



Law Enforcement Training Academies

November 13, 2012

Study Authorization



- The Virginia Department of Criminal Justice Services (DCJS) sent a letter to the Crime Commission requesting a study on criminal justice training academies.
- This study focused on law enforcement officer academy training only.

Summary



- There are two basic types of law enforcement academy models in Virginia: regional criminal justice academies and independent academies.
 - There are advantages and disadvantages for both regional and independent training academies.
- There are various types of law enforcement academy models seen across the United States.
 - Each state is unique.
 - Virginia does, however, have more independent academies than other states.

Summary



- Regional criminal justice training academies are fiscally vulnerable.
 - Concerns continue to be raised about the financial instability of regional criminal justice academies due to decreased state funding, changes in membership, and creation of new independent academies.
- Despite a moratorium on the creation of new academies in 2000 (effective through June 30, 2014), independent academies continue to be established.

Summary



- Retention rates across basic law enforcement academy classes vary widely for both regional and independent academies.
- All academies significantly exceed the 480 hour compulsory minimum training standard required for law enforcement basic training.
- Regional academy member agencies appear to be “mostly satisfied” with law enforcement training provided by regional academies.

Summary



- All academies evaluate the performance of instructors.
 - There are some concerns about the consistency in the delivery of law enforcement training.
- Very few academies and agencies have been involved in litigation resulting from alleged training inadequacies.

Summary



- The current record keeping system for law enforcement training records is cumbersome and antiquated.
- The record keeping of decertifications (academies, officers, instructors) by DCJS started 2 years ago.

Policy Considerations



- Option 1:
 - If Virginia wants to change its current training system, a detailed cost-benefit analysis of its training academies should be conducted, which could provide a useful view of the economics of Virginia's system at the statewide level.
 - *Rationale:* Any significant changes to the current model of law enforcement training should consider the full array of potential intended and unintended consequences, since the current system has been operating for over 40 years.

Policy Considerations



- Option 2:
 - Provisions should be developed to create a mechanism that will allow expedient changes to the Virginia Administrative Code (VAC) regarding criminal justice officer training regulations.
 - Changes to compulsory minimum training standards for all training and performance objectives could go through the existing Curriculum Review Committee, Committee on Training (COT) and the Criminal Justice Services Board (CJSB).
 - *Rationale:* Two years may pass before changes in law are reflected in VAC. Thus, outdated information and materials are reflected in performance objectives, lesson plans, and the state certification exam.

Policy Considerations



- Option 3:
 - Require the Commonwealth’s Attorneys’ Services Council to provide annual legal update materials that can be used by all law enforcement agencies, academies, and DCJS.
 - *Rationale:* Non-attorneys teach legal updates with materials that may not have come from an attorney. No single agency is entrusted with this responsibility. Local Commonwealth’s Attorneys’ Offices could then train their respective law enforcement agencies with this material.

Policy Considerations



- Option 4:
 - DCJS should continue its efforts in implementing a state-wide, centralized, web-based system for maintaining criminal justice officer training records.
 - Other states' approaches to centralized record keeping should be examined.
 - *Rationale:* Virginia's current record keeping system is cumbersome and antiquated.

Policy Considerations



- Option 5:
 - Due to moratorium concerns, the CJSB should review their standards for academy membership changes.
 - Create provisions that address resource needs and gaps created when agencies leave regional academies.
 - *Rationale:* Academy membership changes have a significant fiscal impact on regional academies and their respective member agencies.

Policy Considerations



- Option 6:
 - Consider other options for increasing funding to regional criminal justice academies.
 - Possible option: Consider increasing the fixed fee for court costs apportioned to regional criminal justice training academies per Va. Code § 16.1-69.48:1, as well as §§ 17.1-275.1-4 and 17.1-275.7-9.
 - *Rationale:* Total state funding for regional academies has decreased significantly since 2009.

Policy Considerations



- Option 7:
 - DCJS and academy directors should consider expanding available training options in collaboration or conjunction with institutions of higher education.
 - Could establish which courses could be effectively and appropriately taught by higher education institutions and which courses must be taught at a law enforcement academy.
 - Crime Commission staff can facilitate meetings with stakeholders to determine the feasibility of this option.
 - *Rationale:* Outsourcing could assist academies with instructor shortages and limited course offerings. Recruits and officers would also have the opportunity to gain college/university credit.

Policy Considerations



- Option 8:
 - Require each certified criminal justice training academy to submit a detailed annual report to the Chair of Senate Finance and House Appropriations, the CJSB, the Director of DCJS, and the Virginia State Crime Commission.
 - Crime Commission staff could assist and/or facilitate meetings with all stakeholders to assist in development of components.
 - *Rationale:* Comprehensive annual self-assessments are needed to readily identify and address any issues in order to ensure that each academy is on track for re-certification.

Policy Considerations



- Option 9:
 - Require DCJS to provide an annual evaluation of all certified criminal justice training academies based upon each academy's annual report, internal audits, field visits, etc. The report will be provided to each academy's respective member agencies, the Chair of Senate Finance and House Appropriations, the CJSB, and the Virginia State Crime Commission.
 - Crime Commission staff could assist and/or facilitate meetings with all stakeholders.
 - *Rationale:* Annual evaluations will provide early detection of any issues or deficiencies that can be addressed in order to ensure that each academy is on track for re-certification.

Policy Considerations



- Option 10:
 - Request DCJS to develop a process that provides intermediate steps to assist academies that are not meeting the established minimum standards and performance objectives.
 - Legislation may be needed to provide DCJS with the necessary authority to assist academies.
 - Crime Commission staff could assist and/or facilitate meetings with all stakeholders.
 - *Rationale:* There are very few corrective measures that can be taken by DCJS prior to the decertification of an academy.

Policy Considerations



- Option 11:
 - Consider expanding the criteria for decertification under Va. Code § 15.2-1707.
 - Currently, includes felony convictions, training non-compliance and drug screen refusals and failures.
 - Options could include adding:
 - Certain misdemeanors; acts of moral turpitude; and/or, conduct which demonstrates to a clear and convincing standard that an officer has engaged in behavior that casts doubt on his ability to serve as a law enforcement officer in Virginia.
 - Should these additional crimes apply to all certified criminal justice officers or only to certified law enforcement officers?
 - *Rationale:* The current options are limited.

Policy Considerations



- Option 12:
 - Law enforcement agencies should be statutorily required to promptly report to DCJS any officer found in violation of the enumerated violations under Va. Code § 15.2-1707.
 - Virginia law currently requires the clerk of any court, who has knowledge that a defendant convicted of a felony is a law enforcement officer or jail officer, to report this promptly to the employing agency.
 - *Rationale:* DCJS is not being informed of all officers who should be decertified under current law.



Discussion
