functions of a peace officer.

(9) The applicant must successfully complete an oral examination conducted by or for the appointing agency to demonstrate the possession of communication skills necessary to the accomplishment of the duties and functions of a peace officer.

ATTY. GEN. 208 [Repealed]

ATTY. GEN. 209 [Repealed]

Reimbursement Program of the Minnesota Peace Officer Training Board

ATTY. GEN. 210 Statement of Purpose

An increase in the minimum number of weeks required for the basic training of peace officers has created additional cost to the local units of government. The reimbursement program of the Minnesota Peace Officer Training Board will, subject to the availability of funds, assist local units of government to pay

the salaries and expenses of a peace officer who has successfully completed a basic training course, or a training course for supervisory personnel, and will help to absorb the cost of providing substitute protection while these peace officers are being trained. Therefore, the following rules are promulgated pursuant to Minn. Stat. § 626.844.

ATTY. GEN. 211 Definitions

(a) The term "reimbursement funds" means money which has become available to the Minnesota Peace Officer Training Board for use by local units of government to defray the cost of salaries, expenses, and substitute protection incurred during the basic training of peace officers or the training of supervisory personnel.

(b) The term "local unit of government" means any county, city, or town, acting either jointly or individually.

(c) The term "peace officer" as used in Rules 210 through 217 shall have the same meaning as promulgated in Atty. Gen. 201(i).

ATTY. GEN. 212 Eligibility for Program.

(a) Any appointing agency which meets the following criteria will be eligible to receive reimbursement funds to help defray the cost of salaries, expenses, and substitute protection incurred during the training of peace officers.

(b) The appointing agency shall have complied with the minimum selection standards set forth in Atty. Gen. 207(b).

(c) The local unit of government shall not require a peace officer to work while he is attending the basic training school unless it is a part of the training program.

(d) The peace officer for whom a local unit of government is requesting reimbursement funds must have successfully completed the course enrolled in.

(e) All reports requested by the Minnesota Peace Officer Training Board must be filed by the local unit of government or the law enforcement agency thereof.

ATTY. GEN. 213 Application for Funds

(a) Application for funds shall be made on reimbursement request forms provided by the Minnesota Peace Officer Training Board.

(b) Individual forms must be submitted for each peace officer who has successfully completed a basic training course or a course for the training of supervisory personnel and for whom the local unit of government seeks reimbursement funds.

(c) The application for reimbursement funds shall be submitted on behalf of the local unit of government by an official designated by resolution of the governing body. Verification of compliance with these rules shall accompany the application,

and shall be made in writing by the person in charge of the law enforcement agency of the local unit of government.

ATTY. GEN. 214 Approval of Application

(a) Approval of the application shall be by the Executive Director of the Minnesota Peace Officer Training Board, who shall determine whether the request for reimbursement funds is in proper form; and whether the local unit of government meets the eligibility criteria enumerated in Rule 212.

(b) After the Executive Director of the Minnesota Peace Officer Training Board has approved the reimbursement request he shall recommend payment and forward the request form through the appropriate state agencies for disbursement of funds.

(c) Upon approval, each local unit of government shall be entitled to an equal share for each peace officer trained from the funds designated for such reimbursement, provided that the eligibility criteria enumerated in Rule 212 have been fulfilled for all trainees who begin courses subsequent to the effective date of these regulations. Any such award shall be conditioned upon the availability of funds.

(d) When funds are made available for reimbursement for mandated courses other than basic training, a local unit of government shall, upon approval, be entitled to an equal share for each peace officer who completes such a course, provided that the eligibility criteria enumerated in Rule 212 have been fulfilled for all trainees who begin courses subsequent to the

effective date of these regulations. Any such award shall be conditioned upon the availability of funds.

(e) A local unit of government is not deemed eligible for reimbursement herein when it receives a subsidy from a state of Federal agency or program to assist paying a trainee's salary; provided, that if no expenses are allowed under such program the Executive Director may authorize reimbursement for expenses only in an amount not to exceed $30.00 per week of training per trainee.

ATTY. GEN. 215 Deadline for Filing Applications

Applications for reimbursement must be submitted within 60 days after receipt of the application forms.

ATTY. GEN. 216 Mandatory Training for Newly Appointed Supervisory Personnel

All peace officers appointed to positions in which they will supervise five or more persons shall attend a course for the training of supervisory personnel no later than six months after they have assumed their supervisory duties. This course shall be one approved in writing by the Executive Director, and it shall be at least one week in length. Chiefs of police and sheriffs are excluded from this requirement.

ATTY. GEN. 217 [Repealed]

ATTY. GEN. 218 [Repealed]