



Division of Criminal Justice Services

KATHY HOCHUL
Governor

ROSSANA ROSADO
Commissioner

MEMORANDUM

TO: New York State Chief Law Enforcement Officers

FROM: Johanna Sullivan
Director, Office of Public Safety

DATE: November 10, 2022

SUBJECT: Mandatory Certification (EXC §846-h): Professional Policing Act of 2021

With the enactment of the “Professional Policing Act (PPA) of 2021”, the Municipal Police Training Council (MPTC) was directed to establish rules and regulations pertaining to background investigations and psychological evaluations for persons appointed as police officers of any county, city, town, village, or police district. Also included within the PPA were significant changes to the decertification process and the requirement that the Law Enforcement Agency Accreditation Council (LEAAC) establish a certification process for police agencies.

As was discussed in the enclosed memorandum, disseminated on October 8, 2021, the hiring standard regulations and the revised decertification regulations went into effect on October 16, 2021. All law enforcement officers must be of good moral character as determined by a thorough background investigation to ensure persons who engage in certain conduct are prohibited from becoming police officers, and to ensure that officers engaging in specific misconduct are not employed in New York State. Finally, the regulations work toward ensuring that all police officers must be emotionally stable and psychologically fit to perform the essential functions of a police officer. Combined, the regulations, are intended to ensure that New York State employs the most qualified and ethical officers in the country.

The PPA also directed LEEAC to create a mandatory certification process for agencies employing police officers, as defined in paragraphs (b), (c), (d), (e), (f), (j), (k), (l), (o), (p), (s) and (u) of subdivision thirty-four of section 1.20 of the Criminal Procedure Law. Effective October 16, 2023, covered agencies must be certified in accordance with paragraph (d) of subdivision one of section 846-h of the Executive Law by the Council. To obtain certification, all covered agencies must comply with hiring standards, report misconduct to the appropriate agencies and comply with all rules and regulations pertaining to the Police and Peace Officer Registry. Certification will require all agencies, even those not accredited, to provide proof of compliance with Accreditation Standards 9.1 and 12.1, attached.

In conjunction with the Council, the Office of Public Safety's (OPS) Law Enforcement Accreditation Unit has developed a process to certify covered police departments prior to the October 16, 2023, effective date. OPS staff have been assigned to covered agencies and will be contacting Chief Law Enforcement Officers with additional guidance and requisite timelines in the coming weeks. Failure to achieve and maintain compliance may result in the revocation or withholding of the agency's mandatory certification which impacts an agency's ability to employ police officers pursuant to CPL §1.20 (34).

Additionally, enclosed for your convenience and reference, please find the hiring standard regulation, 9 NYCRR Part 6000, the decertification regulation, 9 NYCRR Part 6056, and the Frequently Asked Questions on Professional Policing Act Regulations. To access the MPTC Guidelines for Police Officer Psychological Exams, [CLICK HERE](#). For further information, please visit the NYS Division of Criminal Justice website via the following link: www.criminaljustice.ny.gov.

As an agency, we are committed to supporting agencies through the certification process to ensure all agencies maintain police powers and are certified by October 16, 2023. Your prompt attention to this matter and all delineated timelines is greatly appreciated. Please submit all inquiries to the following email address: ops.agencycertification@dcjs.ny.gov.

Enclosures: Memorandum dated 10/8/21
Standard 9.1 – Reporting Requirements
Standard 12.1 – Hiring Standards
FAQs on Professional Policing Act Regulations
MPTC Part 6000 Standards and Procedures for Police Officer Candidates
9 NYCRR Part 6056