800 Delaware Council on Police Training

801 Regulations of the Delaware Council on Police Training

1.0 Objectives

1.1 The objectives of the Council on Police Training are:

1.1.1 To encourage and increase the professional competency of police officers by:

1.1.1.1 Establishing minimum pre-employment qualifications for police officer applicants and;

1.1.1.2 Establishing minimum educational and training qualifications requisite to permanent appointment as a police officer, and;

1.1.1.3 Prescribing standards for In-service or continued training of police officers, and;

1.1.1.4 Suspend or revoke certification in the event an individual obtained certification through fraud or deceit, has been convicted of a felony or moral turpitude misdemeanor, or has failed to successfully complete and in-service or advanced training course required by Council.

1.1.1.5 In all situations where the provisions of Section 8404(a)(4) or Section 8410(b) of this Chapter are to be applied to or invoked against any agency or individual, that agency or individual shall be entitled to a hearing in the manner prescribed herein:

1.1.1.5.1 The Chairman shall select three (3) members of the Council to comprise a Board, which will hear evidence on the allegation (hereinafter “Board”).

1.1.1.5.2 Upon conclusion of the hearing provided for in this Section, the board shall submit its findings and recommendation to the full Council in writing for consideration and vote.

1.1.1.5.3 The ultimate findings of the Council shall be final, except that any ruling adverse to any party participating in the hearing may be appealed to the Superior Court within 15 days of receipt of written notification of said finding. Absent an appeal, all findings of the Council shall become final upon expiration of said appeal deadline.

1.1.1.5.4 All hearings shall be conducted in accordance with the Administrative Procedures Act of the **Delaware Code.**

2.0 Definitions

2.1 As used in this chapter:

“Approved Academy” means a Police Basic Training School authorized by the Council to provide mandatory training and education for police officers as prescribed in this chapter.

“Council” means the Council on Police Training.

“Inactive status” means status assumed by a certified police officer upon termination of employment with a law enforcement agency.

“Pathology” means the branch of medicine concerned with the study of the nature of disease and its causes, processes, development and consequences.

“Permanent appointment” means appointment by the authority of any municipality or government unit in or of this State or the University of Delaware Police Department, Delaware State University Public Safety Department and the Delaware River and Bay Authority to permanent status as a police officer.

“Permanent basis” means continual employment with a law enforcement agency on a full-time or part-time basis.

“Police officer” means a sworn member of a police force or other law-enforcement agency of this State or of any county or municipality who is responsible for the prevention and the detection of crime and the enforcement of laws of this State or other governmental units within the State.

For the purposes of this chapter this term shall include permanent full-time law enforcement officers of the University of Delaware Police Department, Delaware State University Public Safety Department and the Delaware River and Bay Authority.

Permanent law enforcement officers of the Department of Natural Resources and Environmental Control including Park Rangers, Fish and Wildlife Agents, and Environmental Protection Officers.

For purposes of this chapter this term shall not include the following:

- A sheriff, regular deputy sheriff or constable;
- A security force for a state agency or other governmental unit
- A person holding police power by virtue of occupying any other position or office. (11 **Del.C.** 1953, & 8401; 57 **Del. Laws,** c. 261; 57 **Del. Laws**, c.670, & 1A, 63 **Del. Laws**, c. 31, & 1.)

"Seasonal appointment" means appointment for no more than 6 months per calendar Year. Any deviation from this standard based on special circumstances will require prior approval by the Council.

"University" means the University of Delaware Police Department or Delaware State University Public Safety Department.

"Validated test" means a test that has been shown by scientific means to be specific related to job performance and job tasks and does not have an adverse impact.

3.0 Minimum Standards for Initial Employment

3.1 The applicant shall complete an application, the format of which has been approved by the Council. (See Section IV. Forms)

3.2 The applicant shall be a citizen of the United States.

3.3 The applicant shall have reached his/her 18th birthday as a seasonal officer and his/her 21st birthday as a full time officer.

3.4 A licensed physician shall examine the applicant, at the expense of the employing agency, to determine that he/she is physically fit for normal police duties. The following shall be met,

3.4.1 The applicant shall be free from any major impediment of the senses.

3.4.2 The applicant shall be examined by a licensed ophthalmologist or optometrist and shall possess acuity of vision of not more than 20/200 corrected to 20/20 in each eye. The applicant shall have the ability to distinguish between the colors of red, green, and amber; and shall have no pathology of the eyes. Applicant shall also possess acceptable depth perception.

3.4.3 The applicant shall possess normal hearing in both ears per current standards.

3.4.4 The applicant shall have no communicable diseases.

3.4.5 The applicant shall have no physical deformities, which would be detrimental to proper performance of police duties.

3.4.6 The applicant must pass a drug-screening test prior to appointment or attendance at an approved police basic training Academy. The cost of the drug screening test will be absorbed by the employing agency. Urine tests will be conducted for the following drugs:

3.4.6.1 Amphetamines (speed, uppers, meth)

3.4.6.2 Barbiturate (barbs, downers)

3.4.6.3 Benzodiazepines (tranquilizers, Valium)

3.4.6.4 Cannabidiol (THC, pot marijuana)

3.4.6.5 Cocaine (crack, snow)

3.4.6.6 Methaqualone (quaaludes, ludes)

3.4.6.7 Opiates (heroin, smack, morphine)

3.4.6.8 Phencyclidine (PCP)

3.4.6.9 Designer Drugs (ecstasy)

3.5 The applicant shall take and successfully complete a validated psychiatric / psychological test to show his/her competency to perform law enforcement duties. The applicant shall also be required to be examined in person and receive endorsement by a licensed psychologist / psychiatrist to determine

that his mental and emotional stability is suitable to perform law enforcement duties (i.e. race relations, use of force and authority, flexibility and maturity). Mental exam rejection: such as psychoneurotic reaction resulting in hospitalization, prolonged care by physician or loss of time for repeated periods.

3.6 The applicant shall be a high school graduate as evidenced by a diploma issued by a state accredited high school. An equivalency diploma issued by an accredited high school is acceptable.

3.7 The applicant shall possess a valid drivers license.

3.8 The applicant shall be of good reputation and character. The employing department shall conduct a character and background investigation on each applicant in the form and manner as prescribed by the Council (see form IV-14). The chief, or his designee, of the hiring department, shall interview the applicant in person and all background investigation records shall be kept on file for a period of two years for those applicants not hired and permanently for those applicants hired for inspection by the Council on Police Training or its authorized representative.

3.9 The applicant shall not have been convicted of a felony or misdemeanor, which precludes the individual from possessing a weapon. The applicant shall be fingerprinted and a search made of local, state and national fingerprint files to disclose any criminal record; and the fingerprint cards and any identification records shall be made available for inspection to the Council on Police Training or its authorized representative. A conviction of any state or federal crime may be grounds for rejection of the applicant by the Council.

3.10 The applicant shall successfully complete a written job related examination, in the form and manner as prescribed by the Council on Police Training, and the results shall be retained for a period of two years for inspection by the Council or its authorized representative. Form and manner being a validated test related to specific requirements needed to perform duties of a police officer

3.11 A bad conduct or dishonorable discharge from military service shall disqualify the applicant. Any discharge, other than above, which is not honorable, may be grounds for rejection, determination to be made by the hiring agency in conjunction with the Administrator of the Council on Police Training.

3.12 The weight of the applicant shall be in proportion to his/her height and build or body fat percentage as established by the Cooper Institute.

www.healthchecksystems.com/heightweightchart.htm

3.13 **Physical Ability Testing**: Each department sending recruits to a COPT approved academy within this state will be responsible to see that the applicant meets the minimum physical ability standards as set by the respective academy. Recruits found not to meet the minimum standard(s) are subject to dismissal from the respective training academy.

3.13.1 The COPT recommends a test battery for applicants as suggested by the Cooper Institute[1]. The Battery is as follows:

3.13.1.1 Vertical Jump

3.13.1.2 One Minute Sit Up

3.13.1.3 300 Meter Run

3.13.1.4 Maximum Push-Up or Bench Press

3.13.1.5 1.5 Mile Run

3.13.2 The procedure and order for testing is recommended as follows:

3.13.2.1 Warm up for 3 minutes, perform vertical jump test and rest for 2 minutes

3.13.2.2 Perform one minute sit-up test and rest for 5-10 minutes

3.13.2.3 Perform 300 Meter run and rest for 5-10 minutes

3.13.2.4 Perform Maximum Push-up test and rest for 5 to 15 minutes.

3.13.2.5 Perform Cardio-warm up for 2-3 minutes and then perform 1.5 mile run followed by cardio-cool down for 5 minutes.

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1. Procedure and Sequencing of Physical Fitness Tests in Law Enforcement; 2002 The Cooper Institute

3.13.3 As a minimum, applicants should be capable of satisfactorily completing 3 of the recommended tests. Satisfactorily is held to mean the achievement in the 20th percentile as cited in the Cooper Fitness Norms, Single Norms[1]. The inability of a recruit to perform physical ability tests to the 20th percentile shall be reported to the director of training of the academy to which the recruit is enrolled. The Director of Training may require additional testing, specialized training, or may at his/her discretion, deny enrollment of said recruit in the respective training academy. In all cases where a recruit is denied enrollment, the Director of the COPT shall be notified in writing with the reasons for the denial clearly stated.

3.13.4 Physical Fitness/Wellness testing and training is to encourage and teach law enforcement officers to maintain a healthy fitness level throughout their career. Law enforcement officers who remain physically fit prove more readily able to cope with the day-to-day stress of job demands, and are better prepared to handle critical incidents. For this purpose, the COPT has established a minimum Physical Ability level for law enforcement recruit applicants, and officers currently employed in law enforcement out of state, and seeking law enforcement employment in Delaware. It will be the responsibility of each agency to test and determine fitness for duty levels of their respective recruit candidates.

3.13.5 While the COPT has established minimum standards, each department may establish higher standards based on the physical demands placed on officers within their respective jurisdiction. Agency heads, when establishing physical fitness standards for their agency are encouraged to familiarize themselves with Federal Legislation contained in Title VII of the Civil Rights act of 1964, and by the Civil Rights Act of 1991. This legislation requires that all employers of more than 15 employees must refrain from policies and procedures, which either expressly or effectively discriminates against specified categories of individuals except under limited circumstances.

3.14 No requirement of this section is to be interpreted as precluding any agency from establishing higher standards. In no case, however, may the department head or agency employ persons with qualifications below the minimums set forth in these regulations for the position of police officer. Higher standards are recommended whenever the availability of qualified applicants is available.

13 DE Reg. 840 (12/01/09)

4.0 Notification of Employment Status

4.1 The Council required that the Administrator be notified by the Chief of Police, in writing, within 5 days of the employment or termination of any police officer under his/her command. (See Section IV. Forms)

5.0 Minimum Standards For Training

5.1 Police Basic Training Course

5.1.1 In order for training to be accepted by Council on Police Training the training must be instructed by Certified Instructors as set forth in II-12.

5.1.1.1 Each applicant for the position of police officer in the State of Delaware must satisfactorily complete the Police Basic Training Course as prescribed in 11 **Delaware Code** §8405(a) (Amended 07/08/93) prior to being given or accepting an appointment as a police officer.

5.1.1.2 The Council on Police Training has certified six agencies as approved police basic training academies. Those agencies are: The Delaware State Police; New Castle County Police; Wilmington Department of Police; Newark Police Department; Dover Police Department; and Delaware River and Bay Authority Police Department.

5.1.1.3 Any arrest for criminal and/or traffic offense, the Council on Police Training should be notified within 5 days.

5.1.1.4 Person must meet PT standards of the academy to which they will be attending.

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1. Physical Fitness Specialist Course and Certification; 2002, The Cooper Institute

5.2 Waiver of Equivalent Training – RECIPROCITY

5.2.1 The Council on Police Training may waive the requirement of attending an approved Delaware Police Training Academy for those officers seeking Delaware certification of training after having completed equivalent training out-of-state, and having met all training considered indigenous to Delaware.

5.2.2 The Chief of Police of the municipality seeking waiver of training obtained in Delaware must submit to Council an application for Exemption from Mandatory Training. (See Section IV. Forms)

5.2.3 The application must be completed in its entirety and submitted to the Administrator prior to appointment by the requesting agency. The officer must enclose a copy of the certificate of training from the police academy, which provided police basic training. The officer must also enclose a copy of the curriculum from that academy which must include: description of courses taught; hours assigned to each course; and, a brief synopsis of the material taught in each course.

5.2.4 The Administrator will examine the equivalent training records and make a comparison with the Delaware Mandatory Requirements. Any areas not meeting Delaware Standards will be required, prior to submission of the waiver application to Council for consideration

5.2.5 If an applicant has completed an out-of-state Academy but has not worked full time in law enforcement during the five years immediately prior to the date of application, that Applicant must attend an approved Academy in its entirety. If the Council should determine that the out-of-state training was in the main, deficient, it may deny the waiver in its totality and require attendance at an approved Delaware police training academy.

5.2.6 If an applicant, upon review of their training, needs to take more than 40% of the minimum number of hours of training in the state of Delaware, then they must attend a Delaware approved Academy in its entirety.

5.3 Annual required training to maintain certification

5.3.1 Each police officer, certified by the Council, will be required to complete 16 hours of in-service career related training annually.

5.3.2 In addition to the above 16 hours, the officer must also recertify in C.P.R., AED, and First Responders recertification as noted in Section II-16

13 DE Reg. 840 (12/01/09)

6.0 Extension of Time Limit For Course Completion

6.1 The Council of Police Training may provide a modification from the application; application of any provision of this chapter or the Rules and Regulations promulgated hereunder, for any police officer of a municipality if:

6.1.1 The police officer is employed on a full-time basis, and;

6.1.2 The municipality makes application for such modification and establishes that it will suffer a hardship if the modification is not granted, and;

6.1.3 Application is made in writing to the Administrator of the Council on Police Training.

6.2 The Administrator will present the hardship application to the Council at the next regularly scheduled quarterly meeting. The Council will consider the request, debate its merits, and approve or deny the application by a majority vote of its members.

7.0 Power and Duties

7.1 The Council on Police Training, subject to 11 **Delaware Code** §8404, may:

7.1.1 Issue certification of completion of police officer training prescribed under this chapter;

7.1.2 Prescribe standards for in-service or continued training of police officers;

7.1.3 Establish minimum educational and training qualifications requisite to certification by the Council and permanent appointment as a police officer;

7.1.4 Establish recertification requirements for police officers who have previously been certified as having completed the training by Council, but have ceased to be employed on a permanent basis and have become classified as inactive.

7.1.5 Prescribe equipment and facility standards for academies and schools at which police training courses shall be conducted, including but not limited to existing county or municipal schools;

7.1.6 Establish minimum training requirements, attendance requirements and standards of operations for police training academies and schools;

7.1.7 Prescribe minimum qualification for instructors at such academies and schools and certify, as qualified, or decertify such instructors to their particular courses of study;

7.1.8 Approve and issue certificates of approval to such police training academies and schools, to inspect such academies and schools and to revoke for just cause any approval or certificate issued to such schools;

7.1.9 Suspend or revoke certification in the event that an individual:

7.1.9.1 Obtained certification by fraud or deception;

7.1.9.2 Has been convicted of a felony or of a misdemeanor involving moral turpitude or of any local, state, or federal criminal offense involving, but not limited to, theft, fraud, or violation of the public trust, or any drug law:

7.1.9.3 Has failed to successfully complete any annual re-certifications, in-service, or advanced training required by Council;

7.1.9.4 Has been found, after examination by a licensed psychologist or psychiatrist, to be psychologically or emotionally unfit to perform the duties or exercise the powers and authority of a police officer;

7.1.9.5 Effective 1/1/88 the Basic Curriculum shall be applicable for all new police officers, regardless of the type of employment or hours of employment, except seasonal employment.

7.1.9.6 Has been discharged from employment with a law enforcement agency for a breach of internal discipline; or has tendered his resignation prior to the entry of findings of fact concerning an alleged breach of internal discipline and who is found by the Council to have engaged in conduct constituting a breach of internal discipline for which the individual could have been legitimately discharged had he not resigned his position prior to an adverse finding of fact being entered on the issue by the employing agency.

7.1.9.7 Effective 1/1/88 the Basic Curriculum shall be applicable for all new police officers, regardless of the type of employment or hours of employment, except seasonal employment.

8.0 Re-activation Requirements of Police Officers

8.1 Inactive Status

8.1.1 Whenever a police officer required to be certified by the Council on Police Training retires, resigns, or otherwise voluntarily or involuntarily leaves his or her employing law enforcement agency, the chief of the employing agency shall advise the Administrator of the separation in writing within five (5) business days of the separation and identify the circumstances of the separation.

8.1.2 Upon receiving notice of a police officer's separation from law enforcement employment, the Administrator shall place that individual on inactive status in which status he or she is not authorized to exercise the powers of a police officer until such time as he or she meets the requirements for re-activation.

8.1.3 The Administrator may re-activate the individual's certification upon written application from the individual that he or she has accepted another full-time police position with a law enforcement agency whose training is regulated by the COPT and provided that the individual is not the subject of a de-certification proceeding pursuant to 29 **Delaware Code** §8404(4) and the individual meets all other criteria for re-activation which the Council has adopted in Regulation 8.2

8.2 Re-activation Requirements

8.2.1 If not employed on a permanent basis for a period of less than 12 months, an individual must complete all in-service requirements mandated by the Council pursuant to 11 **Del.C.** Section 8404(a)(5) prior to recommencing employment.

8.2.2 If not employed on a permanent basis for a period of greater than 12 months but less than 36 months, an individual must satisfy all minimum standards for initial employment established by the Council. An officer must satisfy the following minumum standards:

8.2.2.1 Medical background including:

8.2.2.1.1 Medical history / physical examination form

8.2.2.1.2 Physicians affidavit

8.2.2.1.3 Weight chart

8.2.2.1.4 Substance abuse screen

8.2.2.2 The results of a validated psychiatric / psychological test and interview, indicating competency to perform law enforcement duties.

8.2.2.3 Current criminal history record check, including fingerprints obtained from the State Bureau of Investigations.

8.2.2.4 Background investigation. Standardized form (IV-14) which consists of a minimum checklist.

8.2.2.5 All training requirements prescribed by the Council, including, but not limited to First Responder and Firearms recertification.

8.2.2.6 Firearms training.

8.2.3 If not employed on a permanent basis for a period of greater than 36 months but less than 60 months, an individual must satisfy all minimum standards for initial employment established by the Council. An officer must satisfy the following minumum standards:

8.2.3.1 Medical background including:

8.2.3.1.1 Medical history / physical examination form

8.2.3.1.2 Physicians affidavit

8.2.3.1.3 Weight chart

8.2.3.1.4 Substance abuse screen

8.2.3.2 The results of a validated psychiatric / psychological test and interview, indicating competency to perform law enforcement duties.

8.2.3.3 Current criminal history record check, including fingerprints obtained from the State Bureau of Investigation.

8.2.3.4 Background investigation. Standardized form (IV-14) which consists of a minimum checklist.

8.2.3.5 First Responder recertification

8.2.3.6 Complete a Firearms basic certification course.

8.2.3.7 Complete an academy basic criminal procedures, criminal law and traffic law course.

8.2.3.8 Complete any other academic requirement imposed by the Delaware State Police, Director of Training, following a review of the individuals training records.

8.2.4 If not employed on a permanent basis for a period of greater than 60 months, an individual must satisfy all requirements imposed by the Director of the Delaware State Police Training Division following a review of the individual's training history and after approval by the Council.

11 DE Reg. 180 (08/01/07)

13 DE Reg. 840 (12/01/09)

9.0 Seasonal Police Officers

9.1 Minimum Training Requirements

9.1.1 Due to their status, officers in this classification will receive a course of instruction that once completed will meet minimum standards established by the Council on Police Training. Seasonal officers are governed by administrative directive as per Council Mandate 10/17/90.

9.1.2 Due to the unique position of the Seasonal Police Officer, it will be stipulated that in lieu of training prior to active duty, they will instead be granted permission by the Council on Police Training to comply with Section 8404(a)(16) within fifteen (15) days of their initial employment date. The course needs prior approval by the Director of Training of the Delaware State Police Training Academy.

9.1.3 Seasonal police officer employment will encompass the restricted time frame of employment of more than 4 weeks and no more than 6 months.

9.1.4 Seasonal police officers who carry firearms shall be trained as required under 8404(a)(16). Reinforced by Council 08/24/94.

9.1.5 Seasonal police officers who operate police vehicles on patrol shall be trained in EVOC.

9.2 Basic Curriculum – Seasonal **48 Hours**

9.2.1 Communications 1 Hour

9.2.1.1 Acquaints the officer with the features and use of communications equipment used in police operations, including telephone, teletype, and radio. Instruction also includes rules and regulations of the Federal Communications Commission with regard to radio transmissions.

9.2.2 Courtroom Procedure and Demeanor 2 Hours

9.2.2.1 The fundamentals of how to be most effective as a witness in court. Includes preparation of the case prior to courtroom presentation. Also, appearance, manner, and attitude in court and while waiting to testify.

9.2.3 Criminal Code (Minor Offenses) **4 Hours**

9.2.3.1 The course should make the officer familiar with the code and the common minor violations and to know how to make ready reference to the code for other violations.

9.2.4 Cultural Diversity 4 Hours

9.2.4.1 The purpose of this course is to prepare the officer to deal fairly and effectively with minority groups in society. This course is intended to bring about increased understanding and respect of the duties of the police officer on the part of these minority groups with which the officer must deal.

9.2.5 DELJIS 8 Hours

9.2.5.1 Each recruit will be instructed on the DELJIS System. Recruits will be able to navigate DELJIS and develop electronic warrants.

9.2.6 Emergency Care (Basic “ABC” CPR/AED) 6 Hours

9.2.6.1 Training to develop first aid techniques that enable an officer to meet the basic demands in most cases.

9.2.7 Laws of Arrest and Search Procedures 6 Hours

9.2.7.1 The legal foundation of laws governing and limiting the police officer’s authority in the areas of arrests. This treatment shall be afforded with respect to the laws of arrest with or without warrants, arrest for misdemeanors and arrest for felonies, the elements of probable cause, and the disposition of persons after lawfully arrested.

9.2.8 Patrol Procedures (Basic Tactics) 3 Hours

9.2.8.1 The most important single function of the police; the prevention of crime, the protection of life and property, the preservation of peace, the enforcement of law, and the detection and arrest of violators of the law and the relationship of such purposes to the patrol functions.

9.2.9 Police Discipline and Courtesy 1 Hour

9.2.9.1 Basic why, when, and where of discipline and courtesy of police officers.

9.2.10 Report Writing 2 Hours

9.2.10.1 Instructs the officer in the essential mechanics of recording his investigations in report form suitable to serve both as an aid to further investigation and to the preparation and development of prosecution.

9.2.11 Traffic Code 2 Hours

9.2.11.1 This class is designed to present the recruit with the fundamentals and mechanics of traffic control, control devices, proper signals and gestures.

9.2.12 Traffic Control 1 Hour

9.2.12.1 Designed to teach the officer the fundamentals and mechanics of traffic control and control devices; and to familiarize the officer with the proper signals and gestures used in point traffic control.

9.2.13 Use of Police Equipment (Mace/Nightstick or Baton/Handcuffs) 8 Hours

9.2.13.1 Basic procedures for the effective use of non-lethal equipment.

9.2.14 Note: This will not preclude any department from expanding on and or providing more than the minimum as provided above.

10.0 Minimum Qualifications For Police Instructors

10.1 Proposed instructors shall forward a resume including information relative to their education, experience in law enforcement, experience and suitability in instruction, ability at oral and written communication, and physical and personal appearance to the Administrator of the Council on Police Training.

10.1.1 The instructors shall be of two types:

10.1.1.1 Those used in general police instruction and have been in law enforcement for a minimum of five years.

10.1.1.2 Those who, by their special knowledge and preparation, are suited to instruct certain courses requiring such special knowledge and education shall have the five year minimum experience waived.

10.1.2 All instructors must meet one of the following criteria.

10.1.2.1 Certification from a police instructor school as approved by the Delaware Council on Police Training and instructed by a Council-certified master instructor.

10.1.2.2 Those, who by their special knowledge and preparation, are suited to instruct certain courses requiring such special knowledge and education may be given a certification limited in subject matter.

10.1.3 Evaluations

10.1.3.1 Certified instructors shall be monitored by the Director (or his designee) of the respective academy in which they are instructing.

10.1.3.2 Evaluation reports shall be forwarded to the director (or his designee) of the training academy from which the instructor originates.

10.1.4 Complaint Process

10.1.4.1 Students having complaints relative to training shall direct such complaints to the director of the academy they are attending.

10.1.4.1.1 If remedial action in not forthcoming, the complaint;

10.1.4.1.1.1 In the case of officers attending their own academy, they shall follow the authorized chain of command of that agency.

10.1.4.1.1.2 In the case of officers attending an academy other than their own, they shall notify their training officer or chief of police.

10.1.4.1.1.3 The training director or chief of police making complaints relative to an instructor or the training shall make a written request to the Administrator for an evaluation. The Administrator, or his designee, shall provide such evaluation for every request. The designee shall be a director of an approved status academy or his assistant.

10.1.5 Decertification

10.1.5.1 Instructors who become certified, but through the evaluation process are found to be unacceptable for training purposes may be decertified by the Council upon recommendation by the Training Director of the agency's Academy, and the Administrator of the Council.

10.1.5.2 Falsification of information which led to certification shall be just cause for decertification.

10.1.6 Appellate Process:

10.1.6.1 There are no appeals of the decisions of the Council on Police Training concerning instructor decertification unless a claim of lack of due process can be substantiated.

11.0 Firearms Training

11.1 Firearms training defined: Weapons training conducted at a facility and by an instructor certified to teach such subjects by the Council on Police Training.

11.2 Duration and curriculum: The curriculum will include classroom lectures on use of force, safety, nomenclature, care of weapons, police combat tactics and marksmanship. Range instruction emphasizes the practical application of police weapons related to actual combat conditions. The range officer of the involved training facility will attest to the qualifications of the respective officer. The officer must qualify with his departmental issued weapon. The officer must attain 80% of the possible score.

11.3 Depending on the number of persons being trained, and considering the amount of experience, or lack of experience the training population has with firearms, the training period will vary in time, but will consist of at least but not limited to 5 days.

11.4 Non-Qualification: Should an officer initially fail to qualify, that person would be permitted one (1) additional opportunity to attain certification. Scheduling for the additional attempt will be conducted at the convenience of the firearms officer. Under no circumstances, will an officer be permitted to carry a firearm on duty unless certified as per the requirements of Section 8404 of the Council on Police Training.

11.5 As authorized by 8404(a)(5): In order to retain certification, all police officers in the State of Delaware must receive recertification in firearms proficiency annually. The recertification must be conducted by a Council on Police Training certified firearms instructor.

11.6 A minimum of three (3) re-qualification shoots per year, scheduled on at least two (2) separate days, with at least 90 days between scheduled shoots required. Of these three, there will be one (1) mandatory "low light" shoot. Simulation is permitted and it may be combined with a daylight shoot.

11.7 Each training session shall consist of one minimum standards re-qualification course. An additional 50 rounds shall be fired for proficiency training. This is a total of 100 rounds per shoot as a minimum.

11.8 The Chief of Police shall forward to the Administrator, documentation of annual firearms recertification for each officer under his/her command within 90 days of the anniversary date of initial firearms certification. (See Section IV. Forms)

11.9 All training ammunition shall be comparable to issued service ammunition in performance specification. Service ammunition shall be collected annually and replaced with new. The collected ammunition may be used for training. All shooting is to be completed with authorized/issued weapons and equipment.

13 DE Reg. 840 (12/01/09)

12.0 Minimum Standards Firearms Qualification

12.1 Handgun (Day)

A minimum of three qualification shoots per year, scheduled on at least two separate days, with ninety days between qualification dates.

Of the three dates, there will be one mandatory "low light" qualification. Simulation of "low light" is permitted and the "low light" qualification may be combined with a day shoot.

All training ammunition shall be comparable to issued ammunition in performance.

Service ammunition will be collected annually and replaced with new ammunition. The collected ammunition may be used for training and qualification.

A minimum of 150 rounds of ammunition will be fired annually for proficiency training. This ammunition will NOT include the ammunition required for qualification courses.

A minimum of 80% must be obtained to be qualified with the approved handgun. The method of scoring and target selection will be determined by the instructor.

All qualifications are to be completed with authorized weapon and equipment. (Holsters, speed loaders, pouches, etc.)

Shooting will be conducted annually using the flashlight for target illumination and identification.

YARD LINE	COURSE OF FIRE	TOTAL ROUNDS
25/Greater	Behind Cover, Two Different Positions	9
15 to 7	Advancing Towards Target	9
7	Centered Behind Barricade	12
5/Less	Move Back	6
5/Less	Lateral Movement	8
5/Less	One Hand Reload, Strong/Weak Hand Only	6
	TOTAL OF FIFTY ROUNDS	

The instructer will determine at what distance, in what manner, and how many rounds will be fired on each command.

12.2 Low Light or Concealed Carry Standards for H.R. 218

This regulation sets forth the minimum qualification standards for concealed weapon handguns for active duty police officers and for retired law enforcement officers who qualify under the Law Enforcement Officers Safety Act of 2004 (H.R. 218).

These are minimum standards and shall not prevent any police department from establishing more strict or additional rules or regulations to qualify to conceal carry a firearm on or off duty.

YARD LINE	COURSE OF FIRE	TOTAL ROUNDS
15 to 17	Advance Towards Target	9
7	Centered Kneeling Behind Barricade	16
5/Less	Lateral Movement	12
5/Less	Move Back	6
5/Less	One Hand Reload, Strong/Weak Hand Only	7
	TOTAL OF FIFTY ROUNDS	

The instructor will determine at what distance, in what manner, and how many rounds are fired on each command.

Active duty and retired law enforcement officers must qualify a minimum of once annually and obtain a minimum score of 80%.

If the weapon system or holster is different from active duty use, the officer must qualify a minimum of once annually and obtain a minimum of 80%.

12.3 Basic Patrol Long Gun Minimum Standards

This basic patrol long fun course is not designed to replace training relevant to specific weapons such as sniping marksmanship and select fire weapons. It will be incumbent upon each department to provide their perspective officers with specific recognized training to have those officers certified.

Long guns include patrol level weapons designed to be fired from the shoulder (i.e. Patrol rifle, carbines, shotguns).

Departments using long guns will be required to qualify three times a year. Two day courses and one "low light" course. Simulation of "low light" is permitted. A minimum of ninety days is required between the two day courses. The "low light" course may be combined as part of one day qualification course.

Service ammunition will be collected annually and replaced with new ammunition. The collected ammunition may be used for training and qualification.

All training ammunition shall be comparable to issued ammunition in performance.

Departments using long guns will fire a minimum of twenty rounds of ammunition for proficiency training per year. This ammunition will not include the ammunition required for qualification courses.

A minimum of 80% must be obtained to be qualified. The method of scoring and what type of target will be determined by the instructor.

All qualifications are to be completed with authorized weapons and ammunition.

Departments are required to qualify on each type of ammunition that is issued.

YARD LINE	COURSE OF FIRE	TOTAL ROUNDS
3/Greater	Two Different Positions, Three Different Places	10
	TOTAL OF TEN ROUNDS	

The instructor will determine at what distance, in what manner, and how many rounds are fired on each command depending on the weapon and the capability of the ammunition.

13.0 Recertification of Basic Firearms Instructors

An eight-hour firearms re-certification course will be held annually and will cover, but not be limited to: legal updates, use of force, and review of Council on Police Training standards.

To maintain certification, firearms instructors must attend a minimum of one recertification course every three years and complete sixteen hours of additional training in firearms usage or complete sixteen hours of academy level instruction, or a combination of training and instruction in the same three year period.

The head of the police department shall provide documentation of the required updated training to the COPT Administrator to include in the instructor's training records.

No Firearms instructor shall be employed by any police department for purposes of certifying firearms instructors unless the certifying instructor has been approved by the Council on Police Training.

14.0 C.P.R., AED and First Responder Retraining

14.1 As authorized by 8404(a)(14): All police officers in the State of Delaware shall have successfully completed a First Responder course adhering to the United States Department of Transportation curriculum for First Responder Courses as offered by the Delaware State Fire School or as taught in a certified police training academy by a credentialed emergency medical services instructor.

In order to retain certification, all police officers in the State of Delaware must receive recertification in C.P.R. and AED as recommended by the American Medical Association. This training will be conducted by a certified Council on Police Training instructor, Delaware State Fire School Instructor, or Health Care Professional certified in Advanced Cardiac Life Support.

The Chief of Police shall forward to the Administrator, documentation of recertification for each officer under his/her command within 90 days of the anniversary of date of initial C.P.R. and AED Certification. (See Section IV. Forms)

First Responder recertification shall be at the discretion of each department.

15.0 Certification of Schools or Courses

15.1 The Council on Police training may:

15.1.1 Prescribe equipment and facility standards for training locations at which police training courses shall be conducted, including but not limited to existing county or municipal academies.

15.1.2 Establish minimum training requirements, attendance requirements and standards of operations for police training academies.

15.1.3 Prescribe minimum qualifications for instructors at such academies and certify, as qualified, or decertify such instructors to their particular courses of study.

15.1.4 Approve and issue certificates of approval to such police training academies to inspect such schools from time to time and revoke for cause any approval or certificate issued to such schools.

15.1.5 Consult and cooperate with all agencies of government, state and local, concerning the development and administration of the training program and to contract with such agencies as it deems necessary in the performance of its powers and duties.

15.1.6 Effective 1/1/88, the Council on Police Training approved training schools and seasonal training schools shall maintain in writing, the curriculum and names of instructors utilized for basic training for new police recruits.

15.1.7 The Administrator may then access the Council's computerized training records to determine the certification status of each instructor.

15.1.8 In any case, the Administrator will respond, in writing, to the approved school, advising the status of the request within 5 working days.

16.0 Basic Curriculum

16.1 This is the mandatory curriculum for police basic training and reflects 568 hours of training as approved by the Council on Police Training.

16.2 Accident Investigation 24 Hours

16.2.1 Develops the officer's skills in methods and techniques to be applied to this type of investigation, including measurements, photography, sketches, reporting, and interviewing of witnesses and drivers, hit-and-run accidents and manslaughter by motor vehicle cases.

16.3 Advanced Driving Course 24 Hours

16.3.1 This course is divided into approximately 2 hours of classroom instruction and 22 hours of driving on a skid pad. The classroom instruction stresses the importance of vehicle safety in teaching defensive and pursuit tactics. The student is taught to realize that the driving environment, which includes the vehicle, the road, and the driver all have limits. Some of the topics covered are the affects of weight transfer, affects of centrifugal force and friction, and skids and cornering.

16.3.2 The skid pad portion reinforces the student's understanding of the driving environment and other classroom material. The student is exposed to steering control, judging distances, the vehicles evasive capability, maximum braking ability without losing steering ability, and the affects of skidding and controlling skids.

16.4 Civil Disobedience/Labor Disputes 4 Hours

16.4.1 Lecture and discussion of Delaware Labor Laws and the law enforcement role of protection of life and property with explanation of injunctive relief procedures. Actual situations involving labor strikes and picketing of companies, abortion clinics, animal rights groups, etc., will be discussed.

16.5 Constitution and Bill of Rights 2 Hours

16.5.1 An introduction to the history and development of the Federal and State Constitutions, particularly the Federal Bill of Rights, as interpreted by the courts down through the years, with emphasis on decisions of the United States Supreme Courts.

16.6 Courtroom Procedure and Demeanor 8 Hours

16.6.1 The fundamentals of how to be most effective as a witness in court. Includes preparation of the case prior to courtroom presentation. Also, appearance, manner, and attitude in court and while waiting to testify.

16.7 Criminal Investigation 44 Hours

16.7.1 Presents a study of the basic fundamentals and procedures of investigation involving the more serious crimes. Includes establishment of the elements of burglary, robbery, auto theft, theft felony, homicide, and other major offenses such as gambling and organized crime.

16.8 Cultural Diversity and Community Relations 12 Hours

16.8.1 The purpose of this course is to prepare the officer to deal fairly and effectively with minority groups in society. This course is intended to bring about increased understanding and respect of the duties of the police officer on the part of these minority groups with which the officer must deal.

16.9 Delaware Criminal Code 20 Hours

16.9.1 The course should make the officer sufficiently familiar with the Code as to know all aspects of the most important and common violations and to know how to make ready reference to the Code for all other violations. This segment will also acquaint the officer with the more commonly encountered civil law violations.

16.10 Delaware Motor Vehicle Code 20 Hours

16.10.1 The purpose of this course is to acquaint the officer with the provisions of the Motor Vehicle Code Annotated. With this background, he may readily recognize a violation thereof and be able to: (1) define the elements of such violation and; (2) know the nature of the evidence necessary to prove such violation in court.

16.11 Domestic Violence 8 Hours

16.11.1 To acquaint the officer with the potential dangers that exist when answering calls of domestic disputes. Generally, such training is designed to prepare police officers to react effectively, efficiently, and sensitively to the crisis situations which they encounter.

16.12 Drug Enforcement and Controlled Substances 8 Hours

16.12.1 Acquaints the officer with the types of narcotics commonly used. It includes the terms of jargon, the general effects of various drugs and barbiturates, plus their relationship to crime. Field-testing of various substances will also be included.

16.13 Firearms 40 Hours

16.13.1 Instruction includes classroom lectures on safety, nomenclature, care of weapons, and the viewing of training films. Range instruction emphasizes the practical application of police weapons related to actual combat conditions.

16.14 First Responders 40 Hours

16.14.1 Because accidents and other emergencies bring the police officer to the scene first, this training is to develop first aid techniques that enable him to efficiently fulfill his responsibilities. The course also offers sufficient instruction to enable the police officer to make an emergency child delivery.

16.15 Fitness and Wellness 6 Hours

16.15.1 The purpose of Physical Fitness/Wellness testing and training is to encourage and teach law enforcement officers to maintain a healthy fitness level throughout their career. Law enforcement officers who remain physically fit prove more readily able to cope with the day-to-day stress of job demands, and are better prepared to handle critical incidents. For this purpose, within each academy a segment of instruction will be devoted to nutritional education, exercise physiology, lifestyle adjustment, and stress and stress relief methods. Other areas specific to fitness and wellness can and will be added as needed.

16.16 Handling Persons With Disabilities 8 Hours

16.16.1 The purpose of this course is to identify behavioral factors with which the officer has to deal, discusses the influence of group behavior or individual behavior, and emphasizes the importance of understanding unusual behaviors in order to handle that behavior most effectively. Also review 24-hour commitment procedures.

16.17 Homeland Security 16 Hours

16.17.1 National Incident Management System 4 Hours

16.17.1.1 National Incident Management System (NIMS) integrates effective practices in emergency preparedness and response into a comprehensive national framework for incident

management. The NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size or complexity, including catastrophic acts of terrorism and disasters.

16.17.2 Incident Command System 8 Hours

16.17.2.1 ICS is a standardized on-scene incident management concept designed specifically to allow responders to adopt an integrated organizational structure equal to the complexity and demands of any single incident or multiple incidents without being hindered by jurisdictional boundaries.

16.17.3 Weapons of Mass Destruction / All Hazards (Awareness) 4 Hours

16.17.3.1 WMD/All Hazards awareness provides emergency responders with awareness-level instruction on recognition, avoidance, isolation and notification techniques in weapons of mass destruction and all hazards environment. The course covers prevention and deterrence, chemical, biological, radiological, nuclear, and explosive (CBRNE) hazards and other disasters.

16.18 Information Systems 44 Hours

16.18.1 Communications:

16.18.1.1 Acquaints the officer with the features and use of all communications equipment used in police operations, including telephone, computers, radio, and NCIC. Instruction also includes rules and regulations of the Federal Communications Commission with regard to radio transmissions.

16.18.2 Report Writing

16.18.2.1 Instructs the officer in the essential mechanics of recording his investigations in report form suitable to serve both as an aid to further investigation and to the preparation and development of prosecution.

16.18.3 LEISS: **(Law Enforcement Investigative Support System**)

16.18.3.1 Automated Crime reports. This training takes you through some of the more complex police reports and steps the user through the many features of this program. Various crime reports will be completed during this training along with all new system features covered. This allows the police crime report to be sent electronically to the State Bureau of Identification. This program also has links to the automated warrant system if a warrant is required; no dual keying of data is needed.

16.18.4 **LEISS – Warrants**

16.18.4.1 This is a law enforcement application designed to provide court acceptable documents Exhibit A (charge sheet), Exhibit B (probable Cause statement). This warrant is electronically sent to the court and can be modified and changed at any time before the approval by a judge. From this original warrant document, information is loaded directly into the CJIS Wanted person files whenever a warrant is created without arrest information. Also included in the application is the Attorney General Intake for felony cases and an automated arrest report to be attached to the fingerprint cards. This is the instrument used statewide for arrests by all criminal justice agencies.

16.18.5 DELJIS:

16.18.5.1 This course covers all the features of the CJIS system along with all new applications being developed. Users are given a security briefing along with an example of all the basic inquiries used for criminal justice. This course covers motor vehicles inquiries along with criminal history inquiries, Protection from Abuse orders, no contact orders along with Case Inquiry and much more.

16.18.6 NCIC:

16.18.6.1 This block of instruction shall directly relate to the use of the National Crime Institute Center computer software. To include FBI mandates, lecture, testing and certification.

16.19 Interview and Interrogation 8 Hours

16.19.1 To teach the officer the approved techniques of interrogation so that he may fully develop information or evidence by conversation with witnesses and subjects. Emphasis on legal limitations.

16.20 Introduction to Law Enforcement 2 Hours

16.20.1 To introduce law enforcement officers to the historical background and development of the police service with emphasis on its relationship to modern society. Also included is an analysis of the organizational structure.

16.21 Juvenile Procedures 8 Hours

16.21.1 This course is designed to acquaint the new officer with the family, social and economic conditions, and factors, which foster and encourage juvenile delinquency. It stresses the role law enforcement can play in the overall effort to combat such conditions with emphasis on the planned programs existent within the State of Delaware.

16.22 Latent Fingerprints/Crime Scene Processing 12 Hours

16.22.1 Methods and importance of identification including the methods of dusting, photographing and lifting latent fingerprints and palm prints from all manner of surfaces and areas, inked and rolled fingerprints; not only of live and willing subjects, but also from unconscious, deceased, and decomposed bodies.

16.23 Laws of Arrest, Laws of Evidence, and Search and Seizure 40 Hours

16.23.1 The legal foundation of laws governing and limiting the police officer's authority in the areas of arrest. This treatment shall be afforded with respect to: (1) the laws of arrest with or without warrants, arrest for misdemeanors and arrest for felonies, the elements of probable cause, and the disposition of persons after lawfully arrested; (2) the law applicable to criminal interrogation and resultant confessions under the 5th, 6th, and 14th Amendments of the Federal Constitution and; (3) the application of constitutional safeguards to electronic surveillance, chemical, and serological evidence.

Acquaint the recruit with the rules and law of evidence exercised in a court of law so that he may recognize what is legally admissible. He must be able to differentiate between the various types of evidence and be familiar with the rules concerning maintaining the chain of evidence. Covers the laws of search and seizure under the provisions of the 4th and 14th Amendments including the exclusionary rule and the elements of a "reasonable" search and seizure of persons (a) incidental to arrest; (b) under a search warrant; (c) with consent.

16.24 Manual Traffic Control 2 Hours

16.24.1 Designed to teach the officer the fundamentals and mechanics of traffic control and control devices; and to familiarize the officer with the proper signals and gestures used in point traffic control.

16.25 NHTSA and Driving Under The Influence 24 Hours

16.25.1 Presents the elements of the offense of driving under the influence as defined by Delaware law. Provides knowledge on securing the necessary evidence, including scientific tests and reporting in order to successfully prosecute.

16.26 Other Police Agencies Jurisdiction 2 Hours

16.26.1 To acquaint officers with the jurisdiction, function, and availabilities of other enforcement agencies including federal departments such as the Secret Service and Federal Bureau of Investigation.

16.27 Police Communication & Crisis Intervention 20 Hours

16.27.1 The purpose of this course is to provide police officers with the knowledge, skills and ability to interact with people on a daily basis. Within this course the communications process will be described along with the barriers to communication. Students will be taught how to communicate with persons in crisis. Types of instruction include, but are not limited to verbal judo, active listening skills and suicide intervention. Role-play scenarios are a valuable part of this training.

16.28 Patrol Procedures/ Officer Survival 60 Hours

16.28.1 The most important single function of the police; the prevention of crime, the protection of life and property, the preservation of peace, the enforcement of law, and the detection and arrest of violators of the law and the relationship of such purposes to the patrol functions.

This course is designed to acquaint the new officer with the basic street survival techniques as accrued from years of experience from actual encounters on the street. Practical application of avoidance, deterrence, and handling of actual scenarios will familiarize officers with what to do when confronted with an armed combatant as well as what not to do.

16.29 Police Discipline and Ethics 8 Hours

16.29.1 Basic why, when, and where of discipline and courtesy of police officers. Ethics from a law enforcement perspective will be explored and discussed.

16.30 Police Fire Survival 14 Hours

16.30.1 Delaware State Fire School explains the hazards of electrical fires, the proper use of various types of fire extinguishers, knowledge of structural fires, how to handle flammable liquids and gas and rescue techniques for removing trapped persons from vehicles.

16.31 Sex Crimes 4 Hours

16.31.1 This course is calculated to teach the officer the elements, peculiar techniques of investigation, motives, and most productive sources of evidence, psychology of violators, modus operandi, etc.

16.32 Use of Deadly Force 6 Hours

16.32.1 This course will acquaint the officer with the laws governing the use of deadly force by police officers.

16.33 Weaponless Defense 30 Hours

16.33.1 Through the use of lecture, demonstration and individual participation, provide each new officer with sufficient skills to defend himself from attack. Instruction and practice in nature, theory, basic principles, safety precautions, the personal weapons, and vulnerable areas of attack. Instruction on the use of the police issued impact weapon and basic handcuffing techniques will be paramount to this course of instruction.

17.0 Training Records

17.1 Upon submission of an “Authorization to Release Information” form and proper personal identification, the Council on Police Training will release training records and other personal information of the bearer of the properly executed release form.

17.2 The form should be sent to the Administrator at lease 10 days in advance of the needed date to allow for processing of requests.

18.0 Administrator

18.1 The Director of Training for the Delaware State Police will be the Administrator for the Council on Police Training. The Administrator will be responsible for administering mandatory training for all police officers in the State of Delaware. The Administrator will also oversee the Council on Police Training budget, policy issues, and will also provide current “practices in policing” to the Council on Police Training Board. In the absence of the Administrator, his/her designee will conduct these duties.

19.0 Reimbursement

19.1 Every municipality or other governmental unit of this State or the University of Delaware and Delaware State University, intending to employ on a permanent basis police officers who have satisfactorily completed the mandatory training as required under this chapter and who have completed their training while in the employ of another municipality or another governmental unit of this State, the University of Delaware or Delaware State University, within 2 years from the date of satisfactory completion of such mandatory training, shall reimburse the municipality or other governmental unit, University of Delaware or Delaware State University, with whom the police officer was employed at the time of attending the mandatory training program for the cost of training such officer, which shall

include the salary, uniforms and equipment and other training expenses incurred while the officer was attending the mandatory training program. During the first year after completion of the mandatory training program the municipality or other governmental unit, the University of Delaware and Delaware State University of whom the police officer was employed at the time of attending the mandatory training program shall be reimbursed for 100 percent for those expenses. During the second year the municipality or other governmental unit, or University shall be reimbursed for 50 percent of those expenses.

19.2 Reimbursable expenses would include, but are not limited to, items such as salary physical fitness training clothing, class uniforms, ammunition for the range, etc.

20.0 Penalties for Non-Compliance

20.1 Chapter 8409: Police officers of the State or any county or municipality or University, which do not meet the requirements of this chapter and the criteria as established by the Council shall not have the authority to enforce the laws of the State.

20.2 Chapter 8410: A police force of any county or municipality which does not meet the requirements of this chapter and the criteria established by the Council will be ineligible to apply for or receive state aid to local law enforcement funds. (SALLE Funds)

21.0 Right to Amend

21.1 The Council reserves the right to amend these rules and regulations as authorized under 11 **Delaware Code** Chapter 84, §8404(a)(14).

21.2 When a change is made to the mandatory training act, the Administrator shall send the changes to all holders of this manual for addition or replacement of the affected section(s).

21.3 The Administrator may require a return receipt from all holders of this manual as proof of compliance.

22.0 Annual Report

22.1 Annually, upon request of the Chairman, the Administrator may present to the Council a summary of its activity from the previous calendar year.

23.0 Part-Time Police Officers

23.1 As authorized by 8404(a)(14), the previous 28-hour and 56-hour part-time police officer training courses have been eliminated effective 1/1/88. In their place, the Basic Mandatory Curriculum is required of all police officer appointments, except seasonal appointments.

24.0 Standardized Competency Examination

24.1 As authorized by 8404(a)(2), effective 1/1/88, all police officer applicants seeking Council on Police Training certification shall successfully pass a standardized competency examination developed and approved by the Council

24.2 The Council has approved three examinations, each consisting of 100 multiple choice and true/false questions. The questions are divided into ten categories of general law enforcement knowledge. There are no agency-specific questions or topics.

24.3 Police officer applicants must score at least a 70% on each category to be considered eligible for Council certification.

24.4 Failure to attain a 70% on any subject area will require the applicant to retake that subject area only. The applicant will be given ample opportunity to study or attend training classes prior to attempting a retake of any subject area(s).

24.5 The Administrator will randomly select one examination from the three approved examinations to submit to the applicant. On any retake examination, the Administrator reserves the right to submit one of the two other examinations to the applicant to prevent possible memorization of the questions.

24.6 All three examinations are “open book”, utilizing Delaware Motor Vehicle and Criminal Codes.

24.7 Successful completion of the competency examination must occur prior to certification by the Council.

24.8 Failure to pass the competency examination will render the applicant unable to become certified with police powers in the State of Delaware.

25.0 Substance Abuse Screen

25.1 Requirements

25.1.1 All applicants for police officers, who come under the requirements of the Mandatory Training Act (Title 11, Section 8401-8410) and as part of their pre-employment screening, will be required to submit to and successfully pass a pre-employment drug test.

25.2 Policy Procedures

25.2.1 A positive test at the pre-employment stage will mean the applicant has not met minimum qualifications (requirements) as established by the Council on Police Training, under Title 11, Section 8404(a)(1), of the **Delaware Code**, therefore applicant would not be eligible for employment.

25.2.2 A positive test will be considered valid when confirmed by a second test procedure performed on the original sample.

25.2.3 If a particular drug listed above is included in a prescription that has been prescribed by a physician and the test results in a positive reading then the following will be applied.

25.2.3.1 A formal letter will be obtained through the licensed physician that prescribed the drug, stating the reason(s) why that particular drug was prescribed. The physician must also state if the drug will affect someone from performing the duties of a police officer and if the particular person the medication is prescribed to is fit for duty.

10 DE Reg. 341 (08/01/06)

13 DE Reg. 840 (12/01/09)

26.0 Electronic Control Device (ECD) Training

26.1 Electronic Control Device defined: A weapon which uses propelled wires or fixed contact points to conduct energy to a subject, thereby affecting the sensory and motor nervous systems of the body.

26.2 Electronic Control Device training: Training conducted by a certified instructor holding the qualifications to provide training related to the use and deployment of Electronic Control Devices.

26.3 Duration and Curriculum: The curriculum will include classroom lectures on the use of force, safety, nomenclature, potential hazards, medical concerns, care of subjects following ECD activation, care of the ECD, and scenario based application. At a minimum, the following training requirements will be fulfilled before an officer may use or deploy an ECD:

26.3.1 Complete a minimum of six (6) hours of instruction under the guidance of an instructor certified to provide instruction in the use and deployment of the specific ECD.

26.3.2 Pass a written examination which tests the student's knowledge regarding the use and deployment of the specific ECD with a score of 80% or higher.

26.3.3 Pass a functional test and demonstrate ability to hit a target two (2) times within a ten (10) second time period from a distance of eight (8) to twelve (12) feet using a laser sight. A student who does not demonstrate this ability should participate in aiming drills and then be permitted another attempt to pass the functional test.

26.4 Annual recertification is recommended by the Council, however, the decision to recertify and the frequency of recertification will be left to the discretion of the chief of each police department deploying an ECD.

13 DE Reg. 840 (12/01/09)