

**THE BILL BLACKWOOD
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

**TCLEOSE In-Service Training Agreements - An Overview
For Implementation**

**A Policy Research Project
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ABSTRACT

Police in-service training was once a neglected issue that received little attention from law enforcement administrators. Over the years police training began to receive more emphasis because it was recognized as a necessary and important activity. A Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) Training Agreement will be presented as a viable method for police agencies to use in providing necessary in-service training. The purpose of this research is to document, organize and present what is necessary for a Texas law enforcement agency to successfully implement TCLEOSE In-Service Training Agreements. This research will identify the types of Texas law enforcement agencies that currently have in-service training agreements. The application process and requirements will be identified. A survey of agencies that have recently applied for an in-service training agreement, but were not successful, will be presented. This research may assist agencies seeking an in-service training agreement in determining the success probability of their applications.

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INTRODUCTION

The purpose of this paper is to document, organize and present what is necessary for a law enforcement agency to implement a Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) In-Service Training Agreement. Any Texas law enforcement agency considering entering into an in-service training agreement with TCLEOSE could benefit from this information.

The information gathered during this research was obtained from TCLEOSE Board Rules and Regulations and related in-service training resources. Interviews were conducted with Gerald Keown, the director of program and institutional evaluations for TCLEOSE, as well as interviews with administrators from agencies that were denied training agreements during the first half of 1995.

Law enforcement agencies in Texas are currently required by TCLEOSE to provide peace officers with a minimum of forty hours in-service training every two years. Agencies which do not have an in-service training agreement or an academy license with TCLEOSE must obtain their mandated training from outside sources. The ability to provide the necessary training in-house has some advantages. These advantages include lesser training costs, decreased scheduling difficulty, convenient training locations, and training which can be tailor made to meet the specific and unique training needs of that agency.

The information provided in this research should assist any Texas law enforcement agency in determining what information and requirements are needed when seeking a TCLEOSE In-Service Training Agreement. It should also assist in determining the success probability of an agency pursuing an in-service training agreement. This is by allowing the agency to compare itself to profiles of agencies which have recently had their training agreement application denied.

HISTORICAL AND LEGAL CONTEXT

Police training has made great strides over the years. Herbert Jenkins, former Police Chief of Atlanta, Georgia, described the training he received when he first joined the Atlanta Police as follows:

When I joined the Atlanta Police Department in the early thirties I was issued a badge, a revolver, blackjack and Sam Browne belt, and sent out on patrol with a senior police officer. After one week of 'training' I was a full fledged policeman on my own (Thibault 1970).

The lack of emphasis on formal police training, as described by Jenkins, was not uncommon during this era. Police work was seen at the time as more of a vocation than a profession. Police training, if any, primarily was conducted on-the-job.

The proper training of employees, at all levels of the organization, is a fundamental, yet often neglected, responsibility of top management. Moreover, it is a responsibility that must be shared with middle management and supervisory personnel, for they too are accountable for the effectiveness and performance of their respective

units and personnel. Proper training is essential to continued organizational change and personnel development. Sloppy, unprofessional police work can often be attributed directly to the lack of a modern and energetic program of training and personnel development (Hale 1971).

Gradually, interest in police professionalism and training increased. During the 1960's many states created Police Officer Standards and Training Commissions (POSTS) with help from federal grants. Most of these grants came from the now extinct Law Enforcement Assistance Administration (LEAA). It was also during this time that many agencies required a high school diploma or a general equivalency degree as a minimum educational requirement for peace officers.

The Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) was formed by the 59th Texas Legislature in 1965. The purpose of TCLEOSE was to be the state regulatory agency for peace officer standards and education. TCLEOSE at first only licensed peace officers and reserve peace officers. This was later expanded over time to include the licensing of jailers and communications officers.

The amount of basic recruit training and mandatory in-service training has increased over the years in Texas. Presently TCLEOSE requires a minimum of 560 training hours for recruit officers and a minimum of 40 hours in-service training every two years for other officers. In-service training must now include training in family

violence, sexual assault, child abuse, civil rights, racial sensitivity, cultural diversity, update on the criminal law, and in some instances civil law and role of the supervisor.

Texas, Florida, California, Ohio and some other states have started advanced formal in-service training programs for law enforcement administrators. These programs were born out of the recognized need to train law enforcement leaders in the latest management techniques and theories.

Training requirements will certainly continue to increase in the future. The reason for this may be because some agencies have recently lost civil law suits which cited that agency's failure to adequately train its personnel. The police operate in a very litigious atmosphere today. This type of legal environment demands that the training of peace officers keep pace with the changing world.

REVIEW OF LITERATURE OR PRACTICE

Police in Texas receive basic and in-service training from a variety of entities. Each entity must hold either an academy license or a training agreement with the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE). These entities can include a law enforcement agency, government agency, college or university, private company or an association. TCLEOSE Board Rules and Regulations state that the commission may issue an academy license to a training academy that is operated by or for the state for the specific purpose of training peace officers or jailers.

Before TCLEOSE will issue an academy license, the academy must pass an inspection of its facilities and instructional materials and must submit the necessary documents required for commission approval. Texas currently has approximately 105 TCLEOSE licensed law enforcement academies in the state. These academies include medium to large law enforcement agencies, colleges, universities, regional planning commissions and councils of governments. Academy licensing is more involved than licensing as an in-service training provider.

An entity which holds a TCLEOSE license as an in-service training provider is sometimes referred to as an agreement trainer. An agreement trainer differs from a licensed training academy. An agreement trainer can provide the same training as a licensed academy with some exceptions. Agreement trainers are generally restricted to providing only in-service training and not basic license training classes. TCLEOSE created agreement training in the late 1980's. The purpose was to assist small, remote law enforcement agencies, which did not have local access to TCLEOSE licensed academy training facilities, train its personnel. Agreement training allows the small remote agency to host its own accredited in-service training programs.

There are many advantages to having a TCLEOSE In-Service Training Agreement. A training agreement makes it easier to schedule personnel for training. Loss of manpower hours can be reduced since personnel can be trained locally and at more convenient times. The cost of training can be reduced because students do not have to

travel. The training can be conducted locally in-house at their own agency. Some agencies actually can profit financially from hosting training courses by charging outside agencies a tuition fee.

Critics argue that a TCLEOSE In-Service Training Agreement has some disadvantages. A disadvantage most often cited is that sometimes the quality of training may vary more widely than that of a licensed academy. This is because the instructors used by an agreement trainer may not be of as high of caliber or be as experienced as an academy instructor. This obviously is not true in all cases. Many agreement trainers have experienced instructors very knowledgeable in their field of expertise. It is difficult for TCLEOSE to monitor the training of agencies which hold in-service training agreements. This is mainly due to the sheer number of agreement trainers and the limited number of inspection staff at TCLEOSE.

Based on records provided by the Texas Commission on Law Enforcement Officer Standards and Education on June 12, 1995, there are 157 entities in Texas which have training agreements with TCLEOSE. (See appendix 1.) This is a reduced number over previous years. About 90 percent of the agreement trainers are located near the metropolitan areas of Houston or Dallas. These agreement trainers include small to medium size law enforcement agencies, private law enforcement training companies, law enforcement associations, governmental associations and district attorney offices.

DISCUSSION OF RELEVANT ISSUES

A Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) In-Service Training Agreement is advantageous for a law enforcement agency for several reasons. These include the ability to conduct training in-house, lesser training costs, decreased scheduling difficulty, convenient training locations, and training which can be tailored to meet the specific and unique needs of that agency.

TCLEOSE board rules state that the commission may enter into an agreement with an entity to conduct in-service training for license holders. The entity must complete an application along with the necessary attachments. These attachments include a comprehensive training needs assessment, advisory board information, training coordinator and instructor information, and a list of admission standards for students.

The primary application consists of three pages which is signed by the chief administrator. (See appendix 2.) A training coordinator and each instructor must be identified by name, social security number, position and whether they will instruct full or part-time. Their resumes must be attached to the application. The applying entity will describe their organization, including the number of peace officers, correctional officers, reserve officers, and emergency communicators. The applying entity must provide the location and description of the proposed classroom and firearms range. Library reference material which is provided for the students and instructors must be described. The proposed class hours must be identified. The applying entity will

acknowledge its intention to comply with all TCLEOSE rules and regulations.

The chief administrator must appoint an advisory board consisting of at least three members. The board members may be law enforcement personnel; however, they cannot exceed two-thirds of the board membership. The advisory board must elect a chairman and may elect other officers. It may set its own rules of procedure. A quorum must be present in order to conduct business. The board must meet at least once each calendar year and keep minutes of all meetings. Advisory boards have the duty to identify and evaluate the training needs of the entity. They also determine the type, frequency and location of the courses offered. They advise on the establishment of admission standards, prerequisites, minimum and maximum class size, attendance and retention. A listing of the advisory board members, a brief description of their titles and qualifications must be attached to the application, along with the minutes of any meetings which have already been held. Admission standards for the prospective students must be identified.

A training needs assessment must be attached to the application. The needs assessment must justify the specific need for a training agreement. The needs assessment must include the names of licensed academies and training providers located in the area. It must specifically address what training needs will be met by the agreement and specify the number and types of training courses to be offered. Instructional material, equipment or resources necessary for the training must be selected. At least one copy

of the learning objectives of each proposed course must be forwarded for approval. The entity must agree to admit any license holder to their training classes, subject to any reasonable limitations or preference required by the advisory board. The entity must insure effective training by distributing approved learning objectives to each student before the course is taught and by teaching the objectives. Training records must be maintained for at least five years. All required examinations must be proctored.

Gerald Keown, the director of program and institutional evaluations for TCLEOSE was interviewed concerning what factors the commission used in determining whether a training agreement would be approved or not. The primary considerations Keown cited were the availability of other training providers in the area, the remoteness of the applying entity, and the justifications cited in the needs assessment.

Keown reported that TCLEOSE receives about two in-service training agreement applications per month. Only about 10 percent of these are approved. There is no appeal process for applications which are denied. According to Keown, if an agency was previously denied a training agreement, and later its situation or needs assessment changed, a new application could be submitted for consideration (Keown 1995).

During the first six months of 1995, seven agencies were denied a TCLEOSE In-Service Training Agreement. These agencies were the Harris County Fire Marshal's Office, Highland Village Police Department, Iowa Park Police Department, Lorena Police Department, Spring Valley Police Department, Southlake Department of Public Safety

and the Woodbranch City Marshal's Office. A survey was conducted of these agencies after they had received notice of their training agreement application denial. The purpose of this survey was to identify the characteristics of these agencies and reasons cited by TCLEOSE for application denial. The survey results showed that in each case, the reason cited for each application denial was the existence of adequate training facilities already in the area. (See appendix 3.)

CONCLUSION/RECOMMENDATIONS

The purpose of this paper was to document, organize, and present what was necessary for a law enforcement agency to implement a Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) In-Service Training Agreement. Formal police training was shown to be lacking many years ago. Most training then, if any, was strictly conducted as on-the-job type training. The importance of training was gradually recognized over the years. Many states created government entities to oversee police training and to created minimum standards for peace officers. Police training is still expanding and will surely continue. The legal demands on police today require that training continue to be an ongoing process.

This research presented a TCLEOSE In-Service Training Agreement as a viable option for a police agency to use to obtain its mandated in-service training. The application process was explained. The necessary application attachments consisting of

a comprehensive needs assessment, advisory board information, and other requirements were presented. A survey of agencies which recently applied for a in-service training agreement was presented. The surveyed showed that all of these agencies were denied because of the adequate availability of other training facilities nearby. This survey was presented to help serve as a comparison for agencies to use in judging their success probability should they chose to seek a training agreement.

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Appendix 1. Type of Entities Holding TCLEOSE Training Agreements.

TYPES OF ENTITIES HOLDING TCLEOSE TRAINING AGREEMENTS		
ENTITY	NUMBER	PERCENT
Police Departments	80	51%
Sheriff Departments	40	26%
Constable Departments	13	8%
Other	7	4%
Private Companies	6	4%
Law Enforcement Assns	5	3%
Govt Related Assns	3	2%
District Attorney Offices	3	2%

TEXAS COMMISSION ON LAW ENFORCEMENT
OFFICER STANDARDS AND EDUCATION
La Costa Green, 1033 La Posada, Suite 240
Austin, Texas 78752

APPLICATION FOR TRAINING AGREEMENT

Organization Name: _____

Mailing Address: _____

Street Address: _____ City: _____ Zip: _____

Telephone Number: (____) _____

I. ORGANIZATION ADMINISTRATION

A. Name of agency/organization administrator requesting agreement:

B. Applying for:

- 1. ___ Agency Agreement
- 2. ___ Association Agreement
- 3. ___ Alternative Delivery Trainer Agreement

C. Have you had a training agreement with TCLEOSE before? ___ Dates _____

D. Name of Training Coordinator: _____

Percentage of time devoted to training _____

Social Security Number: _____

Does this coordinator hold a valid TCLEOSE Instructor License? _____

E. Training Staff (attach additional sheets, if necessary):

Name	SSN	Function/Position	Full or Part-Time
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

II. SERVICE AREA AND TRAINING NEEDS

A. Describe your organization: _____

B. Number of law enforcement academies operating in your area: _____

C. Organizational make up:

Peace officers: _____
Correction officers _____
Reserve officers _____
Emergency communicators _____
Total number of full time employees/members _____

III. FACILITY

A. Classroom(s) (If leased or rented space is used, such as a hotel, please attach a description of scheduling process):

1. Location address _____

2. Will classroom be dedicated for the use of training? _____

3. What percentage of the time will room be available? _____

B. Firearms Range (If applicable):

1. Location _____

2. Distance from classroom(s) _____

3. Indoor or outdoor range _____

4. Does agency/institution exercise sole control? _____

If no, is there a written agreement for use of facility? _____

5. Are restrooms provided? _____

6. Number of firing stations _____

7. Is this a permanent facility? _____

8. Is the range equipped for day and night use? _____

9. Will this range be suitable for rifles, shotguns and any other firearms? _____

10. Are safety rules posted? _____

Appendix 2. Application for Training Agreement, Page 3.

C. Other facilities:

1. Describe your library of standard reference materials for use by students and instructors. _____
2. Is office space available to the training staff for counseling and administrative duties? _____
3. Is adequate storage space available for administrative records, training supplies and other equipment? _____
4. Are restrooms near classroom? _____

IV. CLASS HOURS

- A. During what hours will training normally be conducted? _____
- B. Will the training coordinator or his designee be available at all times when training is being conducted? _____

V. COMPLIANCE WITH TCLEOSE RULES

- A. Will you meet the requirements of TCLEOSE Rule 215.66? _____
- B. Will you meet all requirements of other applicable TCLEOSE Rules? _____

VI. CHECKLIST OF REQUIRED ATTACHMENTS

- ___ A. List of advisory board members and a brief recitation of their current titles and qualifications.
- ___ B. Minutes of any advisory board meetings which have been conducted prior to this application being submitted.
- ___ C. Resumes of training coordinator and instructors.
- ___ D. Admission standards for students.
- ___ E. A comprehensive needs assessment justifying the need for an agreement. The needs assessment must include as a minimum:
 1. the names of the licensed academies located in the council of governments or regional planning commission area of the requesting party;
 2. a description of the existing law enforcement training programs in the area;
 3. what specific training need(s) are to be addressed by the proposed agreement contract;
 4. the number and types of courses that will be offered during the first quarter of the executed contract.

Signature of Chief Administrator

(or head of the organization who will exercise administrative control of the training)

Title

Date

Appendix 3. Survey of Agencies Denied In-Service Training Agreements During First Half of 1995.

SURVEY OF AGENCIES DENIED IN-SERVICE TRAINING AGREEMENTS DURING FIRST HALF OF 1995						
NAME OF AGENCY	POPULATION SERVED	NUMBER OF SWORN OFFICERS	CLOSEST TRAINING FACILITY (MILES)	NUMBER OF OTHER TRAINING PROVIDERS IN AREA	REASON APPLICATION DENIED BY TCI/EOSE	REASON APPLICATION DENIED BY TCI/EOSE
Harris Co FM	1,500,000	17	10	29	Sufficient Training Providers in Area	Sufficient Training Providers in Area
Southlake DPS	13,800	32	15	25	Sufficient Training Providers in Area	Sufficient Training Providers in Area
Highland Vig PD	11,500	14	2	25	Sufficient Training Providers in Area	Sufficient Training Providers in Area
Iowa Park PD	6,800	10	10	2	Sufficient Training Providers in Area	Sufficient Training Providers in Area
Spring Valley PD	3,350	15	14	29	Sufficient Training Providers in Area	Sufficient Training Providers in Area
Woodbranch MO	2,500	30	12	29	Sufficient Training Providers in Area	Sufficient Training Providers in Area
Lorena PD	1,525	4	15	2	Sufficient Training Providers in Area	Sufficient Training Providers in Area