

**Title 11—DEPARTMENT OF
PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 15—Continuing Education**

PROPOSED AMENDMENT

11 CSR 75-15.010 Continuing Education Requirement. The director of public safety is amending section (10)(A) by allowing the additional option of physical health training for the officer wellbeing training topic. The director of public safety is amending section (10)(C) by removing the requirement that the two (2) credit hours of training on handling persons with mental health issues must also include training on handling persons with cognitive impairment issues. The director of public safety is amending section (10)(D) by removing the requirement that the two (2) credit hours of training on tactical training must include all of the following: de-escalation techniques, crisis management, critical thinking, and social intelligence.

PURPOSE: These amendments allow for additional training flexibility with the goal of covering these training topics in much greater detail. In the rule's current form, it requires the training provider to very briefly touch on multiple complex training topics instead of giving a detailed and proper course of instruction, which was the intent of the Peace Officer Standards and Training Commission.

(1) Continuing law enforcement education (CLEE) shall be obtained and monitored on a fixed, annual cycle, with the first annual CLEE period beginning January 1, 2017, and ending December 31, 2017, and successive CLEE periods ending December 31 every year thereafter. For the three- (3-) year period commencing January 1, 2015, and ending December 31, 2017, every peace officer licensed prior to January 1, 2015, shall complete not less than forty-eight (48) hours of CLEE credit, not less than twenty-four (24) hours of which credit shall be completed in the period beginning January 1, 2017, and ending December 31, 2017.

(2) Every licensed peace officer shall obtain twenty four (24) hours of CLEE credit during each annual CLEE period. A maximum of eight (8) hours of CLEE credit may be carried over from one (1) annual CLEE period to the next CLEE period.

(3) A peace officer shall be exempt from the CLEE requirement for the remainder of a CLEE period during which the officer receives a new license pursuant to 11 CSR 75-13.020, receives a license upgrade pursuant to 11 CSR 75-13.030, or successfully completes a Missouri basic training course in its entirety.

(4) CLEE credit may be obtained from the following sources:

(A) From a CLEE provider licensed pursuant to 11 CSR 75-15.030;

(B) From a basic training center licensed pursuant to 11 CSR 75-14.010;

(C) From a source approved to provide a specific CLEE course pursuant to 11 CSR 75-15.040;

(D) From a pre-approved source pursuant to 11 CSR 75-15.050;

(E) For serving as an instructor for a CLEE or basic training class pursuant to 11 CSR 75-15.020(3)(B);

(F) By attending an accredited college or university course related to law enforcement or applicable to law enforcement administration pursuant to 11 CSR 75-15.020(3)(C); or

(G) As in-service training pursuant to 11 CSR 75-15.060.

(5) Commencing for the reporting period beginning January 1, 2017, and ending December 31, 2017, and for reporting periods thereafter, during each CLEE period, every peace officer shall obtain at least eight (8) hours of CLEE credit from some combination of the following sources:

(A) Licensed CLEE providers;

(B) Licensed basic training centers; and

(C) Non-law enforcement agency sources approved to provide a specific CLEE course pursuant to 11 CSR 75-15.040.

(6) Commencing for the reporting period beginning January 1, 2017, and ending December 31, 2017, and for successive reporting periods, no peace officer shall receive—

(A) More than sixteen (16) hours of CLEE credit for in-service training;

(B) More than eight (8) hours of CLEE credit for accredited college or university courses; or

(C) More than twelve (12) hours of CLEE credit for serving as a CLEE or basic training instructor.

(7) The provisions of sections (5) and (6) notwithstanding, for the final three (3) year reporting period commencing January 1, 2015, and ending December 31, 2017, the following provisions shall apply:

(A) No peace officer shall receive more than twenty-four (24) hours of CLEE credit for in-service training;

(B) No peace officer shall receive more than eighteen (18) hours of CLEE credit for accredited college or university courses;

(C) No peace officer shall receive more than twenty four (24) hours of CLEE credit for serving as a CLEE or basic training instructor; and

(D) Each peace officer shall obtain at least twenty-four (24) hours of CLEE credit from some combination of the following sources:

1. Licensed CLEE providers;

2. Licensed basic training centers; and

3. Non-law enforcement agency sources approved to provide a specific CLEE course pursuant to 11 CSR 75-15.040.

(8) During each CLEE period, every peace officer shall, pursuant to 11 CSR 75-15.020(1), obtain at least—

(A) Two (2) credit hours of legal studies;

(B) Two (2) credit hours of technical studies;

(C) Two (2) credit hours of interpersonal perspectives; and

(D) Two (2) credit hours of firearms skill development training. Except that during the three (3) year reporting period ending December 31, 2017, every peace officer shall obtain at least four (4) hours of each subject area listed in subsections (A)–(D) above.

(9) Every peace officer with the authority to enforce motor vehicle or traffic laws shall obtain CLEE training regarding racial profiling.

(10) Commencing for the reporting period beginning January 1, 2017, and ending December 31, 2017, and for successive reporting periods. Every peace officer shall obtain annual CLEE training covering the following topics, which shall fit within one (1) of the four (4) curricula areas outlined in 11 CSR 75-15.020(1):

(A) Two (2) credit hours of training on officer well-being, including mental health **and/or physical health** awareness;

(B) Two (2) credit hours of training on fair and impartial policing practices including implicit bias recognition;

(C) Two (2) credit hours of training on handling persons with mental health *[and]* **or** cognitive impairment issues; and

(D) Two (2) credit hours of training on tactical training, *[to]* **which must** include **one or more of the following areas:** de-escalation techniques, crisis management, critical thinking, *[and]* **or** social intelligence. Except that, for the reporting period commencing January 1, 2017, and ending December 31, 2017, the CLEE training required in subsections (A), (B), (C), and (D) hereinabove, may be satisfied by qualifying training obtained by the peace officer in 2016 or 2017, but that such hours obtained in 2016 shall not be used to satisfy the overall twenty-four (24) hours of CLEE training required to be obtained in 2017, by the provisions of section (1) hereinabove.

(11) At the conclusion of each CLEE period, the director shall determine the compliance of each peace officer pursuant to this rule. Each peace officer shall be responsible for reporting and demonstrating compliance to the director. For the three (3) year reporting period ending December 31, 2017—

(A) Within thirty (30) days after the end of each CLEE period, the director shall send to the chief executive officer of each agency that commissions any peace officer a listing of its commissioned officers and a form for certifying which officers are in compliance with this rule, which officers are not in compliance, and which officers are exempt pursuant to section (3) of this rule. If the chief executive officer certifies a peace officer pursuant to this rule, this shall satisfy the officer's obligation to report CLEE compliance to the director;

(B) Every peace officer whose chief executive officer does not certify CLEE compliance to the director and every peace officer who does not hold a commission at the conclusion of the CLEE period shall report CLEE compliance to the director on a report of continuing law enforcement education form.

(12) A peace officer may apply to the director for a modification or waiver of the CLEE requirement for any CLEE period in which the officer takes official state or federal military leave of absence or in which the director determines that the officer was unable to comply with the CLEE requirement due to a documented medical condition. Any determination made by the director pursuant to this rule shall be subject to review only pursuant to section 536.150, RSMo.

(13) Any peace officer who fails to comply with this rule shall be subject to discipline pursuant to section 590.080.1(6), RSMo.

AUTHORITY: sections 590.030.5(1), 590.050, and 590.190, RSMo Supp. 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. Amended: Filed Aug. 2, 2004, effective Jan. 30, 2005. Amended: Filed July 1, 2008, effective Dec. 30, 2008. Amended: Filed Dec. 3, 2015, effective May 30, 2016.*

**Original authority: 590.030, RSMo 2001, amended 2009; 590.050, RSMo 2001, amended 2008; and 590.190, RSMo 2001, amended 2007.*

PUBLIC COST: This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Jeremy Spratt, Missouri Department of Public Safety Peace Officer Standards and Training (POST) Program Manager, PO Box 749, Jefferson City, Mo 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*