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**RULE PROPOSALS**

**LAW AND PUBLIC SAFETY  
POLICE TRAINING COMMISSION**

*41 N.J.R. 93(a)*

**Proposed Readoption N.J.A.C. 13:1**

[Click here to view Interested Persons Statement](#)

**Police Training Commission Rules**

Authorized By: Police Training Commission, John-Robin M. Quelch, Chairman.

Authority: N.J.S.A. 52:17B-71h.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2009-30.

Interested persons may submit written comments relevant to the proposal on or before March 6, 2009. Comments and any inquiries about submissions or responses should be addressed to:

John-Robin M. Quelch, Chairman  
Police Training Commission  
Department of Law and Public Safety  
Division of Criminal Justice  
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The agency proposal follows:

**Summary**

The purpose of the Police Training Act (*N.J.S.A. 52:17B-66 et seq.*) is to provide for the training of newly appointed of county and municipal police officers and State, county and juvenile corrections officers. Under the Act, newly appointed police officers and corrections officers must attend and successfully complete a basic training course

approved by the Police Training Commission (Commission) before they may accept permanent appointment in their job title. The Police Training Commission is responsible for implementing the provisions of the Act.

The Commission is specifically responsible for the administration and supervision of basic training courses mandated by the Police Training Act. For example, the Commission approves those schools authorized to provide training, prescribes the curriculum and minimum courses of study for approved basic training courses and certifies those trainees that attend and successfully complete a basic training course. The Commission also certifies the instructors who teach the training courses.

At present, the Commission supervises the operation of 23 schools, which provide basic training to every newly appointed police officer and corrections officer in New Jersey. In addition, the Commission supervises the administration of 35 training courses and certifies over 5,000 instructors. During the calendar year 2007, the Commission supervised the training and certification of more than 2,500 newly appointed police officers and corrections officers.

The Commission's present rules were scheduled to expire on December 1, 2008. However, by the filing of this proposed re adoption, the expiration date is extended to May 30, 2009 pursuant to N.J.S.A. 52:14B-5.1c. The present rules provide for the certification of schools that conduct basic training courses, the certification of instructors who teach during basic training courses and the certification of trainees who successfully complete basic training courses. The rules further provide for the establishment of basic training courses, the adoption of the minimum curriculum for each course and the operation and administration of schools approved to conduct basic training courses. The rules also outline the responsibilities of law enforcement agencies and corrections agencies that send trainees to approved schools for basic training courses and the procedures for individual trainees to appeal their dismissal from a basic training course.

The Commission has reviewed the present rules and determined that they continue to be necessary and reasonable in implementing the Police Training Act and administering the training of newly appointed police officers and corrections officers throughout the State of New Jersey. The rules proposed for re adoption reflect the Commission's continuing commitment to providing quality basic training courses for newly appointed police officers and corrections officers. As a result, the Commission proposes to re adopt the current rules without amendment. The Commission is considering amendments, which may be proposed in a future rulemaking.

Subchapter 1 contains the definitions used in the chapter. Subchapter 2 provides for relaxation of these rules and describes the authority of the Commission chair. Subchapter 3 contains rules for the certification of police training schools. Subchapter 4 sets forth the rules for the certification of instructors. Subchapter 5 contains rules for the certification of trainees. Subchapter 6 sets forth the rules on curriculum. Subchapter 7 sets forth the rules on school administration. Subchapter 8 contains rules on the responsibilities of law enforcement and other agencies with respect to basic training. Subchapter 9 sets forth the rules for appeals to the Commission.

A 60 day comment period is provided and therefore, pursuant to *N.J.A.C. 1:30-3.3(a)5*, this notice of proposal is not subject to the provisions of *N.J.A.C. 1:30-3.1* and *3.2* governing rulemaking calendars.

### **Social Impact**

It is the responsibility of the Commission to ensure that newly appointed police officers and corrections officers are properly trained to perform their duties. Properly trained police officers and corrections officers who perform their duties in a competent and professional manner enhance public safety in communities throughout the State. The Commission executes its responsibility by implementing the provisions of the Police Training Act (*N.J.S.A. 52:17B-66* et. seq.) and administering basic training courses for newly appointed police officers and corrections officers.

The Commission proposes to re adopt its existing rules without amendment. The rules proposed for re adoption

without amendment govern the administration of basic training courses, the approval of schools authorized to conduct basic training courses, the development of the curriculum for each basic training course, the certification of instructors who teach the curriculum and the certification of trainees who successfully complete a basic training course. The rules proposed for readoption without amendment also require agencies that employ newly appointed police officers and corrections officers to conduct a background investigation of each officer before their enrollment in a basic training course. In that the rules proposed for readoption reflect the existing policies, practices and priorities of the Commission and serve to ensure that newly appointed officers will continue to be properly trained for the performance of their duties, they may be readopted without amendment.

### **Economic Impact**

The rules proposed for readoption without amendment should not have any economic impact of consequence. No increase in the cost of administering and conducting basic training courses is expected to accrue to any government agency, which operates a school approved by the Commission. Furthermore, no increase in the cost of training newly appointed police officers and corrections officers is expected to accrue to any county or municipal police agency or any State or county corrections agency.

For the most part, training costs for State, county and municipal law enforcement agencies consist of two expenses. First, schools may charge law enforcement agencies enrollment fees to cover the cost of training officers sent by that agency for basic training. Second, every law enforcement agency is required to provide newly appointed officers with a leave of absence with pay to attend basic training. Because the rules [page=94] proposed for readoption do not alter the curriculum used in basic training courses, the length of time required for basic training and the substance of the training will not change.

As a result, there should be no need for schools to increase the fees they charge. Nor will there be a need for law enforcement agencies to extend the length of the leaves they grant officers to attend training. As for the Commission, the purpose of readopting the rules is to improve the efficiency and operation of the Commission and its staff. The administration of basic training courses and the supervision of schools approved to conduct basic training by Commission staff will improve.

### **Federal Standards Statement**

A Federal standards analysis is not required because the rules proposed for readoption without amendment were not issued under the authority of any Federal law or State statute that incorporates or refers to Federal law, Federal standards or Federal requirements; or to implement, comply with or participate in any program established under Federal law or under a State statute that incorporates or refers to Federal law, Federal standards or Federal requirements.

### **Jobs Impact**

The Commission anticipates that the rules proposed for readoption without amendment will not result in the creation of new jobs or cause the loss of existing jobs.

### **Agriculture Industry Impact**

The rules proposed for readoption without amendment will not have any impact on the agricultural industry in New Jersey or elsewhere.

### **Regulatory Flexibility Statement**

A regulatory flexibility analysis is not required because the rules proposed for readoption without amendment do not impose reporting, recordkeeping or other compliance requirements on small businesses. The rules proposed for

readoption apply only to those government agencies that operate schools authorized to conduct basic training courses approved by the Police Training Commission or enroll individuals in basic training courses approved by the Commission. The rules do not impact small businesses, as that term is defined in the Regulatory Flexibility Act, *N.J.S.A. 52:14B-16* et seq.

**Smart Growth Impact**

The rules proposed for readoption without amendment will not have an impact on the achievement of smart growth or the implementation of the State Development and Redevelopment Plan.

**Housing Affordability Impact**

The rules proposed for readoption without amendment will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the rules would evoke a change in the average costs associated with housing because the proposed rules concern the basic training of newly appointed police officers and corrections officers.

**Smart Growth Development Impact**

The rules proposed for readoption without amendment will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rules would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the proposed rules concern the basic training of newly appointed police officers and corrections officers.

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at *N.J.A.C. 13:1*.